

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

NINETY-FIFTH DAY

St. Paul, Minnesota, Friday, May 15, 2020

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

The members of the Senate paused for a moment of silent prayer and reflection.

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
Cwodzinski	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; Dziedzic; Eaton; Hall; Isaacson; Klein; Laine; Latz; Marty; Nelson; Newton; Rest; Ruud; Senjem; Sparks; Torres Ray; 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 communications were received.

May 12, 2020

The Honorable Jeremy R. Miller
President of the Senate

Dear Mr. President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 78, S.F. No. 1098; Chapter 79, S.F. No. 2939; and Chapter 80, S.F. No. 4091.

Sincerely,
Tim Walz, Governor

May 12, 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
	745	76	7:16 p.m. May 12	May 12
	3429	77	7:17 p.m. May 12	May 12
1098		78	7:17 p.m. May 12	May 12
2939		79	7:17 p.m. May 12	May 12
4091		80	7:18 p.m. May 12	May 12
	1883	81	7:18 p.m. May 12	May 12

Sincerely,
Steve Simon
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3358: A bill for an act relating to employment; providing for the minimum age for safe amusement ride operation; amending Minnesota Statutes 2018, sections 181A.04, by adding a subdivision; 184B.021; 184B.03, subdivisions 1, 2.

Senate File No. 3358 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 14, 2020

Senator Benson moved that S.F. No. 3358 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Senator Benson moved that the Committee Reports at the Desk be now adopted, with the exception of the reports on S.F. Nos. 4603 and 4500. The motion prevailed.

Senator Gazelka from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

H.F. No. 1503: A bill for an act relating to health; adding tribal public health access to birth data; amending Minnesota Statutes 2018, section 144.225, subdivisions 2, 2a, 7.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on H.F. No. 1503 and that the report from the Committee on Health and Human Services Finance and Policy, shown in the Journal for May 14, 2020, be adopted; that committee recommendation being:

"the bill do pass". Report adopted.

Senator Rosen from the Committee on Finance, to which was re-referred

S.F. No. 2084: A bill for an act relating to relating to energy; modifying the solar energy incentive program; establishing various renewable energy and other energy-related programs; governing a certain utility filing; requiring reports; appropriating money; amending Minnesota Statutes 2019 Supplement, section 116C.7792; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 4603: A bill for an act relating to health care; providing criminal, civil, and administrative immunity to persons engaged in health care services during the peacetime public health emergency; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

Page 1, line 10, delete "licensed" and after the second "organization" insert "entity"

Page 2, line 7, delete "registered" and insert "podiatrists, advanced practice registered nurses, registered nurses, licensed practical nurses,"

Page 2, line 11, delete "and other nurses,"

And when so amended the bill be re-referred to the Committee on Judiciary and Public Safety Finance and Policy without recommendation.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

Senator Benson from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 4500: A bill for an act relating to public health; establishing a grant program to advance the development of a serological test for COVID-19; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. COVID-19 TESTING AND CONTACT TRACING BILL OF RIGHTS; GRANTS TO EMPLOYERS.

Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of health.

(c) "Contact tracing" means identifying individuals who may be at risk of contracting COVID-19 through contact, in a manner consistent with known or suspected modes of COVID-19 transmission, with an individual who has tested positive for COVID-19.

(d) "COVID-19 testing" means a diagnostic test used to detect the virus that causes COVID-19 in order to make a diagnosis of COVID-19.

(e) "Tested positive for COVID-19" means an individual who has received a positive diagnostic test for COVID-19 and is currently contagious.

Subd. 2. Testing and contact tracing bill of rights. (a) Notwithstanding any law to the contrary, the following requirements on behalf of individuals, patients, and residents must be met by any program established by the commissioner of health that involves COVID-19 testing or contact tracing:

(1) no testing on an individual shall be performed without the consent of the individual being tested;

(2) if an individual tests positive for COVID-19, the individual must be informed that the individual is not required to cooperate with contact tracing, and may refuse to provide requested contact information;

(3) if the commissioner of health or the commissioner's contracted vendor is conducting contact tracing, the commissioner or vendor must provide the individual with a Tennessee warning in accordance with Minnesota Statutes, section 13.04, subdivision 2; and

(4) results of any testing performed on an individual by a provider as defined under Minnesota Statutes, section 144.291 shall be considered a health record under Minnesota Statutes, section 144.292, and shall not be disclosed or released without consent from the individual in accordance with Minnesota Statutes, section 144.293, subdivision 2.

(b) Any contact tracing data collected by the commissioner of health or the commissioner's contracted vendor pursuant to a program that identifies an individual are classified as private data on individuals as defined in Minnesota Statutes, section 13.02, subdivision 12. Notwithstanding Minnesota Statutes, section 13.3805, paragraph (b), clause (3), the commissioner shall establish procedures and safeguards to ensure that any data collected under a program including an individual's address of residence is not released by the commissioner or its contracted vendor in a form that identifies a specific individual unless the individual has provided consent for its release.

(c) Notwithstanding Minnesota Statutes, sections 144.419 to 144.4196, if an asymptomatic individual refuses to be tested for COVID-19 as part of a COVID-19 screening process, the commissioner of health shall not have the authority to pursue an ex parte order under Minnesota Statutes, section 144.4195, authorizing the isolation or quarantine of the individual.

Subd. 3. **Grants to employers.** (a) The commissioner shall award grants to employers to assist the employer in establishing COVID-19 testing of employees. The commissioner shall develop a grant application and process to award grants under this subdivision. The commissioner shall determine based on the amount appropriated and the number of grant applications the amount of each grant as determined by the commissioner. Priority shall be given to employers that involve high-risk sites.

(b) To be eligible for a grant under this subdivision, the employer must be located in Minnesota and must employ in Minnesota no more than 100 employees on a full-time or part-time basis

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

Sec. 2. **APPROPRIATION.**

\$5,000,000 in fiscal year 2020 and \$5,000,000 in fiscal year 2021 are appropriated from the coronavirus relief fund to the commissioner of health to distribute as grants to employers for purposes of section 1, subdivision 3."

Delete the title and insert:

"A bill for an act relating to public health; creating a COVID-19 testing and contact tracing bill of rights; establishing grants to small employers to assist in establishing COVID-19 testing for their employees; appropriating money."

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

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

SECOND READING OF SENATE BILLS

S.F. No. 2084 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1503 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Weber introduced--

S.F. No. 4618: A bill for an act relating to taxation; individual income; modifying the credit for parents of stillborn children; amending Minnesota Statutes 2018, section 290.0685, subdivision 1.

