

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

SEVENTY-FOURTH DAY

St. Paul, Minnesota, Thursday, March 12, 2020

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

CALL OF THE SENATE

Senator Goggin 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. Denise Dunbar-Perkins.

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:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

The President declared a quorum present.

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

REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Limmer from the Committee on Judiciary and Public Safety Finance and Policy, to which was referred

S.F. No. 3866: A bill for an act relating to public safety; expressly prohibiting civilly committed sex offenders from possessing firearms; amending Minnesota Statutes 2018, section 624.713, subdivision 4; Minnesota Statutes 2019 Supplement, section 624.713, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 260C.201, subdivision 3, is amended to read:

Subd. 3. **Domestic child abuse.** (a) If the court finds that the child is a victim of domestic child abuse, as defined in section 260C.007, subdivision 13, it may order any of the following dispositions of the case in addition to or as alternatives to the dispositions authorized under subdivision 1:

- (1) restrain any party from committing acts of domestic child abuse;
- (2) exclude the abusing party from the dwelling which the family or household members share or from the residence of the child;
- (3) on the same basis as is provided in chapter 518, establish temporary visitation with regard to minor children of the adult family or household members;
- (4) on the same basis as is provided in chapter 518 or 518A, establish temporary support or maintenance for a period of 30 days for minor children or a spouse;
- (5) provide counseling or other social services for the family or household members; or
- (6) order the abusing party to participate in treatment or counseling services.

Any relief granted by the order for protection shall be for a fixed period not to exceed one year.

(b) No order excluding the abusing party from the dwelling may be issued unless the court finds that:

- (1) the order is in the best interests of the child or children remaining in the dwelling;
- (2) a remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party; and
- (3) the local welfare agency has developed a plan to provide appropriate social services to the remaining family or household members.

(c) Upon a finding that the remaining parent is able to care adequately for the child and enforce an order excluding the abusing party from the home and that the provision of supportive services by the responsible social services agency is no longer necessary, the responsible social services agency may be dismissed as a party to the proceedings. Orders entered regarding the abusing party

remain in full force and effect and may be renewed by the remaining parent as necessary for the continued protection of the child for specified periods of time, not to exceed one year.

(d) An order granting relief that was issued after a hearing of which the abusing party received actual notice and at which the abusing party had the opportunity to participate, shall prohibit the abusing party from possessing firearms for the length the order is in effect if the order (1) restrains the abusing party from harassing, stalking, or threatening the child or restrains the abusing party from engaging in other conduct that would place the child in reasonable fear of bodily injury, and (2) includes a finding that the abusing party represents a credible threat to the physical safety of the child or prohibits the abusing party from using, attempting to use, or threatening to use physical force against the child. The order shall inform the abusing party of that party's prohibited status. Except as provided in paragraph (f), the court shall order the abusing party to transfer any firearms that the person possesses, within three business days, to a federally licensed firearms dealer, a law enforcement agency, or a third party who may lawfully receive them. The transfer may be permanent or temporary. A temporary firearm transfer only entitles the receiving party to possess the firearm. A temporary transfer does not transfer ownership or title. An abusing party may not transfer firearms to a third party who resides with the abusing party. If an abusing party makes a temporary transfer, a federally licensed firearms dealer or law enforcement agency may charge the abusing party a reasonable fee to store the person's firearms and may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms. For temporary firearms transfers under this paragraph, a law enforcement agency, federally licensed firearms dealer, or third party shall exercise due care to preserve the quality and function of the transferred firearms and shall return the transferred firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The return of temporarily transferred firearms to an abusing party shall comply with state and federal law. If an abusing party permanently transfers the abusing party's firearms to a law enforcement agency, the agency is not required to compensate the abusing party and may charge the abusing party a reasonable processing fee. A law enforcement agency is not required to accept an abusing party's firearm under this paragraph Section 624.7134 governs the mandatory transfer of firearms from abusing parties who are prohibited from possessing a firearm under this paragraph.

(e) An abusing party who is ordered to transfer firearms under paragraph (d) must file proof of transfer as provided for in this paragraph. If the transfer is made to a third party, the third party must sign an affidavit under oath before a notary public either acknowledging that the abusing party permanently transferred the abusing party's firearms to the third party or agreeing to temporarily store the abusing party's firearms until such time as the abusing party is legally permitted to possess firearms. The affidavit shall indicate the serial number, make, and model of all firearms transferred by the abusing party to the third party. The third party shall acknowledge in the affidavit that the third party may be held criminally and civilly responsible under section 624.7144 if the abusing party gains access to a transferred firearm while the firearm is in the custody of the third party. If the transfer is to a law enforcement agency or federally licensed firearms dealer, the law enforcement agency or federally licensed firearms dealer shall provide proof of transfer to the abusing party. The proof of transfer must specify whether the firearms were permanently or temporarily transferred and include the name of the abusing party, date of transfer, and the serial number, make, and model of all transferred firearms. The abusing party shall provide the court with a signed and notarized

affidavit or proof of transfer as described in this section within two business days of the firearms transfer. The court shall seal affidavits and proofs of transfer filed pursuant to this paragraph.

~~(f) When a court issues an order containing a firearms restriction provided for in paragraph (d), the court shall determine by a preponderance of evidence if an abusing party poses an imminent risk of causing another person substantial bodily harm. Upon a finding of imminent risk, the court shall order that the local law enforcement agency take immediate possession of all firearms in the abusing party's possession. The local law enforcement agency shall exercise due care to preserve the quality and function of the abusing party's firearms and shall return the firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The local law enforcement agency shall, upon written notice from the abusing party, transfer the firearms to a federally licensed firearms dealer or a third party who may lawfully receive them. Before a local law enforcement agency transfers a firearm under this paragraph, the agency shall require the third party or federally licensed firearms dealer receiving the firearm to submit an affidavit or proof of transfer that complies with the requirements for affidavits or proofs of transfer established in paragraph (e). The agency shall file all affidavits or proofs of transfer received with the court within two business days of the transfer. The court shall seal all affidavits or proofs of transfer filed pursuant to this paragraph. A federally licensed firearms dealer or third party who accepts a firearm transfer pursuant to this paragraph shall comply with paragraphs (d) and (e) as if accepting transfer from the abusing party. If the law enforcement agency does not receive written notice from the abusing party within three business days, the agency may charge a reasonable fee to store the abusing party's firearms. A law enforcement agency may establish policies for disposal of abandoned firearms, provided such policies require that the abusing party be notified via certified mail prior to disposal of abandoned firearms.~~

Sec. 2. Minnesota Statutes 2018, section 518B.01, subdivision 6, is amended to read:

Subd. 6. **Relief by court.** (a) Upon notice and hearing, the court may provide relief as follows:

- (1) restrain the abusing party from committing acts of domestic abuse;
- (2) exclude the abusing party from the dwelling which the parties share or from the residence of the petitioner;
- (3) exclude the abusing party from a reasonable area surrounding the dwelling or residence, which area shall be described specifically in the order;
- (4) award temporary custody or establish temporary parenting time with regard to minor children of the parties on a basis which gives primary consideration to the safety of the victim and the children. In addition to the primary safety considerations, the court may consider particular best interest factors that are found to be relevant to the temporary custody and parenting time award. Findings under section 257.025, 518.17, or 518.175 are not required with respect to the particular best interest factors not considered by the court. If the court finds that the safety of the victim or the children will be jeopardized by unsupervised or unrestricted parenting time, the court shall condition or restrict parenting time as to time, place, duration, or supervision, or deny parenting time entirely, as needed to guard the safety of the victim and the children. The court's decision on custody and parenting time shall in no way delay the issuance of an order for protection granting other relief

provided for in this section. The court must not enter a parenting plan under section 518.1705 as part of an action for an order for protection;

(5) on the same basis as is provided in chapter 518 or 518A, establish temporary support for minor children or a spouse, and order the withholding of support from the income of the person obligated to pay the support according to chapter 518A;

(6) provide upon request of the petitioner counseling or other social services for the parties, if married, or if there are minor children;

(7) order the abusing party to participate in treatment or counseling services, including requiring the abusing party to successfully complete a domestic abuse counseling program or educational program under section 518B.02;

(8) award temporary use and possession of property and restrain one or both parties from transferring, encumbering, concealing, or disposing of property except in the usual course of business or for the necessities of life, and to account to the court for all such transfers, encumbrances, dispositions, and expenditures made after the order is served or communicated to the party restrained in open court;

(9) exclude the abusing party from the place of employment of the petitioner, or otherwise limit access to the petitioner by the abusing party at the petitioner's place of employment;

(10) order the abusing party to have no contact with the petitioner whether in person, by telephone, mail, or electronic mail or messaging, through a third party, or by any other means;

(11) order the abusing party to pay restitution to the petitioner;

(12) order the continuance of all currently available insurance coverage without change in coverage or beneficiary designation;

(13) order, in its discretion, other relief as it deems necessary for the protection of a family or household member, including orders or directives to the sheriff or other law enforcement or corrections officer as provided by this section;

(14) direct the care, possession, or control of a pet or companion animal owned, possessed, or kept by the petitioner or respondent or a child of the petitioner or respondent; and

(15) direct the respondent to refrain from physically abusing or injuring any pet or companion animal, without legal justification, known to be owned, possessed, kept, or held by either party or a minor child residing in the residence or household of either party as an indirect means of intentionally threatening the safety of such person.

(b) Any relief granted by the order for protection shall be for a period not to exceed two years, except when the court determines a longer period is appropriate. When a referee presides at the hearing on the petition, the order granting relief becomes effective upon the referee's signature.

(c) An order granting the relief authorized in paragraph (a), clause (1), may not be vacated or modified in a proceeding for dissolution of marriage or legal separation, except that the court may hear a motion for modification of an order for protection concurrently with a proceeding for

dissolution of marriage upon notice of motion and motion. The notice required by court rule shall not be waived. If the proceedings are consolidated and the motion to modify is granted, a separate order for modification of an order for protection shall be issued.

(d) An order granting the relief authorized in paragraph (a), clause (2) or (3), is not voided by the admittance of the abusing party into the dwelling from which the abusing party is excluded.

(e) If a proceeding for dissolution of marriage or legal separation is pending between the parties, the court shall provide a copy of the order for protection to the court with jurisdiction over the dissolution or separation proceeding for inclusion in its file.

(f) An order for restitution issued under this subdivision is enforceable as civil judgment.

(g) An order granting relief shall prohibit the abusing party from possessing firearms for the length the order is in effect if the order (1) restrains the abusing party from harassing, stalking, or threatening the petitioner or restrains the abusing party from engaging in other conduct that would place the petitioner in reasonable fear of bodily injury, and (2) includes a finding that the abusing party represents a credible threat to the physical safety of the petitioner or prohibits the abusing party from using, attempting to use, or threatening to use physical force against the petitioner. The order shall inform the abusing party of that party's prohibited status. ~~Except as provided in paragraph (i), the court shall order the abusing party to transfer any firearms that the person possesses, within three business days, to a federally licensed firearms dealer, a law enforcement agency, or a third party who may lawfully receive them. The transfer may be permanent or temporary. A temporary firearm transfer only entitles the receiving party to possess the firearm. A temporary transfer does not transfer ownership or title. An abusing party may not transfer firearms to a third party who resides with the abusing party. If an abusing party makes a temporary transfer, a federally licensed firearms dealer or law enforcement agency may charge the abusing party a reasonable fee to store the person's firearms and may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms. For temporary firearms transfers under this paragraph, a law enforcement agency, federally licensed firearms dealer, or third party shall exercise due care to preserve the quality and function of the transferred firearms and shall return the transferred firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The return of temporarily transferred firearms to an abusing party shall comply with state and federal law. If an abusing party permanently transfers the abusing party's firearms to a law enforcement agency, the agency is not required to compensate the abusing party and may charge the abusing party a reasonable processing fee. A law enforcement agency is not required to accept an abusing party's firearm under this paragraph. Section 624.7134 governs the mandatory transfer of firearms from abusing parties who are prohibited from possessing a firearm under this paragraph.~~

(h) ~~An abusing party who is ordered to transfer firearms under paragraph (g) must file proof of transfer as provided for in this paragraph. If the transfer is made to a third party, the third party must sign an affidavit under oath before a notary public either acknowledging that the abusing party permanently transferred the abusing party's firearms to the third party or agreeing to temporarily store the abusing party's firearms until such time as the abusing party is legally permitted to possess firearms. The affidavit shall indicate the serial number, make, and model of all firearms transferred by the abusing party to the third party. The third party shall acknowledge in the affidavit that the~~

