

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

SEVENTY-NINTH DAY

St. Paul, Minnesota, Thursday, April 16, 2020

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

Prayer was offered by Senator Andrew Mathews.

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 were present:

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	Wiklund
Cwudzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

The President declared a quorum present.

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, B.; Carlson; Clausen; Dahms; Eaton; Frentz; Hall; Ingebrigtsen; Isaacson; Laine; Latz; Little; Newman; Newton; Pappas; Rest; Rosen, Ruud; Senjem; Sparks; Torres Ray; Weber; Westrom; and Wiklund.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

April 15, 2020

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Jeremy R. Miller
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2020 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2020	Date Filed 2020
	3100	73	11:58 a.m. April 15	April 15
	4556	74	11:21 a.m. April 15	April 15

Sincerely,
Steve Simon
Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Nelson, Senjem, Miller, Jasinski, and Lang introduced--

S.F. No. 4463: A bill for an act relating to capital investment; appropriating money for runway improvements at the Rochester International Airport; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Tomassoni introduced--

S.F. No. 4464: A bill for an act relating to unemployment insurance; modifying the effect of other earnings on unemployment benefits during COVID-19 pandemic.

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

Senator Jasinski introduced--

S.F. No. 4465: A bill for an act relating to education; authorizing school districts to renew expiring referendums for one year by action of school board.

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

Senators Housley, Anderson, P.; and Jasinski introduced--

S.F. No. 4466: A bill for an act relating to liquor; allowing certain on-sale licensees to make off-sales of liquor.

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

Senator Ingebrigtsen introduced--

S.F. No. 4467: A bill for an act relating to capital investment; appropriating money to construct a new culvert under U.S. Highway 29; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Chamberlain introduced--

S.F. No. 4468: A bill for an act relating to education finance; authorizing special education aid to include an on-site education program adjustment; amending Minnesota Statutes 2018, section 125A.76, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 125A.76, subdivision 2c; 127A.47, subdivision 7.

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

Senators Osmek and Simonson introduced--

S.F. No. 4469: A bill for an act relating to energy; establishing a net zero emissions project; requiring a report; modifying the solar energy incentive program; providing for a utility ratepayer relief bill credit; appropriating money; amending Minnesota Statutes 2019 Supplement, section 116C.7792.

Referred to the Committee on Finance.

Senator Tomassoni introduced--

S.F. No. 4470: A bill for an act relating to taxation; sales and use; providing an exemption for construction materials for certain public facilities in the city of Virginia; amending Minnesota Statutes 2019 Supplement, section 297A.71, subdivision 52.

Referred to the Committee on Taxes.

Senators Draheim and Koran introduced--

S.F. No. 4471: A bill for an act relating to taxation; property; establishing a moratorium on reclassifying short-term rental properties.

Referred to the Committee on Taxes.

Senators Draheim, Koran, Goggin, Howe, and Lang introduced--

S.F. No. 4472: A bill for an act relating to broadband; specifying grant amount for unserved areas; amending Minnesota Statutes 2018, section 116J.396, subdivision 2.

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

Senators Nelson, Senjem, Chamberlain, and Kiffmeyer introduced--

S.F. No. 4473: A bill for an act relating to taxation; provider taxes; establishing a credit for certain COVID-19-related purchases.

Referred to the Committee on Taxes.

Senators Nelson, Senjem, Chamberlain, and Kiffmeyer introduced--

S.F. No. 4474: A bill for an act relating to taxation; provider taxes; providing a temporary suspension of the provider tax.

Referred to the Committee on Taxes.

Senator Ingebrigtsen introduced--

S.F. No. 4475: A bill for an act relating to human services; establishing temporary fixed-cost reimbursement rates for day programs and employment service providers.

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

Senators Nelson and Gazelka introduced--

S.F. No. 4476: A bill for an act relating to public health; appropriating money to be awarded as a grant to advance research, development, and implementation of tests necessary to respond to the COVID-19 pandemic.

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

Senator Anderson, P. introduced--

S.F. No. 4477: A bill for an act relating to economic development; appropriating money for grants to small businesses affected by the COVID-19 outbreak.

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

Senator Koran introduced--

S.F. No. 4478: A bill for an act relating to health care; permitting a telemedicine examination of a patient by the prescribing practitioner before issuing a prescription drug order for medication assisted therapy for treatment of a substance abuse disorder; amending Minnesota Statutes 2018, section 151.37, subdivision 2.

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

Senator Draheim introduced--

S.F. No. 4479: A bill for an act relating to health; modifying well disclosure certificates required for property sales; appropriating money; amending Minnesota Statutes 2018, section 103I.235, subdivision 1.

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

Senators Mathews, Relph, Jasinski, Pratt, and Simonson introduced--

S.F. No. 4480: A bill for an act relating to economic development; establishing a process to safely reopen businesses during a peacetime emergency.

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

Senator Anderson, P. introduced--

S.F. No. 4481: A bill for an act relating to economic development; modifying small business loan transfers; appropriating money for emergency small business grants and loans; amending Laws 2020, chapter 71, article 1, section 11.

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

Senator Senjem introduced--

S.F. No. 4482: A bill for an act relating to capital investment; appropriating money for regional wastewater system infrastructure; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Senjem introduced--

S.F. No. 4483: A bill for an act relating to transportation; appropriating money to construct an interchange at marked Trunk Highway 14 and County Road 104; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Westrom introduced--

S.F. No. 4484: A Senate resolution memorializing the President and Congress to direct the United States Food and Drug Administration to approve off-label use of certain medications to combat COVID-19.

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

Senator Westrom introduced--

S.F. No. 4485: A Senate resolution memorializing the President and Congress to direct the United States Food and Drug Administration to approve off-label use of certain medications to combat COVID-19.