Referred to the Committee on Taxes.

Senator Pappas introduced--

S.F. No. 4619: A resolution urging further action to address the COVID-19 pandemic and save lives in Minnesota by entering into medical and scientific collaboration with the country of Cuba; memorializing Congress to remove restrictions on collaboration.

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

Senator Benson introduced--

S.F. No. 4620: A bill for an act relating to health; limiting the general authority of the commissioner of health; amending Minnesota Statutes 2018, section 144.05, by adding a subdivision.

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

Senators Abeler and Hoffman introduced--

S.F. No. 4621: A bill for an act relating to liquor; farm wineries; eliminating certain agricultural requirements; amending Minnesota Statutes 2018, section 340A.101, subdivision 11; repealing Minnesota Statutes 2018, section 340A.315, subdivision 9.

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

Senator Senjem introduced--

S.F. No. 4622: A bill for an act relating to capital investment; appropriating money for a Mayo Memorial on the Capitol grounds; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Howe introduced--

S.F. No. 4623: A bill for an act relating to public safety; requiring a salary increase for state patrol troopers; appropriating money; amending Laws 2019, First Special Session chapter 3, article 1, sections 2, subdivisions 2, 5; 4, subdivision 2.

Referred to the Committee on Transportation Finance and Policy.

MOTIONS AND RESOLUTIONS

Senator Anderson, P. moved that the name of Senator Clausen be added as a co-author to S.F. No. 1735. The motion prevailed.

Senator Klein moved that his name be stricken as a co-author to S.F. No. 4500. The motion prevailed.

Senator Benson moved that the name of Senator Jensen be added as a co-author to S.F. No. 4603. The motion prevailed.

CONFIRMATION

Senator Limmer moved that the appointment of notaries public, received May 4, 2020, be taken from the table. The motion prevailed.

Senator Limmer moved that the Senate do now consent to and confirm the appointments of the notaries public.

The motion prevailed. So the appointments were confirmed.

SPECIAL ORDERS

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

S.F. Nos. 4519, 512, 3226, 2224, and H.F. No. 4490.

SPECIAL ORDER

S.F. No. 4519: A bill for an act relating to public safety; requiring legislative approval to extend the duration of a peacetime emergency declared by the governor; limiting duration of peacetime emergency extensions; amending Minnesota Statutes 2018, section 12.31, subdivision 2.

Senator Pratt moved to amend S.F. No. 4519 as follows:

Page 2, lines 6 and 8, delete "14" and insert "30"

The motion prevailed. So the amendment was adopted.

S.F. No. 4519 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 36 and nays 31, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Nelson; Ruud; and Senjem.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Isaacson, Klein, Laine, Latz, Marty, Newton, Rest, Sparks, Torres Ray, and Wiklund.

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

SPECIAL ORDER

S.F. No. 512: A bill for an act relating to state government; making temporary adjustments to gambling control laws in response to COVID-19.

Senator Kiffmeyer moved to amend S.F. No. 512 as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2018, section 349.19, is amended by adding a subdivision to read:

Subd. 12. **Annual audit.** A licensed organization must report to the board, in an electronic format prescribed by the board, any audit that is required under section 297E.06, subdivision 4, but excluding any requirement that is to be reported as described in section 297E.06, subdivision 4, paragraph (d), at the same time the audit is submitted to the commissioner of revenue."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 512 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 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; Lang; Nelson; Osmek; Ruud; and Senjem.

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

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

SPECIAL ORDER

S.F. No. 3226: A bill for an act relating to motor vehicles; authorizing third-party programs and third-party testers to conduct behind-the-wheel road tests for class D drivers' licenses; specifying requirements and criteria for third-party programs and testers; requiring audits; allowing appeals of decisions made by the commissioner of public safety; requiring record keeping and reporting; amending Minnesota Statutes 2018, section 171.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 171.

Senator Little moved to amend S.F. No. 3226 as follows:

Page 7, after line 25, insert:

"Subd. 3. Fee. A third-party testing program or a third-party tester must not charge an individual more than \$75 to administer a road test."

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

S.F. No. 3226 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 37 and nays 30, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Lang; Nelson; Osmek; Rosen; Ruud; and Senjem.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senator: Sparks.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Isaacson, Klein, Laine, Latz, Marty, Newton, Rest, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2224: A bill for an act relating to motor vehicles; modifying the class of vehicles requiring a salvage certificate of title; appropriating money; amending Minnesota Statutes 2018, section 168A.151, subdivision 1.

S.F. No. 2224 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	Chamberlain	Draheim	Gazelka	Howe
Anderson, B.	Champion	Dziedzic	Goggin	Ingebrigtsen
Anderson, P.	Clausen	Eaton	Hall	Isaacson
Bakk	Cohen	Eichorn	Hawj	Jasinski
Benson	Cwodzinski	Eken	Hayden	Jensen
Bigham	Dahms	Franzen	Hoffman	Johnson
Carlson	Dibble	Frentz	Housley	Kent

Kiffmeyer	Little	Osmek	Ruud	Weber
Klein	Marty	Pappas	Senjem	Westrom
Koran	Mathews	Pratt	Simonson	Wiger
Laine	Miller	Rarick	Sparks	Wiklund
Lang	Nelson	Relph	Tomassoni	
Latz	Newman	Rest	Torres Ray	
Limmer	Newton	Rosen	Utke	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Lang; Nelson; Newman; Osmek; Rosen; Ruud; and Senjem.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dzedzic, Eaton, Hayden; Isaacson, Klein, Laine, Latz, Marty, Newton, Rest, Sparks, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 4490: A bill for an act relating to agriculture; providing supplemental agriculture-related appropriations for various agriculture-related purposes including appropriations for farm and rural mental health services, farmers assistance, farm advocate services, farm safety, veterinary diagnostic equipment, farm loan origination fee assistance, and retail food handler safety; providing farm safety grant and outreach programs; making technical changes; amending Minnesota Statutes 2018, section 31.175; Laws 2019, First Special Session chapter 1, article 1, section 2, subdivisions 3, 5, as amended; proposing coding for new law in Minnesota Statutes, chapter 17.

Senator Westrom moved that the amendment made to H.F. No. 4490 by the Committee on Rules and Administration in the report adopted May 14, 2020, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Westrom moved to amend H.F. No. 4490 as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[17.1195] FARM SAFETY GRANT AND OUTREACH PROGRAMS.**

Subdivision 1. **Tractor rollover grants.** (a) The commissioner may award grants to Minnesota farmers and Minnesota schools that retrofit eligible tractors with eligible rollover protective structures.