~~third party may be held criminally and civilly responsible under section 624.7144 if the abusing party gains access to a transferred firearm while the firearm is in the custody of the third party. If the transfer is to a law enforcement agency or federally licensed firearms dealer, the law enforcement agency or federally licensed firearms dealer shall provide proof of transfer to the abusing party. The proof of transfer must specify whether the firearms were permanently or temporarily transferred and include the name of the abusing party, date of transfer, and the serial number, make, and model of all transferred firearms. The abusing party shall provide the court with a signed and notarized affidavit or proof of transfer as described in this section within two business days of the firearms transfer. The court shall seal affidavits and proofs of transfer filed pursuant to this paragraph.~~

~~(i) When a court issues an order containing a firearms restriction provided for in paragraph (g), the court shall determine by a preponderance of evidence if an abusing party poses an imminent risk of causing another person substantial bodily harm. Upon a finding of imminent risk, the court shall order that the local law enforcement agency take immediate possession of all firearms in the abusing party's possession. The local law enforcement agency shall exercise due care to preserve the quality and function of the abusing party's firearms and shall return the firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The local law enforcement agency shall, upon written notice from the abusing party, transfer the firearms to a federally licensed firearms dealer or a third party who may lawfully receive them. Before a local law enforcement agency transfers a firearm under this paragraph, the agency shall require the third party or federally licensed firearms dealer receiving the firearm to submit an affidavit or proof of transfer that complies with the requirements for affidavits or proofs of transfer established in paragraph (h). The agency shall file all affidavits or proofs of transfer received with the court within two business days of the transfer. The court shall seal all affidavits or proofs of transfer filed pursuant to this paragraph. A federally licensed firearms dealer or third party who accepts a firearm transfer pursuant to this paragraph shall comply with paragraphs (g) and (h) as if accepting transfer from the abusing party. If the law enforcement agency does not receive written notice from the abusing party within three business days, the agency may charge a reasonable fee to store the abusing party's firearms. A law enforcement agency may establish policies for disposal of abandoned firearms, provided such policies require that the abusing party be notified via certified mail prior to disposal of abandoned firearms.~~

Sec. 3. Minnesota Statutes 2018, section 609.2242, subdivision 3, is amended to read:

Subd. 3. **Domestic assaults; firearms.** (a) When a person is convicted of a violation of this section or section 609.221, 609.222, 609.223, 609.224, or 609.2247, the court shall determine and make written findings on the record as to whether:

(1) the assault was committed against a family or household member, as defined in section 518B.01, subdivision 2;

(2) the defendant owns or possesses a firearm; and

(3) the firearm was used in any way during the commission of the assault.

(b) If the court determines that the assault was of a family or household member, and that the offender owns or possesses a firearm and used it in any way during the commission of the assault, it shall order that the firearm be summarily forfeited under section 609.5316, subdivision 3.

(c) When a person is convicted of assaulting a family or household member and is determined by the court to have used a firearm in any way during commission of the assault, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(d) Except as otherwise provided in paragraph (c), when a person is convicted of a violation of this section or section 609.224 and the court determines that the victim was a family or household member, the court shall inform the defendant that the defendant is prohibited from possessing a firearm for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(e) Except as otherwise provided in paragraph (c), a person is not entitled to possess a pistol if the person has been convicted after August 1, 1992, or a firearm if a person has been convicted on or after August 1, 2014, of domestic assault under this section or assault in the fifth degree under section 609.224 and the assault victim was a family or household member as defined in section 518B.01, subdivision 2, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section or section 609.224. Property rights may not be abated but access may be restricted by the courts. A person who possesses a firearm in violation of this paragraph is guilty of a gross misdemeanor.

~~(f) Except as otherwise provided in paragraphs (b) and (h), when a person is convicted of a violation of this section or section 609.221, 609.222, 609.223, 609.224, or 609.2247 and the court determines that the assault was against a family or household member, the court shall order the defendant to transfer any firearms that the person possesses, within three business days, to a federally licensed firearms dealer, a law enforcement agency, or a third party who may lawfully receive them. The transfer may be permanent or temporary, unless the court prohibits the person from possessing a firearm for the remainder of the person's life under paragraph (c). A temporary firearm transfer only entitles the receiving party to possess the firearm. A temporary transfer does not transfer ownership or title. A defendant may not transfer firearms to a third party who resides with the defendant. If a defendant makes a temporary transfer, a federally licensed firearms dealer or law enforcement agency may charge the defendant a reasonable fee to store the person's firearms and may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified by certified mail prior to disposal of abandoned firearms. For temporary firearms transfers under this paragraph, a law enforcement agency, federally licensed firearms dealer, or third party shall exercise due care to preserve the quality and function of the transferred firearms and shall return the transferred firearms to the person upon request after the expiration of the prohibiting time period imposed under this subdivision, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The return of temporarily transferred firearms to a person shall comply with state and federal law. If a defendant permanently transfers the defendant's firearms to a law enforcement agency, the agency is not required to compensate the defendant and may charge the defendant a reasonable processing fee. A law enforcement agency is not required~~

to accept a person's firearm under this paragraph. The court shall order that the person surrender all permits to carry and purchase firearms to the sheriff. Section 624.7134 governs the mandatory transfer of firearms from persons who are prohibited from possessing a firearm under paragraph (c) or (e).

(g) A defendant who is ordered to transfer firearms under paragraph (f) must file proof of transfer as provided for in this paragraph. If the transfer is made to a third party, the third party must sign an affidavit under oath before a notary public either acknowledging that the defendant permanently transferred the defendant's firearms to the third party or agreeing to temporarily store the defendant's firearms until such time as the defendant is legally permitted to possess firearms. The affidavit shall indicate the serial number, make, and model of all firearms transferred by the defendant to the third party. The third party shall acknowledge in the affidavit that the third party may be held criminally and civilly responsible under section 624.7144 if the defendant gains access to a transferred firearm while the firearm is in the custody of the third party. If the transfer is to a law enforcement agency or federally licensed firearms dealer, the law enforcement agency or federally licensed firearms dealer shall provide proof of transfer to the defendant. The proof of transfer must specify whether the firearms were permanently or temporarily transferred and include the name of the defendant, date of transfer, and the serial number, make, and model of all transferred firearms. The defendant shall provide the court with a signed and notarized affidavit or proof of transfer as described in this section within two business days of the firearms transfer. The court shall seal affidavits and proofs of transfer filed pursuant to this paragraph.

(h) When a person is convicted of a violation of this section or section 609.221, 609.222, 609.223, 609.224, or 609.2247, and the court determines that the assault was against a family or household member, the court shall determine by a preponderance of the evidence if the person poses an imminent risk of causing another person substantial bodily harm. Upon a finding of imminent risk, the court shall order that the local law enforcement agency take immediate possession of all firearms in the person's possession. The local law enforcement agency shall exercise due care to preserve the quality and function of the defendant's firearms and shall return the firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The local law enforcement agency shall, upon written notice from the person, transfer the firearms to a federally licensed firearms dealer or a third party who may lawfully receive them. Before a local law enforcement agency transfers a firearm under this paragraph, the agency shall require the third party or federally licensed firearms dealer receiving the firearm to submit an affidavit or proof of transfer that complies with the requirements for affidavits or proofs of transfer established in paragraph (g). The agency shall file all affidavits or proofs of transfer received with the court within two business days of the transfer. The court shall seal all affidavits or proofs of transfer filed pursuant to this paragraph. A federally licensed firearms dealer or third party who accepts a firearm transfer pursuant to this paragraph shall comply with paragraphs (f) and (g) as if accepting transfer from the defendant. If the law enforcement agency does not receive written notice from the defendant within three business days, the agency may charge a reasonable fee to store the defendant's firearms. A law enforcement agency may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms.

Sec. 4. Minnesota Statutes 2018, section 609.66, subdivision 1e, is amended to read:

Subd. 1e. **Felony; drive-by shooting.** (a) Whoever, A person is guilty of a felony who, while in or having just exited from a motor vehicle, recklessly discharges a firearm at or toward another;

~~(1) an unoccupied motor vehicle or a building is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$6,000, or both;~~

(2) an occupied motor vehicle or building; or

(3) another person.

~~(b) Any person who violates this subdivision by firing at or toward a person, or an occupied building or motor vehicle, may be sentenced~~ A person convicted under paragraph (a), clause (1), may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$6,000, or both. A person convicted under paragraph (a), clause (2) or (3), may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(c) For purposes of this subdivision, "motor vehicle" has the meaning given in section 609.52, subdivision 1, and "building" has the meaning given in section 609.581, subdivision 2.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2019 Supplement, section 609.749, subdivision 8, is amended to read:

Subd. 8. **Harassment; stalking; firearms.** (a) When a person is convicted of harassment or stalking under this section and the court determines that the person used a firearm in any way during commission of the crime, the court may order that the person is prohibited from possessing any type of firearm for any period longer than three years or for the remainder of the person's life. A person who violates this paragraph is guilty of a gross misdemeanor. At the time of the conviction, the court shall inform the defendant for how long the defendant is prohibited from possessing a firearm and that it is a gross misdemeanor to violate this paragraph. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(b) Except as otherwise provided in paragraph (a), when a person is convicted of harassment or stalking under this section, the court shall inform the defendant that the defendant is prohibited from possessing a firearm for three years from the date of conviction and that it is a gross misdemeanor offense to violate this prohibition. The failure of the court to provide this information to a defendant does not affect the applicability of the firearm possession prohibition or the gross misdemeanor penalty to that defendant.

(c) Except as otherwise provided in paragraph (a), a person is not entitled to possess a pistol if the person has been convicted after August 1, 1996, of harassment or stalking under this section, or to possess a firearm if the person has been convicted on or after August 1, 2014, of harassment or stalking under this section, unless three years have elapsed from the date of conviction and, during that time, the person has not been convicted of any other violation of this section. Property rights may not be abated but access may be restricted by the courts. A person who possesses a firearm in violation of this paragraph is guilty of a gross misdemeanor.

(d) If the court determines that a person convicted of harassment or stalking under this section owns or possesses a firearm and used it in any way during the commission of the crime, it shall order that the firearm be summarily forfeited under section 609.5316, subdivision 3.

~~(e) Except as otherwise provided in paragraphs (d) and (g), when a person is convicted of harassment or stalking under this section, the court shall order the defendant to transfer any firearms that the person possesses, within three business days, to a federally licensed firearms dealer, a law enforcement agency, or a third party who may lawfully receive them. The transfer may be permanent or temporary. A temporary firearm transfer only entitles the receiving party to possess the firearm. A temporary transfer does not transfer ownership or title. A defendant may not transfer firearms to a third party who resides with the defendant. If a defendant makes a temporary transfer, a federally licensed firearms dealer or law enforcement agency may charge the defendant a reasonable fee to store the person's firearms and may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms. For temporary firearms transfers under this paragraph, a law enforcement agency, federally licensed firearms dealer, or third party shall exercise due care to preserve the quality and function of the transferred firearms and shall return the transferred firearms to the person upon request after the expiration of the prohibiting time period imposed under this subdivision, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The return of temporarily transferred firearms to a defendant shall comply with state and federal law. If a defendant permanently transfers the defendant's firearms to a law enforcement agency, the agency is not required to compensate the defendant and may charge the defendant a reasonable processing fee. A law enforcement agency is not required to accept a person's firearm under this paragraph. The court shall order that the person surrender all permits to carry and purchase firearms to the sheriff. Section 624.7134 governs the mandatory transfer of firearms from persons who are prohibited from possessing a firearm under paragraph (a) or (c).~~

~~(f) A defendant who is ordered to transfer firearms under paragraph (e) must file proof of transfer as provided for in this paragraph. If the transfer is made to a third party, the third party must sign an affidavit under oath before a notary public either acknowledging that the defendant permanently transferred the defendant's firearms to the third party or agreeing to temporarily store the defendant's firearms until such time as the defendant is legally permitted to possess firearms. The affidavit shall indicate the serial number, make, and model of all firearms transferred by the defendant to the third party. The third party shall acknowledge in the affidavit that the third party may be held criminally and civilly responsible under section 624.7144 if the defendant gains access to a transferred firearm while the firearm is in the custody of the third party. If the transfer is to a law enforcement agency or federally licensed firearms dealer, the law enforcement agency or federally licensed firearms dealer shall provide proof of transfer to the defendant. The proof of transfer must specify whether the firearms were permanently or temporarily transferred and include the name of the defendant, date of transfer, and the serial number, make, and model of all transferred firearms. The defendant shall provide the court with a signed and notarized affidavit or proof of transfer as described in this section within two business days of the firearms transfer. The court shall seal affidavits and proofs of transfer filed pursuant to this paragraph.~~