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

Senator Rosen introduced--

S.F. No. 4486: A bill for an act relating to state finances; establishing an account in the federal fund; depositing money from the federal coronavirus relief fund.

Referred to the Committee on Finance.

Senators Rarick, Housley, Eichorn, Westrom, and Newman introduced--

S.F. No. 4487: A bill for an act relating to economic development; establishing a process to safely reopen businesses during a peacetime emergency.

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

Senator Koran introduced--

S.F. No. 4488: A bill for an act relating to economic development; establishing a process to safely reopen businesses during a peacetime emergency.

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

Senators Housley, Hoffman, and Anderson, P. introduced--

S.F. No. 4489: A bill for an act relating to liquor; allowing certain on-sale licensees to make off-sales of liquor.

Senator Gazelka moved that S.F. No. 4489 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Senator Simonson moved that the name of Senator Marty be added as a co-author to S.F. No. 4018. The motion prevailed.

Senator Housley moved that the names of Senators Franzen and Jasinski be added as co-authors to S.F. No. 4489. The motion prevailed.

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:

S.F. Nos. 2184 and 3125.

SPECIAL ORDER

S.F. No. 2184: A bill for an act relating to health; allowing telemedicine evaluations to be used to prescribe medications for erectile dysfunction; amending Minnesota Statutes 2018, section 151.37, subdivision 2.

S.F. No. 2184 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 3, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Gazelka cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Ingebrigtsen; Newman; Rosen; Ruud; Senjem; Weber; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Frentz, Isaacson, Laine, Latz, Little, Newton, Sparks, Torres Ray, and Wiklund.

Those who voted in the negative were:

Hayden	Pappas	Rest
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Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Pappas and Rest.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3125: A bill for an act relating to medical assistance; providing coverage for routine patient costs that are incurred in the course of a clinical trial if the medical assistance program would provide coverage for the same routine patient costs not incurred in a clinical trial; amending Minnesota Statutes 2018, section 256B.0625, subdivision 64.

S.F. No. 3125 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 67 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	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

Pursuant to Rule 40, Senator Gazelka cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Ingebrigtsen; Newman; Rosen; Ruud; Senjem; Weber; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Frentz, Isaacson, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that S.F. No. 4489 be taken from the table. The motion prevailed.

S.F. No. 4489: A bill for an act relating to liquor; allowing certain on-sale licensees to make off-sales of liquor.

SUSPENSION OF RULES

Senator Gazelka moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 4489 and that the rules of the Senate be so far suspended as to give S.F. No. 4489 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 4489 was read the second time.

S.F. No. 4489 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 2, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Gazelka cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Ingebrigtsen; Newman; Rosen; Senjem; Weber; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Frentz, Isaacson, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

Those who voted in the negative were:

Johnson Ruud

Pursuant to Rule 40, Senator Gazelka cast the negative vote on behalf of the following Senator: Ruud.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Senator Anderson, P. moved that the report from the Committee on Higher Education Finance and Policy, reported March 2, 2020, pertaining to the appointment of the Commissioner of the Office of Higher Education, be taken from the table. The motion prevailed.

Senator Anderson, P. moved that the foregoing report be now adopted. The motion prevailed.

Senator Anderson, P. moved that in accordance with the report from the Committee on Higher Education Finance and Policy, reported March 2, 2020, the Senate, having given its advice, do now consent to and confirm the appointment of:

OFFICE OF HIGHER EDUCATION COMMISSIONER

Dennis Olson, 12581 Foxhill Ave. N., Hugo, Washington County, effective January 7, 2019, for a term expiring on January 2, 2023.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Abeler moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Nelson be shown as chief author to S.F. No. 4369. The motion prevailed.

Senators Gazelka and Kent introduced --

Senate Concurrent Resolution No. 7: A Senate concurrent resolution relating to adjournment of the Senate and House of Representatives until the public interest warrants reconvening.

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon its adjournment on April 20, 2020, the Senate may set its next day of meeting for April 28, 2020; may stand adjourned until the second day after members of the Senate and the House of Representatives are notified to assemble pursuant to section 3; or may stand adjourned until the second day after members of the Senate are notified to assemble pursuant to section 4. The majority leader of the Senate may set the precise time of day members shall reassemble under this section, section 3, or section 4.

2. Upon its adjournment on April 17, 2020, the House of Representatives may set its next day of meeting for April 28, 2020; may stand adjourned until the second day after members of the House of Representatives and the Senate are notified to assemble pursuant to section 3; or may stand adjourned until the second day after members of the House of Representatives are notified to assemble pursuant to section 4. The speaker of the House of Representatives may set the precise time of day members shall reassemble under this section, section 3, or section 4.

3. The majority leader of the Senate and the speaker of the House of Representatives, acting jointly after providing advance notice to the minority leader of the Senate and the minority leader of the House of Representatives, shall notify the members of the Senate and the House of Representatives, respectively, to reassemble whenever the public interest, in the opinion of the majority leader of the Senate and speaker of the House of Representatives, warrants it.

4. The majority leader of the Senate, acting individually after providing advance notice to the minority leader of the Senate and the speaker of the House of Representatives, or the speaker of the House of Representatives, acting individually after providing advance notice to the minority leader of the House of Representatives and the majority leader of the Senate, shall notify the members of the Senate or members of the House of Representatives, respectively, to reassemble in a separate and solitary session as deemed necessary by either the majority leader of the Senate or the speaker of the House of Representatives.

5. By the adoption of this resolution, each house consents to adjournment of the other house, including the adjournment of the other house at a separate and solitary session under section 4, for more than three days until April 28, 2020.

Senator Gazelka moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

MEMBERS EXCUSED

Senator Cohen was excused from the Session of today from 11:45 to 11:55 a.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, April 20, 2020. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