(b) Grants for farmers are limited to 70 percent of the farmer's documented cost to purchase, ship, and install an eligible rollover protective structure. The commissioner must increase a farmer's grant award amount over the 70 percent grant limitation requirement if necessary to limit a farmer's cost per tractor to no more than \$500.

(c) Schools are eligible for grants that cover the full amount of a school's documented cost to purchase, ship, and install an eligible rollover protective structure.

(d) A rollover protective structure is eligible if it is certified to appropriate national or international rollover protection structure standards with a seat belt.

(e) "Eligible tractor" means a tractor that was built before 1987.

Subd. 2. **Grain storage facility safety grants; farm safety outreach.** (a) The commissioner may award grants to Minnesota farmers who purchase eligible grain storage facility safety equipment. Grants are limited to 75 percent of the farmer's documented cost to purchase, ship, and install grain storage facility safety equipment, or \$400 per bin or silo, whichever is less. A farm entity may not receive more than one grant each fiscal year.

(b) Eligible grain storage facility safety equipment includes:

(1) fall protection systems;

(2) engineering controls to prevent contact with an auger or other moving parts;

(3) dust collection systems to minimize explosion hazards;

(4) personal protective equipment to increase survivability in the event of a grain-bin-related emergency;

(5) grain silo air quality monitoring equipment; and

(6) other grain storage facility safety equipment approved by the commissioner.

(c) The commissioner may create a farm safety outreach campaign, including but not limited to development and distribution of safety educational materials related to grain bins, silos, and other agricultural confined spaces.

Subd. 3. **Promotion; administration.** The commissioner may spend up to six percent of total program dollars each fiscal year to promote and administer the programs to Minnesota farmers and schools.

Sec. 2. Minnesota Statutes 2018, section 31.175, is amended to read:

31.175 WATER, PLUMBING, AND SEWAGE.

A person who is required by statutes administered by the Department of Agriculture, or by rules adopted pursuant to those statutes, to provide a suitable water supply, or plumbing or sewage disposal system shall not engage in the business of manufacturing, processing, selling, handling, or storing food at wholesale or retail unless the person's water supply is satisfactory pursuant to rules adopted by the Department of Health, the person's plumbing is satisfactory pursuant to rules adopted by the Department of Labor and Industry, and the person's sewage disposal system satisfies the rules of the Pollution Control Agency. This section does not limit the commissioner's ability to issue a food handler's license when an investigation completed pursuant to section 28A.07 has determined the requirements of this section are not relevant and the applicant is considered fit to engage in business as described in the license application.

Sec. 3. Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 4, is amended to read:

**Subd. 4. Agriculture, Bioenergy, and Bioproduct
Advancement**

23,653,000

23,654,00023,554,000

(a) \$9,300,000 the first year and ~~\$9,300,000~~ \$9,200,000 the second year are for transfer to the agriculture research, education, extension, and technology transfer account under Minnesota Statutes, section 41A.14, subdivision 3. Of these amounts: at least \$600,000 the first year and \$600,000 the second year are for the Minnesota Agricultural Experiment Station's agriculture rapid response fund under Minnesota Statutes, section 41A.14, subdivision 1, clause (2); \$2,000,000 the first year and \$2,000,000 the second year are for grants to the Minnesota Agriculture Education Leadership Council to enhance agricultural education with priority given to Farm Business Management challenge grants; \$350,000 the first year and \$350,000 the second year are for potato breeding; and \$450,000 the first year and \$450,000 the second year are for the cultivated wild rice breeding project at the North Central Research and Outreach Center to include a tenure track/research associate plant breeder. The commissioner shall transfer the remaining funds in this appropriation each year to the Board of Regents of the University of Minnesota for purposes of Minnesota Statutes, section 41A.14. Of the amount transferred to the Board of Regents, \$675,000 in fiscal year 2021 only is for testing equipment and supplies for the Veterinary Diagnostic Laboratory, and up to \$1,000,000 each year is for research on avian influenza, salmonella, and other turkey-related diseases.

To the extent practicable, money expended under Minnesota Statutes, section 41A.14, subdivision 1, clauses (1) and (2), must supplement and not supplant existing sources and levels of funding. The commissioner may use up to one percent of this appropriation for costs incurred to administer the program.

The base amount for agriculture research, education, extension, and technology transfer for fiscal year 2022 and later is \$9,300,000.

(b) \$14,353,000 the first year and \$14,354,000 the second year are for the agricultural growth, research, and innovation program in Minnesota Statutes, section 41A.12. Except as provided below, the commissioner may allocate the appropriation each year among the following areas: facilitating the start-up, modernization, improvement, or expansion of livestock operations including beginning and transitioning livestock operations with preference given to robotic dairy-milking equipment; providing funding not to exceed \$400,000 each year to develop and enhance farm-to-school markets for Minnesota farmers by providing more fruits, vegetables, meat, grain, and dairy for Minnesota children in school and child care settings including, at the commissioner's discretion, reimbursing schools for purchases from local farmers; assisting value-added agricultural businesses to begin or expand, to access new markets, or to diversify, including aquaponics systems, with additional priority given to meat and poultry processors in the second year; providing funding not to exceed \$300,000 each year for urban youth agricultural education or urban agriculture community development; providing funding not to exceed \$300,000 each year for the good food access program under Minnesota Statutes, section 17.1017; facilitating the start-up, modernization, or expansion of other beginning and transitioning farms including by providing loans under Minnesota Statutes, section 41B.056; sustainable agriculture on-farm research and demonstration; development or expansion of food hubs and other alternative community-based food distribution systems; enhancing renewable energy infrastructure and use; crop research including basic and applied turf seed research; Farm Business Management tuition

assistance; and good agricultural practices/good handling practices certification assistance. The commissioner may use up to 6.5 percent of this appropriation for costs incurred to administer the program.