~~(g) When a person is convicted of harassment or stalking under this section, the court shall determine by a preponderance of the evidence if the person poses an imminent risk of causing another person substantial bodily harm. Upon a finding of imminent risk, the court shall order that the local law enforcement agency take immediate possession of all firearms in the person's possession.~~

~~The local law enforcement agency shall exercise due care to preserve the quality and function of the defendant's firearms and shall return the firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The local law enforcement agency shall, upon written notice from the person, transfer the firearms to a federally licensed firearms dealer or a third party who may lawfully receive them. Before a local law enforcement agency transfers a firearm under this paragraph, the agency shall require the third party or federally licensed firearms dealer receiving the firearm to submit an affidavit or proof of transfer that complies with the requirements for affidavits or proofs of transfer established in paragraph (f). The agency shall file all affidavits or proofs of transfer received with the court within two business days of the transfer. The court shall seal all affidavits or proofs of transfer filed pursuant to this paragraph. A federally licensed firearms dealer or third party who accepts a firearm transfer pursuant to this paragraph shall comply with paragraphs (e) and (f) as if accepting transfer from the defendant. If the law enforcement agency does not receive written notice from the defendant within three business days, the agency may charge a reasonable fee to store the defendant's firearms. A law enforcement agency may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms.~~

Sec. 6. Minnesota Statutes 2019 Supplement, section 624.713, subdivision 1, is amended to read:

Subdivision 1. **Ineligible persons.** The following persons shall not be entitled to possess ammunition or a pistol or semiautomatic military-style assault weapon or, except for clause (1), any other firearm:

(1) a person under the age of 18 years except that a person under 18 may possess ammunition designed for use in a firearm that the person may lawfully possess and may carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual presence or under the direct supervision of the person's parent or guardian, (ii) for the purpose of military drill under the auspices of a legally recognized military organization and under competent supervision, (iii) for the purpose of instruction, competition, or target practice on a firing range approved by the chief of police or county sheriff in whose jurisdiction the range is located and under direct supervision; or (iv) if the person has successfully completed a course designed to teach marksmanship and safety with a pistol or semiautomatic military-style assault weapon and approved by the commissioner of natural resources;

(2) except as otherwise provided in clause (9), a person who has been convicted of, or adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in this state or elsewhere, a crime of violence. For purposes of this section, crime of violence includes crimes in other states or jurisdictions which would have been crimes of violence as herein defined if they had been committed in this state;

(3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial determination that the person is mentally ill, developmentally disabled, or mentally ill and dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has ever been found incompetent to stand trial or not guilty by reason of mental illness, unless the person's ability to possess a firearm and ammunition has been restored under subdivision 4;

(4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or gross misdemeanor violation of chapter 152, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other such violation of chapter 152 or a similar law of another state; or a person who is or has ever been committed by a judicial determination for treatment for the habitual use of a controlled substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability to possess a firearm and ammunition has been restored under subdivision 4;

(5) a person who has been committed to a treatment facility in Minnesota or elsewhere by a judicial determination that the person is chemically dependent as defined in section 253B.02, unless the person has completed treatment or the person's ability to possess a firearm and ammunition has been restored under subdivision 4. Property rights may not be abated but access may be restricted by the courts;

(6) a peace officer who is informally admitted to a treatment facility pursuant to section 253B.04 for chemical dependency, unless the officer possesses a certificate from the head of the treatment facility discharging or provisionally discharging the officer from the treatment facility. Property rights may not be abated but access may be restricted by the courts;

(7) a person, including a person under the jurisdiction of the juvenile court, who has been charged with committing a crime of violence and has been placed in a pretrial diversion program by the court before disposition, until the person has completed the diversion program and the charge of committing the crime of violence has been dismissed;

(8) except as otherwise provided in clause (9), a person who has been convicted in another state of committing an offense similar to the offense described in section 609.224, subdivision 3, against a family or household member or section 609.2242, subdivision 3, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242, subdivision 3, or a similar law of another state;

(9) a person who has been convicted in this state or elsewhere of assaulting a family or household member and who was found by the court to have used a firearm in any way during commission of the assault is prohibited from possessing any type of firearm or ammunition for the period determined by the sentencing court;

(10) a person who:

(i) has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;

(ii) is a fugitive from justice as a result of having fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding;

(iii) is an unlawful user of any controlled substance as defined in chapter 152;

(iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the public, as defined in section 253B.02;

(v) is an alien who is illegally or unlawfully in the United States;

(vi) has been discharged from the armed forces of the United States under dishonorable conditions;

(vii) has renounced the person's citizenship having been a citizen of the United States; or

(viii) is disqualified from possessing a firearm under United States Code, title 18, section 922(g)(8) or (9), as amended through March 1, 2014;

(11) a person who has been convicted of the following offenses at the gross misdemeanor level, unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of any other violation of these sections: section 609.229 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child); 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71 (riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified gross misdemeanor convictions include crimes committed in other states or jurisdictions which would have been gross misdemeanors if conviction occurred in this state;

(12) a person who has been convicted of a violation of section 609.224 if the court determined that the assault was against a family or household member in accordance with section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since the date of conviction and, during that time, the person has not been convicted of another violation of section 609.224 or a violation of a section listed in clause (11); ~~or~~

(13) a person who is subject to an order for protection as described in section 260C.201, subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g); or

(14) a person who has been committed to a treatment facility in Minnesota or elsewhere by a judicial determination that the person is a sexually dangerous person or a person with a sexual psychopathic personality, unless the person's ability to possess a firearm and ammunition has been restored under subdivision 4.

A person who issues a certificate pursuant to this section in good faith is not liable for damages resulting or arising from the actions or misconduct with a firearm or ammunition committed by the individual who is the subject of the certificate.

The prohibition in this subdivision relating to the possession of firearms other than pistols and semiautomatic military-style assault weapons does not apply retroactively to persons who are prohibited from possessing a pistol or semiautomatic military-style assault weapon under this subdivision before August 1, 1994.

The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause (2), applies only to offenders who are discharged from sentence or court supervision for a crime of violence on or after August 1, 1993.

For purposes of this section, "judicial determination" means a court proceeding pursuant to sections 253B.07 to 253B.09 or chapter 253D, or a comparable law from another state.

Sec. 7. Minnesota Statutes 2018, section 624.713, subdivision 4, is amended to read:

Subd. 4. **Restoration of firearms and ammunition eligibility to civilly committed person; petition authorized.** (a) A person who is prohibited from possessing a firearm or ammunition under subdivision 1, due to commitment resulting from a judicial determination that the person is mentally ill, developmentally disabled, mentally ill and dangerous, or chemically dependent, or is a sexually dangerous person or a person with a sexual psychopathic personality, may petition a court to restore the person's ability to possess a firearm or ammunition.

(b) The court may grant the relief sought in paragraph (a) in accordance with the principles of due process if the circumstances regarding the person's disqualifying condition and the person's record and reputation are determined to be such that:

- (1) the person is not likely to act in a manner that is dangerous to public safety; and
- (2) the granting of relief would not be contrary to the public interest.

(c) When determining whether a person has met the requirement of paragraph (b), clause (1), the court may consider evidence from a licensed medical doctor or clinical psychologist that the person is no longer suffering from the disease or condition that caused the disability or that the disease or condition has been successfully treated for a period of three consecutive years.

(d) Review on appeal shall be de novo.

Sec. 8. **[624.7134] MANDATORY TRANSFER OF FIREARMS POSSESSED BY CERTAIN INELIGIBLE PERSONS.**

Subdivision 1. **Applicability.** This section applies to persons who are ineligible to possess firearms under section 260C.201, subdivision 3, paragraph (d); 518B.01, subdivision 6, paragraph (g); 609.2242, subdivision 3, paragraph (c) or (e); or 609.749, subdivision 8, paragraph (a) or (c).

Subd. 2. **Mandatory transfers of firearms.** (a) When a person becomes ineligible to possess a firearm under a provision described in subdivision 1, the court shall order the person to transfer any firearms that the person possesses, within three business days, to a federally licensed firearms dealer, a law enforcement agency, or a third party who may lawfully receive them. The transfer may be permanent or temporary. A temporary firearm transfer only entitles the receiving party to possess the firearm. A temporary transfer does not transfer ownership or title. A person may not transfer firearms to a third party who resides with the person. If a person makes a temporary transfer, a federally licensed firearms dealer or law enforcement agency may charge the person a reasonable fee to store the person's firearms and may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms. For temporary firearms transfers under this paragraph, a law enforcement agency, federally licensed firearms dealer, or third party shall exercise due care to preserve the quality and function of the transferred firearms and shall return the transferred firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The return of temporarily transferred

firearms to a person shall comply with state and federal law. If a person permanently transfers the person's firearms to a law enforcement agency, the agency is not required to compensate the person and may charge the person a reasonable processing fee. A law enforcement agency is not required to accept a person's firearm under this paragraph. The court shall order that the person surrender all permits to carry and purchase firearms to the sheriff.

(b) A person who is ordered to transfer firearms under paragraph (a) must file proof of transfer as provided for in this paragraph. If the transfer is made to a third party, the third party must sign an affidavit under oath before a notary public either acknowledging that the person permanently transferred the person's firearms to the third party or agreeing to temporarily store the person's firearms until such time as the person is legally permitted to possess firearms. The affidavit shall indicate the serial number, make, and model of all firearms transferred by the person to the third party. The third party shall acknowledge in the affidavit that the third party may be held criminally and civilly responsible under section 624.7144 if the person gains access to a transferred firearm while the firearm is in the custody of the third party. If the transfer is to a law enforcement agency or federally licensed firearms dealer, the law enforcement agency or federally licensed firearms dealer shall provide proof of transfer to the person. The proof of transfer must specify whether the firearms were permanently or temporarily transferred and include the name of the person, date of transfer, and the serial number, make, and model of all transferred firearms. The person shall provide the court with a signed and notarized affidavit or proof of transfer as described in this section within two business days of the firearms transfer. The court shall seal affidavits and proofs of transfer filed pursuant to this paragraph.

(c) When a person become ineligible to possess a firearm under a provision described in subdivision 1, the court shall determine by a preponderance of the evidence if the person poses an imminent risk of causing another person substantial bodily harm. Upon a finding of imminent risk, the court shall order that the local law enforcement agency take immediate possession of all firearms in the person's possession. The local law enforcement agency shall exercise due care to preserve the quality and function of the person's firearms and shall return the firearms to the person upon request after the expiration of the prohibiting time period, provided the person is not otherwise prohibited from possessing firearms under state or federal law. The local law enforcement agency shall, upon written notice from the person, transfer the firearms to a federally licensed firearms dealer or a third party who may lawfully receive them. Before a local law enforcement agency transfers a firearm under this paragraph, the agency shall require the third party or federally licensed firearms dealer receiving the firearm to submit an affidavit or proof of transfer that complies with the requirements for affidavits or proofs of transfer established in paragraph (b). The agency shall file all affidavits or proofs of transfer received with the court within two business days of the transfer. The court shall seal all affidavits or proofs of transfer filed pursuant to this paragraph. A federally licensed firearms dealer or third party who accepts a firearm transfer pursuant to this paragraph shall comply with paragraphs (a) and (b) as if accepting transfer from the person. If the law enforcement agency does not receive written notice from the person within three business days, the agency may charge a reasonable fee to store the person's firearms. A law enforcement agency may establish policies for disposal of abandoned firearms, provided such policies require that the person be notified via certified mail prior to disposal of abandoned firearms.

(d) The court shall ensure that all firearms have been transferred as required in this section by scheduling and holding a compliance hearing within ten business days of issuing an order containing a firearms restriction. If, at the hearing, the court finds that the party is not in compliance, the court

shall take appropriate action under the circumstances, including but not limited to a contempt proceeding under section 588.01, subdivision 3. The requirement to hold a compliance hearing under this paragraph does not apply if the party has already filed the required proofs of transfer or an affidavit declaring that the party does not own or possess a firearm.

Sec. 9. Minnesota Statutes 2018, section 624.714, subdivision 1a, is amended to read:

Subd. 1a. **Permit required; penalty.** A person, other than a peace officer, as defined in section 626.84, subdivision 1, who carries, holds, or possesses a pistol in a motor vehicle, snowmobile, or boat, or on or about the person's clothes or the person, or otherwise in possession or control in a public place, as defined in section 624.7181, subdivision 1, paragraph (c), without first having obtained a permit to carry the pistol is guilty of a gross misdemeanor. A person who is convicted a second or subsequent time is guilty of a felony. A member of a criminal gang, as defined in section 609.229, subdivision 1, who is convicted of violating this subdivision is guilty of a felony.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2018, section 624.714, subdivision 3, is amended to read:

Subd. 3. **Form and contents of application.** (a) Applications for permits to carry must be an official, standardized application form, adopted under section 624.7151, and must set forth in writing only the following information:

(1) the applicant's name, residence, telephone number, if any, and driver's license number or state identification card number;

(2) the applicant's sex, date of birth, height, weight, and color of eyes and hair, and distinguishing physical characteristics, if any;

(3) the township or statutory city or home rule charter city, and county, of all Minnesota residences of the applicant in the last five years, though not including specific addresses;

(4) the township or city, county, and state of all non-Minnesota residences of the applicant in the last five years, though not including specific addresses;

(5) a statement that the applicant authorizes the release to the sheriff of commitment information about the applicant maintained by the commissioner of human services or any similar agency or department of another state where the applicant has resided, to the extent that the information relates to the applicant's eligibility to possess a firearm; ~~and~~

(6) a statement by the applicant that, to the best of the applicant's knowledge and belief, the applicant is not prohibited by law from possessing a firearm; and

(7) if the applicant is not a United States citizen, the applicant's country of birth and alien number or alien admission number.

(b) The statement under paragraph (a), clause (5), must comply with any applicable requirements of Code of Federal Regulations, title 42, sections 2.31 to 2.35, with respect to consent to disclosure of alcohol or drug abuse patient records.

(c) An applicant must submit to the sheriff an application packet consisting only of the following items:

(1) a completed application form, signed and dated by the applicant;

(2) an accurate photocopy of the certificate described in subdivision 2a, paragraph (c), that is submitted as the applicant's evidence of training in the safe use of a pistol; and

(3) an accurate photocopy of the applicant's current driver's license, state identification card, or the photo page of the applicant's passport.

(d) In addition to the other application materials, a person who is otherwise ineligible for a permit due to a criminal conviction but who has obtained a pardon or expungement setting aside the conviction, sealing the conviction, or otherwise restoring applicable rights, must submit a copy of the relevant order.

(e) Applications must be submitted in person.

(f) The sheriff may charge a new application processing fee in an amount not to exceed the actual and reasonable direct cost of processing the application or \$100, whichever is less. Of this amount, \$10 must be submitted to the commissioner and deposited into the general fund.

(g) This subdivision prescribes the complete and exclusive set of items an applicant is required to submit in order to apply for a new or renewal permit to carry. The applicant must not be asked or required to submit, voluntarily or involuntarily, any information, fees, or documentation beyond that specifically required by this subdivision. This paragraph does not apply to alternate training evidence accepted by the sheriff under subdivision 2a, paragraph (d).

(h) Forms for new and renewal applications must be available at all sheriffs' offices and the commissioner must make the forms available on the Internet.

(i) Application forms must clearly display a notice that a permit, if granted, is void and must be immediately returned to the sheriff if the permit holder is or becomes prohibited by law from possessing a firearm. The notice must list the applicable state criminal offenses and civil categories that prohibit a person from possessing a firearm.

(j) Upon receipt of an application packet and any required fee, the sheriff must provide a signed receipt indicating the date of submission.

Sec. 11. Minnesota Statutes 2018, section 624.714, subdivision 4, is amended to read:

Subd. 4. **Investigation.** (a) The sheriff must check, by means of electronic data transfer, criminal records, histories, and warrant information on each applicant through the Minnesota Crime Information System and the National Instant Criminal Background Check System. In addition, if the applicant is not a United States citizen, the sheriff must ensure that an Immigration Alien Query (IAQ) check is performed on the applicant. The sheriff shall also make a reasonable effort to check other available and relevant federal, state, or local record-keeping systems. The sheriff must obtain commitment information from the commissioner of human services as provided in section 245.041 or, if the information is reasonably available, as provided by a similar statute from another state.

(b) When an application for a permit is filed under this section, the sheriff must notify the chief of police, if any, of the municipality where the applicant resides. The police chief may provide the sheriff with any information relevant to the issuance of the permit.

(c) The sheriff must conduct a background check by means of electronic data transfer on a permit holder through the Minnesota Crime Information System and the National Instant Criminal Background Check System at least yearly to ensure continuing eligibility. The sheriff may also conduct additional background checks by means of electronic data transfer on a permit holder at any time during the period that a permit is in effect.

Sec. 12. Minnesota Statutes 2018, section 624.7141, is amended to read:

624.7141 TRANSFER TO INELIGIBLE PERSON.

Subdivision 1. **Transfer prohibited.** A person is guilty of a ~~gross misdemeanor~~ felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both, if the person intentionally transfers a pistol or semiautomatic military-style assault weapon to another ~~if~~ and the person knows that the transferee:

(1) has been denied a permit to carry under section 624.714 because the transferee is not eligible under section 624.713 to possess a pistol or semiautomatic military-style assault weapon;

(2) has been found ineligible to possess a pistol or semiautomatic military-style assault weapon by a chief of police or sheriff as a result of an application for a transferee permit or a transfer report; or

(3) is disqualified under section 624.713 from possessing a pistol or semiautomatic military-style assault weapon.

Subd. 2. **Felony Aggravated offense.** ~~A violation of this section is a felony~~ A person who violates this section is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the transferee possesses or uses the weapon within one year after the transfer in furtherance of a felony crime of violence.

Subd. 3. **Subsequent eligibility.** This section is not applicable to a transfer to a person who became eligible to possess a pistol or semiautomatic military-style assault weapon under section 624.713 after the transfer occurred but before the transferee used or possessed the weapon in furtherance of any crime.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to crimes committed on or after that date.

Sec. 13. Minnesota Statutes 2018, section 624.7144, is amended to read:

624.7144 ALLOWING AN INELIGIBLE PERSON ACCESS TO FIREARMS.

A person who accepts a transferred firearm from an abusing party or offender pursuant to section ~~260C.201, subdivision 3; 518B.01, subdivision 6; 609.2242, subdivision 3; or 609.749, subdivision 8;~~ 624.7134 is guilty of a gross misdemeanor if the abusing party or offender obtains possession of the transferred firearm while the person is prohibited from possessing firearms. It is an affirmative

defense to a violation of this section that the third party who accepted the transferred firearm exercised due care to ensure that the abusing party or offender could not access the firearm. The third party shall not return the firearm to the abusing party or offender until the prohibiting time period imposed under section 260C.201, subdivision 3; 518B.01, subdivision 6; 609.2242, subdivision 3; or 609.749, subdivision 8, has expired and the abusing party or offender presents a current, valid transferee permit or passes a federal background check through the National Instant Criminal Background Check System. The third party may rely on a court order describing the length of the prohibiting time period as conclusive evidence that the prohibiting time period has expired, unless otherwise notified by the court.

Sec. 14. Minnesota Statutes 2018, section 626.8452, is amended by adding a subdivision to read:

Subd. 6. **Prohibition on disarming local law enforcement officers.** Unless expressly authorized under another section of law, a mayor, city council, or county board may not disarm or direct a chief law enforcement officer to disarm a peace officer who is in good standing and not currently under investigation or subject to disciplinary action.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 15. **REVISED PERMIT TO CARRY APPLICATION.**

No later than 60 days after enactment of this act, the commissioner of public safety must publish and post on the Internet a revised permit to carry application that includes the changes to the application mandated by section 10 in order to bring the application into compliance with federal law."

Delete the title and insert:

"A bill for an act relating to public safety; expressly prohibiting civilly committed sex offenders from possessing firearms; consolidating various provisions on mandatory transfers of firearms and providing for enforcement of these transfers; clarifying felony drive-by shooting; increasing penalties for gang members who possess pistols in public without a permit to carry; expanding the information collected and scope of background check conducted for noncitizen permit to carry applicants; increasing penalties for transferring certain firearms to ineligible persons; prohibiting local units of government from disarming peace officers who are in good standing; amending Minnesota Statutes 2018, sections 260C.201, subdivision 3; 518B.01, subdivision 6; 609.2242, subdivision 3; 609.66, subdivision 1e; 624.713, subdivision 4; 624.714, subdivisions 1a, 3, 4; 624.7141; 624.7144; 626.8452, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 609.749, subdivision 8; 624.713, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 624."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Limmer amendment to S.F. No. 3866.

There were yeas 8 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziejczak; Hall; Ingebrigtsen; Latz; Limmer; Pappas; and Relph.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Limmer amendment to S.F. No. 3866.

There were yeas 8 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziejczak; Hall; Ingebrigtsen; Latz; Limmer; Pappas; and Relph.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Limmer amendment to S.F. No. 3866.

There were yeas 8 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziejczak; Hall; Ingebrigtsen; Latz; Limmer; Pappas; and Relph.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Limmer amendment to S.F. No. 3866.

There were yeas 8 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziejczak; Hall; Ingebrigtsen; Latz; Limmer; Pappas; and Relph.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Limmer amendment to S.F. No. 3866.

There were yeas 8 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziejczak; Hall; Ingebrigtsen; Latz; Limmer; Pappas; and Relph.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Limmer amendment to S.F. No. 3866.

There were yeas 8 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziedzic; Hall; Ingebrigtsen; Latz; Limmer; Pappas; and Relph.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion that S.F. No. 3866, as amended, be recommended to pass and be re-referred.

There were yeas 9 and nays 0, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Dziedzic; Hall; Ingebrigtsen; Johnson; Latz; Limmer; Pappas; and Relph.

The motion prevailed.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3589: A bill for an act relating to financial institutions; modifying authorized investments for banks and trust companies; amending Minnesota Statutes 2018, section 48.61, subdivision 3.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3800: A bill for an act relating to commerce; regulating certain conduct relating to the timing of money transmission; amending Minnesota Statutes 2018, section 53B.18.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 19, delete "reason to believe" and insert "a reasonable belief or a reasonable basis to believe that" and after "crime" insert "or violation of law, rule, or regulation "

Page 2, line 13, delete the colon and insert "violates state or federal law."

Page 2, delete lines 14 to 18 and insert:

"(f) A licensee or its authorized delegate must refund to the customer all money received for transmittal within ten days of receipt of a request for a refund unless any of the following has occurred:

(1) the money has been transmitted and delivered to the person designated by the customer prior to receipt of the written request for a refund;

(2) instructions have been given committing an equivalent amount of money to the person designated by the customer prior to the receipt of a request for a refund; or

(3) the licensee is otherwise barred by law from making a refund."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3435: A bill for an act relating to real estate; modifying fees for appraisal management company licensure; amending Minnesota Statutes 2018, sections 82C.03, subdivision 5; 82C.08, subdivisions 1, 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 17, insert:

"Sec. 2. Minnesota Statutes 2018, section 82C.06, is amended to read:

82C.06 EXEMPTIONS.

This chapter does not apply to:

(1) a person that exclusively employs appraisers on an employer and employee basis for the performance of appraisals, and:

(i) the employer is responsible for ensuring that the appraisals are performed by employees in accordance with USPAP; and

(ii) the employer accepts all liability associated with the performance of the appraisal by the employee;

(2) a department or unit within a financial institution that is subject to direct regulation by an agency of the United States government, or to regulation by an agency of this state, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser that is an independent contractor to the institution, except that an appraisal management company that is a wholly owned subsidiary of a financial institution shall not be considered a department or unit within a financial institution to which the provisions of this chapter do not apply;

(3) a person that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal, except that an appraisal management company may not avoid the requirements of this chapter by requiring that an employee of the appraisal management

company that is an appraiser to sign an appraisal that is completed by an appraiser that is part of the appraisal panel of the appraisal management company; ~~or~~

(4) any governmental agency performing appraisals on behalf of that level of government or any agency performing ad valorem tax appraisals for county assessors; or

(5) an appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency, except that it must provide the fees and information required to be collected by the commissioner pursuant to section 82C.08, subdivision 2, paragraph (c), for transmission to the Appraisal Subcommittee for the National Registry."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "fees for"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3818: A bill for an act relating to commerce; requiring notices for reverse mortgage loans; amending Minnesota Statutes 2018, section 47.58, subdivisions 1, 8, by adding subdivisions.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 47.58, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(a) "Reverse mortgage loan" means a loan:

(1) Made to a borrower wherein the committed principal amount is paid to the borrower in equal or unequal installments over a period of months or years, interest is assessed, and authorized closing costs are incurred as specified in the loan agreement;

(2) Which is secured by a mortgage on residential property owned solely by the borrower; and

(3) Which is due upon the death of the last surviving borrower, or upon the borrower terminating use of the property as principal residence so as to disqualify the property from the homestead credit refund given in chapter 290A.