Of the amount appropriated for the agricultural growth, research, and innovation program in Minnesota Statutes, section 41A.12:

(1) \$1,000,000 the first year and \$1,000,000 the second year are for distribution in equal amounts to each of the state's county fairs to preserve and promote Minnesota agriculture;

(2) \$2,500,000 the first year and \$2,500,000 the second year are for incentive payments under Minnesota Statutes, sections 41A.16, 41A.17, and 41A.18. Notwithstanding Minnesota Statutes, section 16A.28, the first year appropriation is available until June 30, 2021, and the second year appropriation is available until June 30, 2022. If this appropriation exceeds the total amount for which all producers are eligible in a fiscal year, the balance of the appropriation is available for the agricultural growth, research, and innovation program. The base amount for the allocation under this clause is \$3,000,000 in fiscal year 2022 and later;

(3) up to \$5,000,000 the first year is for Dairy Assistance, Investment, Relief Initiative (DAIRI) grants to Minnesota dairy farmers who enroll for five years of coverage under the federal dairy margin coverage program and produced no more than 16,000,000 pounds of milk in 2018. The commissioner must award DAIRI grants based on participating producers' amount of 2018 milk, up to 5,000,000 pounds per participating producer, at a rate determined by the commissioner within the limits of available funding;

(4) up to \$5,000,000 the second year is for innovative soybean processing and research;

(5) \$75,000 the first year is for a grant to Greater Mankato Growth, Inc. for assistance to agricultural-related businesses to promote jobs, innovation, and synergy development; and

(6) \$75,000 the first year and \$75,000 the second year are for grants to the Minnesota Turf Seed Council for basic and applied research.

The amounts in clauses (3) to (6) are onetime.

Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance does not cancel at the end of the first year and is available for the second year and appropriations encumbered under contract on or before June 30, 2021, for agricultural growth, research, and innovation grants are available until June 30, 2024.

The base amount for the agricultural growth, research, and innovation program is \$14,693,000 in fiscal year 2022 and \$14,693,000 in fiscal year 2023, and includes funding for incentive payments under Minnesota Statutes, sections 41A.16, 41A.17, 41A.18, and 41A.20.

The commissioner must consult with the commissioner of transportation, the commissioner of administration, and local units of government to identify at least ten parcels of publicly owned land that are suitable for urban agriculture.

Sec. 4. FARM SAFETY GRANT AND OUTREACH; APPROPRIATION.

(a) \$100,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of agriculture for farm safety grants and outreach programs under Minnesota Statutes, section 17.1195. Of this amount, \$50,000 is for grain storage facility safety grants, and \$50,000 is for (1) outreach, which may include creating and presenting a grain storage facility safety curriculum, and (2) awarding grants under paragraph (b). This is a onetime appropriation.

(b) The commissioner of agriculture may award grants to the Board of Regents of the University of Minnesota or the Board of Trustees of the Minnesota State Colleges and Universities to design digital applications that allow a user to remotely power off a grain storage facility via cell phone or electronic device. Any digital applications created as a result of this grant must be made available to the public at no cost. By January 15, 2021, the commissioner shall report on the grants issued under this appropriation to the members of the legislative committees with jurisdiction over agriculture finance and higher education finance. By February 1, 2022, a recipient of a grant for this purpose is requested to report to the commissioner of agriculture and the members of the legislative committees with jurisdiction over agriculture finance and higher education finance regarding the digital application produced as a result of the grant.

Sec. 5. APPROPRIATIONS; RESPONSE TO COVID-19 CRISIS.

Subdivision 1. **Farm loan origination fee grants.** (a) \$175,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for grants to eligible farmers who have been approved for farm debt restructuring loans guaranteed by the United States Department of Agriculture (USDA), Farm Service Agency or issued under a loan program administered by the Rural Finance Authority. The commissioner must award an eligible farmer a grant in an amount equal to 50 percent of the loan origination fee amount required for the farmer to obtain the USDA, Farm Service Agency guaranteed loan or Rural Finance Authority program loan.

(b) For purposes of this section, "eligible farmer" means an individual who regularly participates in physical labor or operations management in the individual's farming operation and files "Schedule F" as part of the person's annual Form 1040 filing with the United States Internal Revenue Service or a family farm organized under Minnesota Statutes, section 500.24, if the individual or family farm:

(1) has a total net worth of less than \$800,000 in calendar year 2020; and

(2) is either in mediation proceedings under Minnesota Statutes, chapter 583, or has received a mediation notice under Minnesota Statutes, section 583.26, subdivision 1, paragraph (a).

(c) The commissioner must give first priority to grant applicants who are currently in mediation under Minnesota Statutes, chapter 583, and must give second priority to grant applicants who have received a mediation notice under Minnesota Statutes, section 583.26, subdivision 1, paragraph (a).

(d) The amount appropriated under this subdivision is onetime.

(e) The commissioner may use up to ten percent of the amount appropriated under this section to administer the grant program.

Subd. 2. **Farm advocate services.** \$60,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for additional farm advocate services in response to the COVID-19 crisis. This is a onetime appropriation.

Subd. 3. **Retail food handler safety.** (a) \$125,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for grants to retail food handlers, as described in Minnesota Statutes, section 28A.05, paragraph (a). The commissioner may award

grants for recipients to execute requirements, guidance, and recommendations related to the infectious disease known as COVID-19 provided by the Centers for Disease Control and Prevention and the Minnesota Department of Health, and to develop safety procedures, update and retrofit retail locations, purchase personal protective equipment for employees, and educate the public on the need to follow safety procedures. This is a onetime appropriation.

(b) Grants under this subdivision equal \$500 for stores that qualify as retail food handlers. The commissioner must not award a business with multiple eligible locations more than \$2,000 in total grants. Applicants must provide information to the commissioner on how grant money will be used to ensure safety of Minnesotans from COVID-19.

Subd. 4. **Expanded meat and poultry processing grants.** \$100,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for grants to independently owned or employee-owned meat and poultry processors that may also operate as a retail seller, to expand their processing operations to help make up the loss of processing animals as a result of the temporary closing or operation reductions of other processing facilities due to the COVID-19 crisis.

Subd. 5. **Rural mental health services and outreach.** \$40,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for additional community outreach on farms and rural mental health services, including suicide prevention training, mental health awareness training for farm and rural adolescents, and mental health forums in response to the COVID-19 crisis.

Subd. 6. **COVID-19 assistance to farmers and value-added businesses.** \$100,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of agriculture for assistance to farmers and value-added agricultural businesses whose markets and operations were negatively impacted by COVID-19.

Subd. 7. **Eligible expenditure from the coronavirus relief fund.** (a) No money in this section may be spent until the commissioner of management and budget determines that the appropriations in this section are an eligible use of the coronavirus relief fund.

(b) The commissioner may transfer funds between subdivision 4 and subdivision 6 based on need, the availability of nonstate funds, or other factors.

(c) The appropriations in this section are available until December 30, 2020.

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 4490 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 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; Lang; Nelson; Osmek; Ruud; and Senjem.

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that H.F. No. 4137 be taken from the table. The motion prevailed.

Senator Gazelka moved that H.F. No. 4599 be taken from the table. 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:

H.F. Nos. 4137 and 4599.