(b) "Lender" means any bank subject to chapter 48, credit union subject to chapter 52, savings bank organized and operated pursuant to chapter 50, savings association subject to chapter 51A, any residential mortgage originator subject to chapter 58, or any insurance company as defined in section 60A.02, subdivision 4. "Lender" also includes any federally chartered bank or savings association supervised by the comptroller of the currency or ~~federally chartered savings association supervised by the Federal Home Loan Bank Board~~ or federally chartered credit union supervised by the National Credit Union Administration, to the extent permitted by federal law.

(c) "Borrower" includes any natural person holding an interest in severalty or as joint tenant or tenant-in-common in the property securing a reverse mortgage loan.

(d) "Outstanding loan balance" means the current net amount of money owed by the borrower to the lender whether or not that sum is suspended pursuant to the terms of the reverse mortgage loan agreement or is immediately due and payable. The outstanding loan balance is calculated by adding the current totals of the items described in clauses (1) to (5) and subtracting the current totals of the item described in clause (6):

(1) The sum of all payments made by the lender which are necessary to clear the property securing the loan of any outstanding mortgage encumbrance or mechanics or material supplier's lien.

(2) The total disbursements made by the lender to date pursuant to the loan agreement as formulated in accordance with subdivision 3.

(3) All taxes, assessments, insurance premiums and other similar charges paid to date by the lender pursuant to subdivision 6, which charges were not reimbursed by the borrower within 60 days.

(4) All actual closing costs which the borrower has deferred, if a deferral provision is contained in the loan agreement as authorized by subdivision 7.

(5) The total accrued interest to date, as authorized by subdivision 5.

(6) All payments made by the borrower pursuant to subdivision 4.

(e) "Actual closing costs" mean reasonable charges or sums ordinarily paid at the time of closing for the following, whether or not retained by the lender:

(1) Any insurance premiums on policies covering the mortgaged property including but not limited to premiums for title insurance, fire and extended coverage insurance, flood insurance, and private mortgage insurance.

(2) Abstracting, title examination and search, and examination of public records related to the mortgaged property.

(3) The preparation and recording of any or all documents required by law or custom for closing a reverse mortgage loan agreement.

(4) Appraisal and survey of real property securing a reverse mortgage loan.

(5) A single service charge, which service charge shall include any consideration, not otherwise specified in this section as an "actual closing cost," paid by the borrower to the lender for or in relation to the acquisition, making, refinancing or modification of a reverse mortgage loan, and shall also include any consideration received by the lender for making a commitment for a reverse mortgage loan, whether or not an actual loan follows the commitment. The service charge shall not exceed one percent of the bona fide committed principal amount of the reverse mortgage loan.

(6) Charges and fees necessary for or related to the transfer of real property securing a reverse mortgage loan or the closing of a reverse mortgage loan agreement paid by the borrower and received by any party other than the lender.

(f) "Third-party designee" means an individual designated in the reverse mortgage loan agreement by the borrower to receive the communications described in subdivision 6a from a servicer.

(g) "Reverse mortgage loan servicer" or "servicer" means a person who performs servicing activities for a reverse mortgage loan.

(h) "Servicing activities" means disbursing loan proceeds; monitoring payments due; communicating with and responding to a borrower, a borrower's heirs, and a borrower's family members; determining whether a borrower continues to occupy a property as a principal residence; managing delinquencies and defaults; initiating, assisting, or facilitating a foreclosure; or performing any other service required by the lender or by the terms of the reverse mortgage loan agreement.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to reverse mortgage loans originated on or after that date.

Sec. 2. Minnesota Statutes 2018, section 47.58, is amended by adding a subdivision to read:

Subd. 6a. **Communication with third-party designee.** (a) The reverse mortgage loan servicer must, by first class mail, send copies of unanswered written communications and all subsequent written communications from the servicer to the borrower regarding delinquencies, defaults, and unfulfilled obligations under the loan agreement to a third-party designee at the address listed on the authorization form described in subdivision 8.

(b) The servicer may:

(1) mail the communications required under paragraph (a) to the third-party designee at the same time the communications are mailed to the borrower; or

(2) communicate with the third-party designee regarding the borrower's failure to respond to the communications described in paragraph (a) by e-mail at the e-mail address listed on the authorization form described in subdivision 8.

(c) The authorization form described in subdivision 8 shall be considered sufficient authorization for the servicer to communicate with a third-party designee who initiates communication with the servicer via phone, e-mail, or United States mail.

(d) Compliance with this subdivision may be established by recording with the county recorder or registrar of titles, as appropriate, an affidavit, which includes the reverse mortgage document

recording number, executed by a person having knowledge of the facts, and stating that the actions required by paragraph (a) have been taken. The affidavit is prima facie evidence of the facts stated in the affidavit and recordation is prima facie evidence of compliance with this subdivision.

(e) A borrower has a cause of action under section 582.043, subdivision 7, if the servicer fails to comply with paragraph (a), provided that the action is taken prior to the expiration of the redemption period specified under section 580.23. There is a rebuttable presumption that the servicer failed to communicate with a third-party designee absent a recorded affidavit, as described in paragraph (d).

EFFECTIVE DATE. This section is effective August 1, 2020, for reverse mortgage loans originated on or after that date.

Sec. 3. Minnesota Statutes 2018, section 47.58, is amended by adding a subdivision to read:

Subd. 6b. **Communication with independent counseling agency.** (a) If a reverse mortgage loan servicer must take the actions required under subdivision 6a, paragraph (a), the servicer must mail a copy of unanswered written communications and copies of subsequent written communications from the servicer regarding delinquencies, defaults, and unfulfilled obligations under a reverse mortgage loan agreement to the independent counseling agency identified in the loan agreement.

(b) The servicer may mail the communications described in paragraph (a) to the independent counseling agency at the same time the communications are mailed to the borrower and third-party designee.

EFFECTIVE DATE. This section is effective August 1, 2020, for reverse mortgage loans originated on or after that date.

Sec. 4. Minnesota Statutes 2018, section 47.58, subdivision 8, is amended to read:

Subd. 8. **Counseling; requirement; penalty.** Prior to accepting a final and complete application for a reverse mortgage loan or assessing any fees, a lender must:

(a) refer the prospective borrower to an independent housing counseling agency for reverse mortgage counseling. The lender shall provide the prospective borrower with a list of at least three independent housing counseling agencies. The lender shall positively promote the benefits of reverse mortgage counseling to the potential borrower; and

(b) receive a certification from the applicant or the applicant's authorized representative that the applicant has received counseling as defined in this subdivision from an independent housing counseling agency. The certification must be signed by the applicant and the counselor from the independent agency and must include the date of the counseling, and the name, address, and telephone number of both the counselor from the independent agency and the applicant. The lender shall maintain the certification in an accurate, reproducible, and accessible format for the term of the reverse mortgage. A failure by the lender to comply with this subdivision results in a \$1,000 civil penalty payable to the borrower.

For the purposes of this subdivision:

(1) "independent counseling agency" means an agency approved by the United States Department of Housing and Urban Development, domiciled in Minnesota, to provide loan counseling that has no business relationship with the lender and, except for an authorized foreclosure prevention counseling agency, as defined in section 580.021, subdivision 2, neither makes loans nor refers borrowers to any person or entity that makes loans; and

(2) "counseling" means that during a session, which must be no less than 60 minutes, the following services are provided to the borrower:

(i) a review of the advantages and disadvantages of a reverse mortgage loan;

(ii) a discussion of the borrower's finances, assets, liabilities, expenses, and income needs and a review of options other than a reverse mortgage loan that are available to the borrower, including other housing, social services, health, and financial options;

(iii) a review of other home equity conversion or other loan options that are or may become available to the borrower;

(iv) an explanation of the financial implication of entering into a reverse mortgage loan, including the costs of the loan;

(v) an explanation that a reverse mortgage loan may have tax consequences, affect eligibility for assistance under federal and state programs, and have an impact on the estate and heirs of the borrower;

(vi) an explanation of the lending process;

(vii) an opportunity for the borrower to ask questions of the counselor;

(viii) an explanation that:

(A) the lender may not condition a reverse mortgage loan on the purchase of an annuity, investment, life insurance, or long-term care insurance product; and

(B) a reverse mortgage loan cannot obligate the borrower to purchase an annuity, investment, life insurance, or long-term care insurance product; ~~and~~

(ix) notification to the borrower that, following the receipt of a written commitment to make a reverse mortgage loan and prior to the expiration of the seven-day cooling off period provided under subdivision 10, the borrower may seek additional information and an analysis of the commitment from the counselor; and

(x) an explanation of the borrower's right, before executing the reverse mortgage loan agreement, to name a third-party designee to receive communications regarding delinquencies, defaults, and unfulfilled obligations under the loan agreement. The counselor must provide the borrower with the following blank form, which must be in at least 14-point font, for the borrower to complete if desired and present to the lender when entering into the loan agreement.

Authorization Form

I, (name of borrower), authorize my lender or servicer to send copies of any written communications from the servicer regarding missed payments or other unfulfilled loan obligations that could result in foreclosure, as provided under Minnesota Statutes, section 47.58, subdivisions 6a and 6b, to:

1. the individual designated below, and

2. the independent counseling agency providing me with the reverse mortgage loan counseling required under Minnesota Statutes, section 47.58, subdivision 8.

I further authorize the person designated below to communicate with my lender or servicer.

Designee Contact Information:

Name:.....

Address:.....

Telephone Number(s):.....

E-mail Address:.....

Name of Borrower (print name):.....

Signature of Borrower:.....

Date:.....

EFFECTIVE DATE. This section is effective August 1, 2020, for all reverse mortgage loans originated on or after that date."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

Senator Housley from the Committee on Family Care and Aging, to which was referred

S.F. No. 3123: A bill for an act relating to energy; establishing a nursing home energy efficiency grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, delete "or "nursing home facilities""

Page 1, line 14, delete "home facilities" and insert "homes"

Page 1, line 21, delete "applicant" and insert "nursing home"

Page 2, lines 7 and 15, delete "facility" and insert "nursing home"

Page 2, line 8, delete "facility's" and insert "nursing home's"

Page 2, line 9, delete "facilities" and insert "nursing homes"

Page 2, line 26, delete "\$20,000,000" and insert "\$....."

And when so amended the bill do pass and be re-referred to the Committee on Energy and Utilities Finance and Policy. Amendments adopted. Report adopted.

Senator Housley from the Committee on Family Care and Aging, to which was referred

S.F. No. 4058: A bill for an act relating to human services; appropriating money for supported decision making.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 8, after the period, insert "This is a onetime appropriation."

And when so amended the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Amendments adopted. Report adopted.

Senator Housley from the Committee on Family Care and Aging, to which was referred

S.F. No. 3625: A bill for an act relating to health; appropriating money for advance care planning on end-of-life care choices.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 11, after the period, insert "This is a onetime appropriation."

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Amendments adopted. Report adopted.

Senator Housley from the Committee on Family Care and Aging, to which was referred

S.F. No. 3985: A bill for an act relating to health care; removing the prohibition on nursing facility settings from receiving medical education and research costs funding; amending Minnesota Statutes 2018, section 62J.692, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 13, insert:

"EFFECTIVE DATE. This section is effective July 1, 2020, or upon federal approval, whichever is later. The commissioner shall notify the revisor of statutes when federal approval is obtained."

And when so amended the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Amendments adopted. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 3939: A bill for an act relating to natural resources; increasing civil penalties for violations of snowmobile and off-highway vehicle provisions; amending Minnesota Statutes 2018, section 84.775, subdivision 4; Minnesota Statutes 2019 Supplement, section 84.775, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 3842: A bill for an act relating to natural resources; modifying provisions related to certifiable fish diseases and list of species susceptible to viral hemorrhagic septicemia; modifying review and approval of local regulation in Mississippi River Corridor Critical Area; modifying requirements for exchanging wild rice leases; modifying reporting requirement on school trust lands; modifying provisions for certain invasive species permits; modifying state park provisions; providing for special-use permits; providing for regulation of possessing, propagating, and selling snakes, lizards, and salamanders; modifying provisions for game and fish licenses after convictions; modifying hunting and fishing provisions; modifying date of Lake Superior Management Plan; amending Minnesota Statutes 2018, sections 17.4982, subdivisions 6, 8, 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2, 6, by adding a subdivision; 85.053, subdivision 2; 97A.401, subdivision 1, by adding a subdivision; 97A.421, subdivision 1, by adding a subdivision; 97B.036; 97C.005, subdivision 3; 97C.342, subdivision 2; 97C.515, subdivision 2; 97C.805, subdivision 2; 97C.836; 116G.07, by adding a subdivision; 116G.15, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 84.027, subdivision 18; 85.054, subdivision 1; 85.47; 97B.086; Laws 2016, chapter 154, section 16; repealing Minnesota Statutes 2018, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19.