SPECIAL ORDER

H.F. No. 4137: A bill for an act relating to public safety; requiring intent for the crimes of repeated harassing conduct; amending Minnesota Statutes 2018, sections 609.79, subdivision 1; 609.795, subdivision 1; Minnesota Statutes 2019 Supplement, sections 504B.206, subdivision 1; 609.749, subdivisions 2, 3; repealing Minnesota Statutes 2018, section 609.749, subdivision 1a; Minnesota Statutes 2019 Supplement, section 609.749, subdivision 1.

H.F. No. 4137 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 Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Lang; Nelson; Osmek; Ruud; and Senjem.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 4599: A bill for an act relating to agriculture; modifying the time period for the Farmer-Lender Mediation Act in 2020; amending Laws 2020, chapter 74, article 1, section 19.

H.F. No. 4599 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 Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Lang; Nelson; Osmek; Ruud; and Senjem.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Hayden; Isaacson, Klein, Laine, Latz, Marty, Newton, Rest, Sparks, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, First Reading of House Bills, Reports of Committees, and Second Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 3435 and 3589.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 15, 2020

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 4206, 4597, 2682, 3103, 4500, and 1842.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 15, 2020

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 4206: A bill for an act relating to workers' compensation; adopting recommendations of the 2020 Workers' Compensation Advisory Council; amending Minnesota Statutes 2018, sections 79A.02, subdivision 4; 79A.04, subdivision 2; 79A.06, subdivision 5; 79A.22, subdivision 13; 79A.24, subdivision 2; 176.011, subdivision 15; 176.102, subdivision 10; 176.111, subdivision 22; 176.135, subdivision 1; 176.185, by adding a subdivision; 176.223; Minnesota Statutes 2019 Supplement, sections 176.181, subdivision 2; 176.231, subdivisions 5, 6, 9, 9a; 176.2611, subdivision 5; 176.2612, subdivisions 1, 3; 176.275, subdivision 2; 176.285, subdivision 1; repealing Minnesota Statutes 2018, section 176.181, subdivision 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 4130, now on General Orders.

H.F. No. 4597: A bill for an act relating to horse racing; modifying certain revenue and reimbursement provisions; granting certain discretion to the commission for operation of a card club; amending Minnesota Statutes 2018, section 240.30, subdivisions 5, 9; Minnesota Statutes 2019 Supplement, sections 240.13, subdivision 5; 240.131, subdivision 7.

Senator Gazelka moved that H.F. No. 4597 be laid on the table. The motion prevailed.

H.F. No. 2682: A bill for an act relating to legacy; appropriating money from outdoor heritage fund; appropriating money for Medal of Honor memorial; extending and modifying previous appropriations from legacy funds; amending Minnesota Statutes 2018, section 97A.056, subdivision 5; Laws 2017, chapter 91, article 1, section 2, subdivision 3; article 4, section 2, subdivision 2; Laws 2019, First Special Session chapter 2, article 1, section 2, subdivision 5; article 4, section 2, subdivisions 2, 8; Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision 2.

Senator Gazelka moved that H.F. No. 2682 be laid on the table. The motion prevailed.

H.F. No. 3103: A bill for an act relating to human rights; adding a definition of race to the Minnesota Human Rights Act; amending Minnesota Statutes 2018, section 363A.03, by adding a subdivision.

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

H.F. No. 4500: A bill for an act relating to state government; providing COVID-19 grant extensions; requiring a report.

Senator Gazelka moved that H.F. No. 4500 be laid on the table. The motion prevailed.

H.F. No. 1842: A bill for an act relating to energy; modifying the solar energy incentive program; establishing various renewable energy and other energy-related programs; governing a certain utility filing; requiring reports; appropriating money; amending Minnesota Statutes 2019 Supplement, section 116C.7792; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2084, now on General Orders.

REPORTS OF COMMITTEES

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

Senator Rosen from the Committee on Finance, to which was referred

H.F. No. 2796: A bill for an act relating to state government; ratifying a labor agreement and a compensation plan.

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

Delete everything after the enacting clause and insert:

"Section 1. **LABOR AGREEMENTS AND COMPENSATION PLANS.**

Subdivision 1. American Federation of State, County, and Municipal Employees. The labor agreement between the state of Minnesota and the American Federation of State, County, and Municipal Employees, Council 5, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on September 24, 2019, is ratified, except that the 2.5 percent second year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 2. Minnesota Association of Professional Employees. The labor agreement between the state of Minnesota and the Minnesota Association of Professional Employees, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on September 24, 2019, is ratified, except that the 2.5 percent second year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 3. American Federation of State, County, and Municipal Employees, Unit 225. The labor agreement between the state of Minnesota and the American Federation of State, County, and Municipal Employees, Unit 225, Radio Communications Operators, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on September 24, 2019, is ratified, except that the 2.5 percent second year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 4. Middle Management Association. The labor agreement between the state of Minnesota and the Middle Management Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on September 24, 2019, is ratified, except that the 2.5 percent second year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 5. Inter Faculty Organization. The labor agreement between the state of Minnesota and the Inter Faculty Organization, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on December 10, 2019, is ratified except that the 2.0 percent enhancement to the salary schedule effective July 1, 2020, is not ratified and must not be implemented.

Subd. 6. American Federation of State, County, and Municipal Employees, Unit 8. The labor agreement between the state of Minnesota and the American Federation of State, County, and Municipal Employees, Unit 8, Corrections Officers, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on December 26, 2019, is ratified, except that the 2.5 percent second year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 7. State Residential Schools Education Association. The labor agreement between the state of Minnesota and the State Residential Schools Education Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on January 3, 2020, is ratified, except that the 2.5 percent second year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 8. Minnesota State College Faculty. The labor agreement between the state of Minnesota and the Minnesota State College Faculty, submitted to the Legislative Coordinating Commission

Subcommittee on Employee Relations on February 3, 2020, is ratified, except that the \$1,775 enhancement to the salary schedule effective July 1, 2020, is not ratified and must not be implemented.

Subd. 9. **Minnesota Government Engineers Council.** The labor agreement between the state of Minnesota and the Minnesota Government Engineers Council, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on April 13, 2020, is ratified, except that the 2.5 percent second fiscal year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 10. **Minnesota Nurses Association.** The labor agreement between the state of Minnesota and the Minnesota Nurses Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on April 13, 2020, is ratified, except that the 2.5 percent second fiscal year wage adjustment and increase in ranges and rates effective July 1, 2020, are not ratified and must not be implemented.

Subd. 11. **Commissioner's plan.** The commissioner's plan for unrepresented employees, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on March 6, 2020, is ratified, except that the 2.5 percent general salary increase effective July 1, 2020, is not ratified and must not be implemented.

Subd. 12. **Managerial plan.** The managerial plan, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on March 2, 2020, is ratified, except that the 2.5 percent general salary increase effective July 1, 2020, is not ratified and must not be implemented.

Subd. 13. **Office of Higher Education Compensation Plan.** The Office of Higher Education Unclassified Personnel Compensation Plan, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on March 2, 2020, is ratified, except that the 2.5 percent general salary increase effective July 1, 2020, is not ratified and must not be implemented.

Subd. 14. **Compensation plan for MNsure.** The compensation plan for MNsure, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on March 2, 2020, is ratified, except that the 2.5 percent general salary increase effective July 1, 2020, is not ratified and must not be implemented.

Subd. 15. **MnSCU Personnel Plan for Administrators.** The MnSCU Personnel Plan for Administrators, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on December 10, 2019, as supplemented by the April 21, 2020, memorandum by the Chancellor to the Leadership Council, is ratified.

Subd. 16. **Minnesota State University Association of Administrative and Service Faculty.** The labor agreement between the state of Minnesota and the Minnesota State University Association of Administrative and Service Faculty, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on December 5, 2019, is ratified, except that the 1.5 percent enhancement to the salary schedule effective July 8, 2020, is not ratified and must not be implemented.

Subd. 17. **Contingent provision.** This subdivision applies if it is determined that the legislature does not have authority to ratify a labor agreement with the exceptions stated in this section, or if it is determined that there is no longer a contract between the state and an exclusive representative of state employees due to this section. If this subdivision applies, then until the parties enter into a

subsequent labor agreement, the terms and conditions of employment for employees covered by the proposed labor agreement are as contained in the agreement submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations, except that any provision in conflict with this section is not effective and must not be implemented.

Sec. 2. **RELATION TO OTHER LAW.**

Section 1 supersedes Minnesota Statutes 2019, chapter 179A, and any other provision of law.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment."

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

SECOND READING OF HOUSE BILLS

H.F. No. 2796 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Jasinski moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Newman be added as chief author to S.F. No. 1014. The motion prevailed.

Pursuant to Rule 5.1, Senator Newman, chief author, moved that H.F. No. 462 be withdrawn from the Committee on Transportation Finance and Policy, given a second reading, and placed on General Orders. The motion prevailed.

H.F. No. 462 was read the second time.

H.F. No. 462: A bill for an act relating to transportation; modifying certain bicycle traffic regulations, powers, and duties; amending Minnesota Statutes 2018, sections 160.02, subdivision 1a; 169.011, subdivisions 5, 9, by adding a subdivision; 169.18, subdivision 3; 169.222, subdivisions 1, 4.

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 H.F. No. 462 and that the rules of the Senate be so far suspended as to give H.F. No. 462, now on General Orders, its third reading and place it on its final passage. The motion prevailed.

Senator Newman moved to amend H.F. No. 462 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 160.05, subdivision 1, is amended to read:

Subdivision 1. **Six years.** (a) When any road or portion of a road has been used and kept in repair and worked for at least six years continuously as a public highway by a road authority, it shall be deemed dedicated to the public to the width of the actual use and be and remain, until lawfully vacated, a public highway whether it has ever been established as a public highway or not. Nothing contained in this subdivision shall impair the right, title, or interest of the water department of any city of the first class secured under Special Laws 1885, chapter 110. This subdivision shall apply to roads and streets except platted streets within cities. If a road authority fails to give the notice required by paragraph (b), this subdivision does not apply.

(b) Before a road authority may make any repairs or conduct any work on a private road as defined by section 169.011, subdivision 57, the road authority must notify the owner of the road of the intent to make repairs or conduct work on the private road. The notice must be sent to the owner by certified mail. The notice must specify the segment of road that is the subject of the notice and state the duration of the repairs or work. The notice must include the following: "Pursuant to Minnesota Statutes, section 160.05, your private road may be deemed to be dedicated to the public if the following conditions are met for six continuous years: (1) the road is used by the public; and (2) the road is repaired or worked on by a road authority. This means that the road will no longer be a private road but will be a public road. You will not receive compensation from the road authority when the road is dedicated to the public."

EFFECTIVE DATE; APPLICATION. This section is effective August 1, 2020, and applies to any repairs, maintenance, or work newly started on a private road on or after that date. This section does not apply to a road segment for which: (1) repair or work started before August 1, 2020; or (2) a road authority has continuously maintained since before August 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 161.115, subdivision 43, is amended to read:

Subd. 43. **Route No. 112.** Beginning at the terminus of Route No. 53 on the southerly limits of the city of South St. Paul a point on the southerly limits of the city of St. Paul, thence extending through South St. Paul into the city of St. Paul northerly to connect with Route No. 102 as herein established.

EFFECTIVE DATE. This section is effective after the conditions in Laws 2019, First Special Session chapter 3, article 3, section 120, as amended by this act, are met.

Sec. 3. Minnesota Statutes 2019 Supplement, section 161.14, subdivision 94, is amended to read:

Subd. 94. **Specialist Noah Pierce Bridge.** The bridge on marked ~~Trunk Highway 37~~ over ~~marked U.S. Highway 53~~ U.S. Highway 53 over marked Trunk Highway 37 in the city of Eveleth is designated as "Specialist Noah Pierce Bridge." Subject to section 161.139, the commissioner must adopt a suitable design to mark this bridge and erect appropriate signs.

Sec. 4. Minnesota Statutes 2018, section 168.09, subdivision 7, is amended to read:

Subd. 7. **Display of temporary permit.** (a) A vehicle that displays a Minnesota plate issued under this chapter may display a temporary permit in conjunction with expired registration if:

- (1) the current registration tax and all other fees and taxes have been paid in full; and

(2) the plate has been applied for.

(b) A vehicle may display a temporary permit in conjunction with expired registration, with or without a registration plate, if:

(1) the plates have been applied for;

(2) the registration tax and other fees and taxes have been paid in full; and

(3) either the vehicle is used solely as a collector vehicle while displaying the temporary permit and not used for general transportation purposes or the vehicle was issued a 21-day permit under section 168.092, subdivision 1.