Reports the same back with the recommendation that the bill be amended as follows:

Page 13, after line 11, insert:

"Sec. 23. Minnesota Statutes 2018, section 97A.015, subdivision 51, is amended to read:

Subd. 51. **Unloaded.** "Unloaded" means, with reference to a firearm, without ammunition in the barrels and magazine, if the magazine is in the firearm. A muzzle-loading firearm ~~with~~ is unloaded if:

(1) for a flintlock ignition is ~~unloaded if,~~ it does not have priming powder in a pan.—A muzzle-loading firearm with;

(2) for a percussion ignition is ~~unloaded if,~~ it does not have a percussion cap on a nipple;

(3) for an electronic ignition system, the battery is removed and is disconnected from the firearm;
and

(4) for an encapsulated powder charge ignition system, the primer and powder charge are removed from the firearm."

Page 14, after line 26, insert:

"Sec. 28. Minnesota Statutes 2018, section 97A.505, subdivision 3b, is amended to read:

Subd. 3b. **Wild animals taken on Red Lake Reservation lands ~~within Northwest Angle.~~** Wild animals taken and tagged on the Red Lake Reservation lands in accordance with the Red Lake Band's Conservation Code on the Red Lake Reservation lands in Minnesota north of the 49th parallel shall be and all applicable federal law are considered lawfully taken and possessed under state law. Possessing wild animals harvested under this subdivision is in addition to any state limits.

Sec. 29. Minnesota Statutes 2018, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. **Permissible firearms and ammunition; big game and wolves.** A person may take big game and wolves with a firearm only if:

(1) ~~the any~~ rifle, shotgun, ~~and or~~ handgun used is a caliber of at least .22 inches and ~~with~~ has centerfire ignition;

(2) the firearm is loaded only with single projectile ammunition;

(3) a projectile used is a caliber of at least .22 inches and has a soft point or is an expanding bullet type;

(4) ~~the any~~ muzzleloader used ~~is incapable of being~~ has the projectile loaded only at the ~~breech~~ muzzle;

(5) ~~the any~~ smooth-bore muzzleloader used is a caliber of at least .45 inches; and

(6) ~~the any~~ rifled muzzleloader used is a caliber of at least .40 inches."

Page 20, after line 25, insert:

"Sec. 40. **RULEMAKING; NONRESIDENT BONUS PERMIT.**

(a) The commissioner of natural resources shall amend Minnesota Rules, part 6232.0200, subpart 5, to read:

Subp. 5. **Bonus permit.** "Bonus permit" means a license to take and tag deer by archery or firearms, in addition to deer authorized to be taken under regular archery or firearms licenses. It is available for one-half the cost of a regular resident ~~or nonresident~~ license and is valid immediately upon issuance, as long as the purchaser has a valid regular license. Deer taken and tagged with a bonus permit must be antlerless unless otherwise prescribed by the commissioner.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

Sec. 41. **RULEMAKING; TAKING DEER BY FIREARMS OR MUZZLELOADERS UNDER BONUS PERMITS.**

(a) The commissioner of natural resources shall amend Minnesota Rules, part 6232.1950, subparts 1 and 2, to read:

Subpart 1. **Purchase.** The purchase of a bonus permit is authorized for any person who has purchased and presents a ~~regular~~ firearms, archery, or muzzleloader deer license for the current year. Bonus permits may be purchased for one-half the cost of a ~~regular~~ resident license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. **Restrictions.** Bonus permits may be used to take antlerless deer during the ~~regular~~ firearms, archery, and muzzleloader seasons if the person has a valid license for that season.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply as provided under Minnesota Statutes, section 14.388."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the third semicolon, insert "modifying muzzleloader provisions;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 4145: A bill for an act relating to environment; modifying provisions for priority qualified facilities; modifying authority to acquire property interests; requiring rulemaking to modify scoring system for superfund sites; amending Minnesota Statutes 2018, sections 115B.406, subdivisions 1, 9; 115B.407; 116.07, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 115B.17, subdivision 13, is amended to read:

Subd. 13. **Priorities; rules.** By November 1, 1983, the Pollution Control Agency shall establish a temporary list of priorities among releases or threatened releases for the purpose of taking remedial action and, to the extent practicable consistent with the urgency of the action, for taking removal action under this section. The temporary list, with any necessary modifications, shall remain in effect until the Pollution Control Agency adopts rules establishing state criteria for determining priorities among releases and threatened releases. The Pollution Control Agency shall adopt the

rules by July 1, 1984. After rules are adopted, a permanent priority list shall be established, and may be modified from time to time, using the current guidance and tools for the Hazard Ranking System adopted by the federal Environmental Protection Agency and according to the criteria set forth in the rules. Before any list is established under this subdivision the Pollution Control Agency shall publish the list in the State Register and allow 30 days for comments on the list by the public.

The temporary list and the rules required by this subdivision shall be based upon the relative risk or danger to public health or welfare or the environment, taking into account to the extent possible the population at risk, the hazardous potential of the hazardous substances at the facilities, the potential for contamination of drinking water supplies, the potential for direct human contact, the potential for destruction of sensitive ecosystems, the administrative and financial capabilities of the Pollution Control Agency, and other appropriate factors.

Sec. 2. Minnesota Statutes 2018, section 115B.406, subdivision 1, is amended to read:

Subdivision 1. **Legislative findings.** The legislature recognizes the need to protect the public health and welfare and the environment at priority qualified facilities. To implement a timely and effective cleanup and prevent multiparty litigation, the legislature finds it is in the public interest to direct the commissioner of the Pollution Control Agency to:

(1) take environmental response actions that the commissioner deems reasonable and necessary to protect the public health or welfare or the environment at priority qualified facilities ~~and to;~~

(2) acquire real property interests at priority qualified facilities to ensure the completion and long-term effectiveness of environmental response actions; and

(3) prevent both an unjust financial windfall to and double liability of owners and operators of priority qualified facilities.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to actions commenced on or after January 1, 2020.

Sec. 3. Minnesota Statutes 2018, section 115B.406, subdivision 9, is amended to read:

Subd. 9. **Environmental response costs; liens.** (a) All environmental response costs and reasonable and necessary expenses, including administrative and legal expenses, incurred by the commissioner at a priority qualified facility constitute a lien in favor of the state upon any real property located in the state, other than homestead property, owned by the owner or operator of the priority qualified facility who is subject to the requirements of section 115B.40, subdivision 4 or 5. A lien under this paragraph may not be extinguished, limited, or impaired by application of section 500.20 or 541.023. Notwithstanding section 514.672, a lien under this paragraph continues until the lien is satisfied or is released according to paragraph (c).

(b) If the commissioner conducts an environmental response action at a priority qualified facility and the environmental response action increases the fair market value of the facility above the fair market value of the facility that existed before the response action was initiated, then the state has a lien on the facility for the increase in fair market value of the property attributable to the response action, valued at the time that construction of the final environmental response action was completed, not including operation and maintenance. A lien under this paragraph may not be extinguished,

limited, or impaired by application of section 500.20 or 541.023. Notwithstanding section 514.672, a lien under this paragraph continues until the lien is satisfied or is released according to paragraph (c).

(c) A lien under this subdivision paragraph (a) or (b) attaches when the environmental response costs are first incurred. Notwithstanding section 514.672, a lien under this subdivision continues until the lien is satisfied or six years after completion of construction of the final environmental response action, not including operation and maintenance. Notice, filing, and release, and enforcement of the lien are governed by sections 514.671 to 514.676, except where those requirements specifically are related to only cleanup action expenses as defined in section 514.671. The commissioner may release a lien under this subdivision if the commissioner determines that attachment or enforcement of the lien is not in the public interest. A lien under this subdivision is not subject to the foreclosure limitation described in section 514.674, subdivision 2. Relative priority of a lien under this subdivision is governed by section 514.672, except that a lien attached to property that was included in any permit for the priority qualified facility takes precedence over all other liens regardless of when the other liens were or are perfected. Amounts received to satisfy all or a part of a lien must be deposited in the remediation fund.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to actions commenced on or after January 1, 2020.

Sec. 4. Minnesota Statutes 2018, section 115B.407, is amended to read:

115B.407 ACQUISITION AND DISPOSITION ACQUIRING AND DISPOSING OF REAL PROPERTY AT PRIORITY QUALIFIED FACILITIES.

Subdivision 1. **Acquiring and disposing of real property.** (a) The commissioner may acquire interests in real property by donation or eminent domain at all or a portion of a priority qualified facility. Condemnation under this section includes acquisition of fee title or an easement. After acquiring an interest in real property under this section, the commissioner must take environmental response actions at the priority qualified facility according to sections 115B.39 to 115B.414 after the legislature makes an appropriation for that purpose.

(b) The commissioner may dispose of real property acquired under this section according to section 115B.17, subdivision 16.

(c) Except as modified by this section, chapter 117 governs condemnation proceedings by the commissioner under this section. The exceptions under section 117.189 apply to the use of eminent domain authority under this section. Section 117.226 does not apply to properties acquired by the use of eminent domain authority under this section.

(d) The state is not liable under this chapter solely as a result of acquiring an interest in real property under this section.

Subd. 2. **Eminent domain damages.** (a) For purposes of this subdivision, the following terms have the meanings given:

(1) "after-market value" means the property value of that portion of the subject property remaining after a partial taking;

(2) "as remediated" means the condition of the property assuming the environmental response actions selected by the commissioner have been completed, including environmental covenants and easements and other institutional controls that may apply;

(3) "before-market value" means the property value of the entire subject property before the taking, less the remediation costs;

(4) "property value" means the fair market value of the real property, as remediated, less any reduction in value attributable to the stigma of pollution; and

(5) "remediation costs" means the reasonably foreseeable costs and expenses, including administrative and legal expenses, that the commissioner will incur to implement the environmental response actions that the commissioner selected for the property according to section 115B.406, subdivision 3, less the amount, if any, that the property owner demonstrates was released under section 115B.443, subdivision 8, which must not be greater than the extent of insurance coverage under policies for the property included in a settlement consistent with section 115B.443, subdivision 8.

(b) The damages awarded for condemnation of real property under this section is the greater of \$500 or:

(1) for a total taking of the subject property, the before-market value; or

(2) for a partial taking of the subject property, the before-market value less the after-market value.

(c) When awarding damages in a condemnation proceeding under this section, in addition to any other requirement of chapter 117, the finder of fact must report:

(1) the amount determined for the property value of the entire subject property before the taking; and

(2) the itemized amount determined for remediation costs.

(d) The commissioner may seek recovery of environmental response costs only to the extent the costs exceed the lower of the remediation costs or the property value of the entire subject property before the taking as reported under paragraph (c).

(e) If the actual expenses incurred by the commissioner to take environmental response actions at the priority qualified facility as determined at the time construction of the final environmental response action was completed would have yielded a higher award of damages under this section, then the commissioner must reimburse the owner an amount equal to the amount of damages as if the actual expenses were used instead of the remediation costs, less any damages already awarded.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to actions commenced on or after January 1, 2020.

Sec. 5. Minnesota Statutes 2018, section 116.07, is amended by adding a subdivision to read:

Subd. 4l. **Real property interests.** (a) To prevent, mitigate, or minimize the threat to public health and the environment posed by closed disposal facilities, the commissioner may acquire interests in real property at a solid waste disposal facility, including easements and environmental covenants under chapter 114E, when the commissioner determines that the property interests are needed to implement activity and use limitations related to:

(1) closure;

(2) postclosure care; and

(3) any other actions needed after the postclosure care period expires.

(b) The state is not liable under this chapter or any other law solely as a result of acquiring an interest in real property under this section.

Sec. 6. **REPEALER.**

Minnesota Rules, part 7044.0350, is repealed."

Delete the title and insert:

"A bill for an act relating to environment; modifying provisions for priority qualified facilities; modifying authority to acquire property interests; amending Minnesota Statutes 2018, sections 115B.17, subdivision 13; 115B.406, subdivisions 1, 9; 115B.407; 116.07, by adding a subdivision; repealing Minnesota Rules, part 7044.0350."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 4119: A bill for an act relating to motor vehicles; amending membership of the Driver and Vehicle Systems Oversight Committee; amending Laws 2019, First Special Session chapter 3, article 2, section 34, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, after line 2, insert:

"**EFFECTIVE DATE.** This section is effective the day following final enactment."

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 4142: A bill for an act relating to transportation; making technical corrections to the designation for the Specialist Noah Pierce Bridge in Eveleth; amending Minnesota Statutes 2019 Supplement, section 161.14, subdivision 94.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Newman from the Committee on Transportation Finance and Policy, to which was referred

S.F. No. 3912: A bill for an act relating to transportation; governing transit safety, fare payment compliance, and administrative citations; requiring grants and allocation of funds; establishing penalties; requiring a report; amending Minnesota Statutes 2018, sections 473.4051, by adding a subdivision; 473.407, by adding a subdivision; 609.855, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 473.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 473.405, is amended by adding a subdivision to read:

Subd. 16. **Legislative report.** By February 15 annually, the council must submit a report on transit safety to the members and staff of the legislative committees with jurisdiction over transportation policy and finance. At a minimum, the report must:

(1) provide an overview of transit safety issues and actions taken by the council to improve safety, including improvements made to equipment and infrastructure;

(2) for each of the past three calendar years, state the number of warnings and citations issued by the Metropolitan Transit police and a breakdown of the numbers by the reason the warning or citation was issued;

(3) for each of the past three calendar years, include data and statistics on crime rates occurring on public transit vehicles and surrounding transit stops and stations;

(4) for each of the past three calendar years, state the number of peace officers employed by the Metropolitan Transit police department;

(5) state the average number of peace officers employed by the Metropolitan Transit police department for the previous three calendar years; and

(6) make recommendations on how to improve safety on public transit and transit stops and stations.

Sec. 2. Minnesota Statutes 2018, section 473.4056, subdivision 2, is amended to read:

Subd. 2. **Minimum standards.** Standards adopted under this section must include, but are not limited to:

(1) two dedicated spaces for wheelchair users in each car;

(2) seating for a companion adjacent to at least two wheelchair-dedicated spaces; ~~and~~

(3) further specifications that meet or exceed the standards established in the Americans with Disabilities Act; and

(4) a camera that is capable of recording the light rail transit vehicle operator and the interior of the vehicle in the vicinity of the operator.

EFFECTIVE DATE; APPLICATION. This section is effective August 1, 2020, and applies to existing light rail transit vehicles and light rail transit vehicles procured on and after that date. This section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 3. Minnesota Statutes 2018, section 473.407, is amended by adding a subdivision to read:

Subd. 7. **Staffing complement.** The council must not reduce the staff complement of peace officers under this section to below the average staffing level for the most recent three calendar years.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 4. Minnesota Statutes 2018, section 473.41, is amended by adding a subdivision to read:

Subd. 4. **Paid fare zones.** The council must establish and clearly designate paid fare zones at each station or stop where the council utilizes self-service, barrier-free fare collection.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 5. Minnesota Statutes 2018, section 609.855, is amended by adding a subdivision to read:

Subd. 6a. **Mandatory ban.** (a) A person who is convicted of a gross misdemeanor violation committed in a transit vehicle or transit facility operated by the Metropolitan Council is prohibited from accessing Metropolitan Council transit services for six months from the date of conviction.

(b) A person who is convicted of a felony violation committed in a transit vehicle or transit facility operated by the Metropolitan Council is prohibited from accessing Metropolitan Council transit services for one year from the date of conviction.

(c) For purposes of this subdivision, Metropolitan Council transit services includes but is not limited to:

(1) entering or riding upon a transit vehicle; and

(2) presence in a paid-fare zone designated by the council.

(d) A person who intentionally violates the requirements under this subdivision is guilty of a misdemeanor.

EFFECTIVE DATE. This section is effective August 1, 2020 and applies to crimes committed on or after that date. This applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 6. **APPROPRIATION; ADDITIONAL METROPOLITAN TRANSIT POLICE OFFICERS.**

\$1,908,000 in fiscal year 2022 and \$4,389,000 in fiscal year 2023 is appropriated from the general fund to the chair of the Metropolitan Council to increase the number of Metropolitan Transit police officers."

Delete the title and insert:

"A bill for an act relating to public transportation; requiring cameras on light rail transit vehicles; requiring an increase in number of Metropolitan Transit police officers; requiring the Metropolitan Council to establish paid fare zones; imposing temporary bans from Metropolitan Council transit services for individuals convicted of certain crimes; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 473.405, by adding a subdivision; 473.4056, subdivision 2; 473.407, by adding a subdivision; 473.41, by adding a subdivision; 609.855, by adding a subdivision."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Amendments adopted. Report adopted.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Dibble amendment to S.F. No. 3912.

There were yeas 8 and nays 7, as follows:

Those who voted in the affirmative were:

Senators Carlson, Dibble, Franzen, Frentz, Klein, Lang, Little, and Osmek.

Those who voted in the negative were:

Senators Anderson, B.; Hall; Howe; Jasinski; Newman; Rarick; and Senjem.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion that S.F. No. 3912, as amended, be recommended to pass and be re-referred.

There were yeas 13 and nays 2, as follows:

Those who voted in the affirmative were:

Senators Anderson, B.; Carlson; Frentz; Hall; Howe; Jasinski; Klein; Lang; Little; Newman; Osmek; Rarick; and Senjem.

Those who voted in the negative were:

Senators Dibble and Franzen.

The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 3589, 3800, 3435, and 4142 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Tomassoni, Bakk, and Dahms introduced--

S.F. No. 4277: A bill for an act relating to consumer protection; requiring large retailers to provide public access to an automatic external defibrillator; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Ingebrigtsen and Eichorn introduced--

S.F. No. 4278: A bill for an act relating to public safety; establishing a 911 telecommunicator working group to establish statewide standards for training and certification; requiring a report.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Senjem introduced--

S.F. No. 4279: A bill for an act relating to state government; establishing the SAVI program for state agencies to encourage innovation and cost savings; amending Minnesota Statutes 2019 Supplement, section 16A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 15.

Referred to the Committee on State Government Finance and Policy and Elections.

Senator Carlson introduced--

S.F. No. 4280: A bill for an act relating to natural resources; providing for land and water protection on off-road vehicle touring routes; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

Senators Marty and Dibble introduced--

S.F. No. 4281: A bill for an act relating to energy; eliminating the renewable qualifying facility avoided cost pricing requirement; amending Minnesota Statutes 2018, section 216B.164, subdivision 4.

Referred to the Committee on Energy and Utilities Finance and Policy.

Senators Weber, Westrom, Goggin, Frenz, and Simonson introduced--

S.F. No. 4282: A bill for an act relating to energy; modifying the property assessed clean energy program; amending Minnesota Statutes 2019 Supplement, section 216C.435, subdivisions 3a, 8.

Referred to the Committee on Energy and Utilities Finance and Policy.

Senators Pappas, Champion, Hawj, Wiger, and Tomassoni introduced--

S.F. No. 4283: A bill for an act relating to capital investment; requiring recipients of state general obligation bond proceeds to comply with certain human rights provisions; amending Minnesota Statutes 2018, sections 363A.36, by adding a subdivision; 363A.44, subdivision 1.

Referred to the Committee on Capital Investment.

Senator Osmek introduced--

S.F. No. 4284: A bill for an act relating to taxation; property and local; authorizing the creation of a fire and ambulance special taxing district.

Referred to the Committee on Taxes.

Senator Osmek introduced--

S.F. No. 4285: A bill for an act relating to taxation; property and local; authorizing the creation of a fire and ambulance special taxing district.

Referred to the Committee on Taxes.

Senators Hoffman, Abeler, and Newton introduced--

S.F. No. 4286: A bill for an act relating to parks and trails; appropriating money to acquire land for trail system along Elm Creek Greenway Corridor in Champlin.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

Senator Simonson introduced--

S.F. No. 4287: A bill for an act relating to capital investment; modifying the match requirement in the 2018 appropriation for renovation of the Historic Glensheen Estate; amending Laws 2018, chapter 214, article 1, section 2, subdivision 6.

Referred to the Committee on Capital Investment.

Senator Simonson introduced--

S.F. No. 4288: A bill for an act relating to health; modifying nursing home exceptions for replacement beds by adding an exception for a facility in Duluth; amending Minnesota Statutes 2019 Supplement, section 144A.071, subdivision 4a.

Referred to the Committee on Family Care and Aging.

Senator Dziejdzic introduced--

S.F. No. 4289: A bill for an act relating to housing; adding covenants of affordable housing deeds or instruments to list of exemptions; amending Minnesota Statutes 2018, section 500.20, subdivision 2a.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Dziejdzic introduced--

S.F. No. 4290: A bill for an act relating to housing; expanding eligibility for discretionary and mandatory expungements for eviction case court files; limiting public access to pending eviction case court actions; amending Minnesota Statutes 2018, sections 484.014, subdivisions 2, 3; 504B.321, by adding a subdivision.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Weber introduced--

S.F. No. 4291: A bill for an act relating to housing; extending the use of rehabilitation loans to manufactured homes; amending Minnesota Statutes 2018, section 462A.05, subdivisions 14, 14a.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

Senator Utke introduced--

S.F. No. 4292: A bill for an act relating to agriculture; increasing the sales limit for the cottage foods license exemption; amending Minnesota Statutes 2018, section 28A.152, subdivisions 3, 5.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

Senators Koran, Draheim, Tomassoni, and Dzedzic introduced--

S.F. No. 4293: A bill for an act relating to family law; providing rights for blind parents; amending Minnesota Statutes 2018, sections 259.53, by adding a subdivision; 260C.201, by adding a subdivision; 518.1751, by adding a subdivision.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senators Koran and Mathews introduced--

S.F. No. 4294: A bill for an act relating to state government; limiting growth of state employment.

Referred to the Committee on State Government Finance and Policy and Elections.

Senators Pratt and Draheim introduced--

S.F. No. 4295: A bill for an act relating to employment; modifying employee notice requirements; requiring a written warning; amending Minnesota Statutes 2019 Supplement, sections 181.032; 181.101.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senators Wiklund, Isaacson, Torres Ray, and Hawj introduced--

S.F. No. 4296: A bill for an act relating to housing; adding rehabilitation of naturally occurring affordable housing to allowable uses of housing infrastructure bonds; amending Minnesota Statutes 2018, section 462A.37, subdivision 1; Minnesota Statutes 2019 Supplement, section 462A.37, subdivision 2.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

Senators Koran, Benson, Hoffman, and Wiklund introduced--

S.F. No. 4297: A bill for an act relating to public safety; establishing the crime of unauthorized access of critical state information technology systems; amending Minnesota Statutes 2018, section 609.891, subdivision 2.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senators Wiklund, Isaacson, Torres Ray, and Hawj introduced--

S.F. No. 4298: A bill for an act relating to housing; appropriating money for loans or grants to preserve Naturally Occurring Affordable Housing.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

Senators Koran and Champion introduced--

S.F. No. 4299: A bill for an act relating to liquor; permitting brew pubs to assist in tasting events; amending Minnesota Statutes 2018, section 340A.24, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Koran and Champion introduced--

S.F. No. 4300: A bill for an act relating to liquor; modifying off-sale requirements and provisions relating to malt liquor; amending Minnesota Statutes 2018, sections 340A.24, subdivision 2; 340A.28; 340A.285.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senator Bakk introduced--

S.F. No. 4301: A bill for an act relating to natural resources; appropriating money for campgrounds at Birch Lake Recreation Area.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Osmek, Hall, Tomassoni, Howe, and Simonson introduced--

S.F. No. 4302: A bill for an act relating to public safety; appropriating money for fire department equipment grants.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Osmek introduced--

S.F. No. 4303: A bill for an act relating to taxation; property and local; authorizing the city of Maple Plain to establish a tax increment financing district.

Referred to the Committee on Taxes.

Senator Osmek introduced--

S.F. No. 4304: A bill for an act relating to taxes; property and local; clarifying provisions relating to mortgage and deed recording or registration fees; repealing the mortgage registry tax and the additional mortgage and deed taxes imposed by certain counties; amending Minnesota Statutes 2018, section 40A.152, subdivision 1; repealing Minnesota Statutes 2018, sections 287.01; 287.03; 287.035; 287.04; 287.05; 287.10; 287.11; 287.12; 287.13; 383A.80; 383B.80; Minnesota Statutes 2019 Supplement, section 287.08.

Referred to the Committee on Taxes.

Senators Dibble, Hayden, Torres Ray, Champion, and Dzedzic introduced--

S.F. No. 4305: A bill for an act relating to elections; providing that city council terms of office may be either two or four years; modifying when a municipal election may be held; modifying certain local government election districts authority to redistrict; amending Minnesota Statutes 2018, sections 204B.135, subdivisions 2, 3; 205.07, subdivisions 1, 1a; 205.84, subdivision 1.

Referred to the Committee on State Government Finance and Policy and Elections.

Senator Mathews introduced--

S.F. No. 4306: A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 333, Ogilvie.

Referred to the Committee on E-12 Finance and Policy.

Senator Ingebrigtsen introduced--

S.F. No. 4307: A bill for an act relating to natural resources; requiring recommendations for watercraft operators safety program; appropriating money.