(c) The permit is valid for a period of 60 days. The permit must be in a format prescribed by the commissioner ~~and whenever practicable must be posted upon the driver's side of the rear window on the inside of the vehicle,~~ affixed to the rear of the vehicle where a license plate would normally be affixed, and plainly visible. The permit is valid only for the vehicle for which it was issued to allow a reasonable time for the new plates to be manufactured and delivered to the applicant. The permit may be issued only by the commissioner or by a deputy registrar under section 168.33.

EFFECTIVE DATE. This section is effective January 1, 2021, or upon initial deployment of the replacement motor vehicle title and registration information system, whichever is earlier. The commissioner of public safety must notify the revisor of statutes of the effective date.

Sec. 5. Minnesota Statutes 2018, section 168.091, is amended to read:

168.091 31-DAY TEMPORARY VEHICLE PERMIT.

Subdivision 1. **Nonresident buyer.** (a) Upon payment of a fee of \$1, the commissioner may issue a permit to a nonresident purchasing a vehicle in this state for the sole purpose of allowing the vehicle to be removed from this state.

(b) The permit is in lieu of any other registration or taxation for use of the highways and is valid for a period of 31 days from the date of sale, trade, or gift.

(c) The permit must be available in an electronic format as determined by the commissioner.

(d) If the sale, gift, or trade information is electronically transmitted to the commissioner by a dealer or deputy registrar of motor vehicles, the \$1 fee is waived.

(e) The permit must be ~~posted upon the left side of the inside rear window of the vehicle or, if not practicable,~~ affixed to the rear of the vehicle where it is plainly visible ~~to law enforcement~~. Each permit is valid only for the vehicle for which the permit was issued.

Subd. 2. **Dealer.** The registrar may issue ~~a quantity of permits in booklet form~~ to licensed dealers upon payment of the proper fee for each permit ~~contained in said booklet~~. ~~When issuing a permit, the dealer shall immediately forward to the registrar information on forms supplied by the registrar showing to whom the permit was issued, the vehicle description, date of issue and expiration, and such other information as the registrar may require.~~

Subd. 3. **Proceeds to highway user fund.** All payments received for such permits shall be paid into the state treasury and credited to the highway user tax distribution fund.

EFFECTIVE DATE. This section is effective January 1, 2021, or upon initial deployment of the replacement motor vehicle title and registration information system, whichever is earlier. The commissioner of public safety must notify the revisor of statutes of the effective date.

Sec. 6. Minnesota Statutes 2018, section 168.092, is amended to read:

168.092 21-DAY TEMPORARY VEHICLE PERMIT.

Subdivision 1. **Resident buyer.** The motor vehicle registrar may issue a permit to a person purchasing a new or used motor vehicle in this state for the purpose of allowing the purchaser a reasonable time to register the vehicle and pay fees and taxes due on the transfer. The permit is valid for a period of 21 days. The permit must be in a form as the registrar may determine ~~and, whenever practicable, must be posted upon the left side of the inside rear window of the vehicle,~~ affixed to the rear of the vehicle where a license plate would normally be affixed, and plainly visible. Each permit is valid only for the vehicle for which issued.

Subd. 2. **Dealer.** The registrar may issue ~~a quantity of~~ permits to licensed dealers. When issuing a permit, the dealer shall complete the permit in the manner prescribed by the department. ~~One copy of the permit shall be retained in sequential order in the dealer's files.~~

EFFECTIVE DATE. This section is effective January 1, 2021, or upon initial deployment of the replacement motor vehicle title and registration information system, whichever is earlier. The commissioner of public safety must notify the revisor of statutes of the effective date.

Sec. 7. Minnesota Statutes 2018, section 169.09, subdivision 3, is amended to read:

Subd. 3. **Driver to give information.** (a) The driver of any motor vehicle involved in a collision the driver knows or has reason to know results in bodily injury to or death of another, or damage to any vehicle driven or attended by another, shall give the driver's name, ~~address, and date of birth,~~ mailing address or e-mail address, and the registration plate number of the vehicle being driven. The driver shall, upon request and if available, exhibit the driver's license or permit to drive to ~~the individual struck or the driver or occupant of or individual attending any vehicle collided with.~~ The driver also shall give the information and upon request exhibit the license or permit to any peace officer at the scene of the collision or who is investigating the collision. The driver shall render reasonable assistance to any individual injured in the collision.

(b) If not given at the scene of the collision, the driver, within 72 hours after the accident, shall give, on request to any individual involved in the collision or to a peace officer investigating the collision, the name and address of the insurer providing vehicle liability insurance coverage, and the local insurance agent for the insurer.

Sec. 8. Minnesota Statutes 2018, section 169.451, subdivision 2, is amended to read:

Subd. 2. **Inspection certificate.** Except as provided in subdivision 2a, no person shall drive, or no owner shall knowingly permit or cause to be driven, any school bus or Head Start bus unless there is displayed thereon a certificate issued by the commissioner of public safety stating that on

a certain date, which shall be within 13 months of the date of operation, a member of the Minnesota State Patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color.

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

Sec. 9. Minnesota Statutes 2018, section 169.451, is amended by adding a subdivision to read:

Subd. 2a. Interim inspection; certificate. In lieu of the certificate required in subdivision 2, a new or used school bus being sold by a dealer in this state may display an interim inspection certificate. The school bus dealer completing the preregistration certificate required in section 168.102 may inspect the bus to determine if the bus complies with the applicable provisions of state law relating to construction, design, equipment, and color. If the bus complies with the applicable provisions of state law, the dealer may affix the interim inspection certificate to the school bus, indicating that on the date of the inspection, the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color. The interim certificate must include the date of the inspection and must be valid until the owner's next scheduled annual inspection, but must not be valid for more than 12 months following the month of the initial inspection. The commissioner must provide the prescribed interim inspection certificates at no cost to the dealer.

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

Sec. 10. Minnesota Statutes 2018, section 169.451, subdivision 4, is amended to read:

Subd. 4. Violation; penalty. The State Patrol shall enforce ~~subdivision~~ subdivisions 2 and 2a. ~~A violation of subdivision 2 is~~ person who operates a school bus without a valid inspection certificate issued pursuant to subdivision 2 or an interim inspection certificate issued pursuant to subdivision 2a is guilty of a misdemeanor.

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

Sec. 11. **[169.812] ESCORT VEHICLES FOR OVERDIMENSIONAL LOADS; DEFINITIONS; REQUIREMENTS.**

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Licensed peace officer" means a law enforcement officer licensed under sections 626.84 to 626.863, who holds a certificate under section 299D.085, and who may operate an authorized emergency vehicle and direct and control traffic and require traffic to yield to an overdimensional load.