Referred to the Committee on Environment and Natural Resources Finance.

Senator Rarick introduced--

S.F. No. 4308: A bill for an act relating to unemployment; modifying the definition of reemployment assistance training to allow additional training options; amending Minnesota Statutes 2018, section 268.035, subdivision 21c.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Marty introduced--

S.F. No. 4309: A bill for an act relating to human services; modifying provisions for reducing risk of sudden unexpected infant death in licensed programs; amending Minnesota Statutes 2018, sections 245A.1435; 245A.146, subdivision 3.

Referred to the Committee on Human Services Reform Finance and Policy.

Senator Hayden introduced--

S.F. No. 4310: A bill for an act relating to health insurance; codifying certain provisions of the Affordable Care Act; amending Minnesota Statutes 2018, sections 62A.04, subdivision 2; 62A.10, by adding a subdivision; 62A.65, by adding a subdivision; 62D.095, subdivisions 2, 3, 4, 5; 62Q.01, subdivision 2a; 62Q.46; 62Q.677, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 363A.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senator Marty introduced--

S.F. No. 4311: A bill for an act relating to energy; amending the biomass technologies that contribute to a utility's renewable energy standard obligation; amending Minnesota Statutes 2018, section 216B.1691, subdivision 1.

Referred to the Committee on Energy and Utilities Finance and Policy.

Senator Anderson, B. introduced--

S.F. No. 4312: A bill for an act relating to local government; providing for towns to adopt home rule charters; requiring a report; amending Minnesota Statutes 2018, sections 410.015; 410.04; 410.06; 410.11; 410.12, subdivisions 1, 2, 3, 5, 7; 410.15; 410.20; 410.24; 410.30; 410.33; proposing coding for new law in Minnesota Statutes, chapter 410.

Referred to the Committee on Local Government.

Senator Senjem introduced--

S.F. No. 4313: A bill for an act relating to taxation; sales and use; modifying proof of sales tax payment provisions; excluding watercraft and certain vehicles from the occasional sales exemption; amending Minnesota Statutes 2018, sections 84.82, subdivision 10; 84.922, subdivision 11; 86B.401, subdivision 12; 297A.67, subdivision 23; 297A.99, subdivision 4.

Referred to the Committee on Taxes.

Senator Nelson introduced--

S.F. No. 4314: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, by adding a section; providing a requirement for the legislature to adopt appropriation limits.

Referred to the Committee on Finance.

Senator Nelson introduced--

S.F. No. 4315: A bill for an act relating to insurance; health; requiring individual and small group health plan offerings to include a preeductible, flat co-pay on prescription drug option; amending Minnesota Statutes 2018, section 62Q.81, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senator Koran introduced--

S.F. No. 4316: A bill for an act relating to commerce; authorizing recovery of state-imposed examination or investigation costs in certain circumstances; regulating informal disposition of examinations and authority to charge licensees for the cost of examinations; limiting certain assessments; reducing appropriations for unfilled positions at the Department of Commerce; limiting growth in employment for the Department of Commerce; requiring a report; amending Minnesota

Statutes 2018, sections 15.471, subdivisions 4, 6; 46.131, by adding a subdivision; 60A.033, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senator Koran introduced--

S.F. No. 4317: A bill for an act relating to commerce; authorizing recovery of state-imposed examination or investigation costs in certain circumstances; regulating informal disposition of examinations and authority to charge licensees for the cost of examinations; limiting certain assessments; reducing appropriations for unfilled positions at the Department of Commerce; limiting growth in employment for the Department of Commerce; requiring a report; amending Minnesota Statutes 2018, sections 15.471, subdivisions 4, 6; 46.131, by adding a subdivision; 60A.033, by adding a subdivision.

Referred to the Committee on State Government Finance and Policy and Elections.

Senator Ingebrigtsen introduced--

S.F. No. 4318: A bill for an act relating to public safety; prohibiting public safety peer counseling or peer debriefing information as evidence; reporting law enforcement use of force; amending Minnesota Statutes 2018, section 181.973; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Kiffmeyer introduced--

S.F. No. 4319: A bill for an act relating to health; changing x-ray provisions; amending Minnesota Statutes 2018, section 144.121, subdivisions 1, 2, 5, by adding subdivisions; Minnesota Statutes 2019 Supplement, section 144.121, subdivisions 1a, 5a; repealing Minnesota Statutes 2018, section 144.121, subdivisions 3, 5b.

Referred to the Committee on Health and Human Services Finance and Policy.

Senators Jasinski, Johnson, Ingebrigtsen, Tomassoni, and Rosen introduced--

S.F. No. 4320: A bill for an act relating to transportation; creating a grant program to fund improvements to township roads; appropriating money for a township road grant program; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation Finance and Policy.

Senator Latz introduced--

S.F. No. 4321: A bill for an act relating to government data; modifying certain Safe at Home provisions; amending Minnesota Statutes 2018, section 13.045, subdivisions 1, 2, 3, 4a.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senators Isaacson and Bigham introduced--

S.F. No. 4322: A bill for an act relating to agriculture; placing a moratorium on farmed Cervidae registrations and facilities; amending Minnesota Statutes 2019 Supplement, section 35.155, subdivision 10.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

Senators Isaacson, Wiger, and Dibble introduced--

S.F. No. 4323: A bill for an act relating to natural resources; appropriating money for lead tackle trade-in program.

Referred to the Committee on Environment and Natural Resources Finance.

Senator Isaacson introduced--

S.F. No. 4324: A bill for an act relating to economic development; creating a displaced grocery worker program; proposing coding for new law in Minnesota Statutes, chapter 116L.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Weber introduced--

S.F. No. 4325: A bill for an act relating to local government; allowing the city of Luverne to provide funding for certain purposes.

Referred to the Committee on Local Government.

Senators Ruud, Housley, Bigham, Relph, and Little introduced--

S.F. No. 4326: A bill for an act relating to crime; providing guidance to courts on sentencing veterans for criminal offenses related to a service-related disorder; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

MOTIONS AND RESOLUTIONS

Senator Carlson moved that the name of Senator Rest be added as a co-author to S.F. No. 2002. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Frentz be added as a co-author to S.F. No. 2919. The motion prevailed.

Senator Champion moved that the name of Senator Limmer be added as a co-author to S.F. No. 2975. The motion prevailed.

Senator Housley moved that the name of Senator Isaacson be added as a co-author to S.F. No. 3033. The motion prevailed.

Senator Housley moved that the name of Senator Dahms be added as a co-author to S.F. No. 3092. The motion prevailed.

Senator Nelson moved that the name of Senator Hoffman be added as a co-author to S.F. No. 3351. The motion prevailed.

Senator Dahms moved that the name of Senator Kiffmeyer be added as a co-author to S.F. No. 3488. The motion prevailed.

Senator Torres Ray moved that her name be stricken as a co-author to S.F. No. 3630. The motion prevailed.

Senator Abeler moved that the name of Senator Clausen be added as a co-author to S.F. No. 3918. The motion prevailed.

Senator Rarick moved that the name of Senator Utke be added as a co-author to S.F. No. 3962. The motion prevailed.

Senator Dziedzic moved that the name of Senator Rest be added as a co-author to S.F. No. 4075. The motion prevailed.

Senator Utke moved that the name of Senator Goggin be added as a co-author to S.F. No. 4130. The motion prevailed.

Senator Draheim moved that the name of Senator Hoffman be added as a co-author to S.F. No. 4196. The motion prevailed.

Senator Draheim moved that the names of Senators Utke and Goggin be added as co-authors to S.F. No. 4198. The motion prevailed.

Senator Nelson moved that the name of Senator Wiklund be added as a co-author to S.F. No. 4263. The motion prevailed.

Senator Eichorn moved that S.F. No. 3745 be withdrawn from the Committee on Environment and Natural Resources Policy and Legacy Finance, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 3745 was read the second time.

Senator Clausen introduced --

Senate Resolution No. 216: A Senate resolution congratulating Carter Sikorski of Rosemount, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. Nos. 3100 and 2959.

SPECIAL ORDER

H.F. No. 3100: A bill for an act relating to health care; establishing an emergency insulin program; establishing a Minnesota insulin patient assistance program; requiring participation by pharmacies and insulin manufacturers; requiring reports; appropriating money; amending Minnesota Statutes 2019 Supplement, sections 151.06, subdivision 6; 151.252, subdivision 1; 214.122; proposing coding for new law in Minnesota Statutes, chapters 16B; 62Q; 62V; 151.

Senator Jensen moved to amend H.F. No. 3100 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 3100 , and insert the language after the enacting clause, and the title, of S.F. No. 3019 , the fourth engrossment.

The motion prevailed. So the amendment was adopted.

Senator Little moved to amend H.F. No. 3100, as amended by the Senate March 11, 2020, as follows:

(The text of the amended House File is identical to S.F. No. 3019.)

Page 10, after line 28, insert:

"Sec. 5. CITATION.

This act may be cited as the "Alec Smith Insulin Affordability Act.""

Renumber the sections in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend H.F. No. 3100, as amended by the Senate March 11, 2020, as follows:

(The text of the amended House File is identical to S.F. No. 3019.)

Page 10, delete subdivision 13

Page 11, line 17, delete everything after the period

Page 11, delete line 18

Page 11, line 21, delete everything after "2023" and insert a period

Page 11, delete line 22

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 35, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hayden	Little	Tomassoni
Bigham	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pappas	
Clausen	Franzen	Klein	Rest	
Cohen	Frentz	Laine	Simonson	
Cwodzinski	Hawj	Latz	Sparks	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Relph
Anderson, B.	Gazelka	Jensen	Miller	Rosen
Anderson, P.	Goggin	Johnson	Nelson	Ruud
Benson	Hall	Kiffmeyer	Newman	Senjem
Chamberlain	Housley	Koran	Osmek	Utke
Dahms	Howe	Lang	Pratt	Weber
Draheim	Ingebrigtsen	Limmer	Rarick	Westrom

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

Senator Marty moved to amend H.F. No. 3100, as amended by the Senate March 11, 2020, as follows:

(The text of the amended House File is identical to S.F. No. 3019.)

Page 4, line 10, delete "\$75" and insert "\$25"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

Bakk	Cwodzinski	Frentz	Klein	Pappas
Bigham	Dibble	Hawj	Laine	Rest
Carlson	Dziedzic	Hayden	Latz	Simonson
Champion	Eaton	Hoffman	Little	Sparks
Clausen	Eken	Isaacson	Marty	Torres Ray
Cohen	Franzen	Kent	Newton	Wiger

Those who voted in the negative were:

Abeler	Gazelka	Johnson	Newman	Tomassoni
Anderson, B.	Goggin	Kiffmeyer	Osmek	Utke
Anderson, P.	Hall	Koran	Pratt	Weber
Benson	Housley	Lang	Rarick	Westrom
Chamberlain	Howe	Limmer	Relph	
Dahms	Ingebrigtsen	Mathews	Rosen	
Draheim	Jasinski	Miller	Ruud	
Eichorn	Jensen	Nelson	Senjem	

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

Senator Little moved to amend H.F. No. 3100, as amended by the Senate March 11, 2020, as follows:

(The text of the amended House File is identical to S.F. No. 3019.)

Page 8, line 13, delete "up to \$100,000 for each year of noncompliance" and insert "\$100,000 per month of noncompliance, with the penalty increasing to \$200,000 per month if the manufacturer continues to be in noncompliance after six months"

The motion prevailed. So the amendment was adopted.

H.F. No. 3100 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

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

SPECIAL ORDER

H.F. No. 2959: A bill for an act relating to capital investment; appropriating money for the Rural Finance Authority; authorizing the sale and issuance of state bonds.

H.F. No. 2959 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Champion	Eaton	Hawj	Johnson
Anderson, B.	Clausen	Eichorn	Hayden	Kent
Anderson, P.	Cohen	Eken	Housley	Kiffmeyer
Bakk	Cwodzinski	Franzen	Howe	Klein
Benson	Dahms	Frentz	Ingebrigtsen	Koran
Bigham	Dibble	Gazelka	Isaacson	Laine
Carlson	Draheim	Goggin	Jasinski	Lang
Chamberlain	Dziedzic	Hall	Jensen	Latz

Limmer	Nelson	Pratt	Ruud	Torres Ray
Little	Newman	Rarick	Senjem	Utke
Marty	Newton	Relph	Simonson	Weber
Mathews	Osmek	Rest	Sparks	Westrom
Miller	Pappas	Rosen	Tomassoni	Wiger

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Senator Wiklund was excused from the Session of today. Senator Hoffman was excused from the Session of today at 12:25 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, March 16, 2020. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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