(c) "Escort driver" means an individual who holds a certificate under section 299D.085 and is authorized to control and direct traffic as a flagger during the movement of an overdimensional load following the Manual on Uniform Traffic Control Devices standards as defined by the Federal Highway Administration and section 169.06, subdivision 4.

(d) "Flagger" means a person who actively controls the flow of vehicular traffic into, through, or into and through a temporary traffic control zone using hand-signaling devices or an automated flagger assistance device.

(e) "Overdimensional load" is a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this chapter, or otherwise not in conformity with the provisions of this chapter.

Subd. 2. **Escort vehicles required; width.** (a) Except as provided in paragraphs (d) and (e), no escort vehicle is required if the width of an overdimensional load is 15 feet or less as measured at the bottom of the load or is 16 feet or less as measured at the top of the load.

(b) Only one rear escort vehicle is required on a multilane divided roadway if the width of an overdimensional load is more than 15 feet as measured at the bottom of the load or is more than 16 feet as measured at the top of the load.

(c) Only one lead escort vehicle and one rear escort vehicle is required on any undivided roadway if the width of an overdimensional load is more than 15 feet as measured at the bottom of the load or is more than 16 feet as measured at the top of the load.

(d) Only one lead licensed peace officer is required when any part of an overdimensional load or a vehicle transporting an overdimensional load extends beyond the left of the centerline on an undivided roadway.

(e) The commissioner may require additional escorts when deemed necessary to protect public safety or to ensure against undue damage to the road foundations, surfaces, or structures. The commissioner must specify in the permit (1) the number of additional escorts required; and (2) whether the operators of the escort vehicles must be licensed peace officers or may be escort drivers, as defined in subdivision 1.

Subd. 3. **Escort vehicles required; length.** (a) When a vehicle transporting an overdimensional load is operated on a multilane divided roadway:

(1) only one rear escort vehicle is required if the overdimensional load has an overall length exceeding 110 feet; or

(2) only one lead escort vehicle and one rear escort vehicle is required if the overdimensional load has an overall length exceeding 150 feet.

(b) One lead escort vehicle and one rear escort vehicle is required on any undivided roadway if the overall length of the overdimensional load exceeds 110 feet.

(c) Notwithstanding paragraphs (a) and (b), the commissioner may require additional escorts when deemed necessary to protect public safety or to ensure against undue damage to the road foundations, surfaces, or structures. The commissioner must specify in the permit (1) the number of additional escorts required; and (2) whether the operators of the escort vehicles must be licensed peace officers or may be escort drivers, as defined in subdivision 1.

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

Sec. 12. Minnesota Statutes 2018, section 171.02, subdivision 2a, is amended to read:

Subd. 2a. **Exception for certain school bus drivers.** Notwithstanding subdivision 2, paragraph (b), the holder of a class D driver's license, without a school bus endorsement, may operate a type A school bus or a multifunction school activity bus under the following conditions:

(a) The operator is an employee of the entity that owns, leases, or contracts for the school bus and is not solely hired to provide transportation services under this subdivision.

(b) The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.

(c) The operator is prohibited from using the eight-light system. Violation of this paragraph is a misdemeanor.

(d) The operator's employer has adopted and implemented a policy that provides for annual training and certification of the operator in:

(1) safe operation of the type of school bus the operator will be driving;

(2) understanding student behavior, including issues relating to students with disabilities;

(3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;

(4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

(5) handling emergency situations; and

(6) safe loading and unloading of students.

(e) A background check or background investigation of the operator has been conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for teachers; section 144.057 or chapter 245C for day care employees; or section 171.321, subdivision 3, for all other persons operating a school bus under this subdivision.

(f) Operators shall submit to a physical examination as required by section 171.321, subdivision 2, and must have in their possession the original or a copy of a current medical examiner's certificate, or otherwise provide proof of being medically qualified, to operate a school bus under this subdivision.

(g) The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the school bus.

(h) A person who sustains a conviction, as defined under section 609.02, of violating section 169A.25, 169A.26, 169A.27, 169A.31, 169A.51, or 169A.52, or a similar statute or ordinance of another state is precluded from operating a school bus for five years from the date of conviction.

(i) A person who has ever been convicted of a disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may not operate a school bus under this subdivision.

(j) A person who sustains a conviction, as defined under section 609.02, of a fourth moving offense in violation of chapter 169 is precluded from operating a school bus for one year from the date of the last conviction.

(k) Students riding the school bus must have training required under section 123B.90, subdivision 2.

(l) An operator must be trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by the passengers.

(m) Annual certification of the requirements listed in this subdivision must be maintained under separate file at the business location for each operator licensed under this subdivision and subdivision 2, paragraph (b), clause (5). The business manager, school board, governing body of a nonpublic school, or any other entity that owns, leases, or contracts for the school bus operating under this subdivision is responsible for maintaining these files for inspection.

(n) The school bus must bear a current certificate of inspection issued under section 169.451.

(o) If the word "School" appears on the front and rear of the bus, the word "School" must be covered by a sign that reads "Activities" when the bus is being operated under authority of this subdivision.

(p) The type A-I school bus or multifunction school activity bus is designed to transport 15 or fewer passengers, including the driver.

(q) The school bus or multifunction school activity bus has a gross vehicle weight rating of 14,500 pounds or less.

(r) An operator who sustains a conviction as described in paragraph (h), (i), or (j) while employed by the entity that owns, leases, or contracts for the school bus must report the conviction to the employer within ten days of the date of the conviction.

(s) An operator whose driver's license is suspended, revoked, canceled, or disqualified by Minnesota, another state, or another jurisdiction must notify the operator's employer in writing of the suspension, revocation, cancellation, lost privilege, or disqualification. The operator must notify the operator's employer before the end of the business day immediately following the day the operator received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

Sec. 13. Minnesota Statutes 2018, section 171.02, subdivision 2b, is amended to read:

Subd. 2b. **Exception for type III vehicle drivers.** (a) Notwithstanding subdivision 2, the holder of a class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle described in section 169.011, subdivision 71, paragraph (h), under the conditions in this subdivision.

(b) The operator is an employee of the entity that owns, leases, or contracts for the school bus.

(c) The operator's employer has adopted and implemented a policy that provides for annual training and certification of the operator in:

- (1) safe operation of a type III vehicle;
- (2) understanding student behavior, including issues relating to students with disabilities;
- (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
- (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
- (5) handling emergency situations;
- (6) proper use of seat belts and child safety restraints;
- (7) performance of pretrip vehicle inspections;
- (8) safe loading and unloading of students, including, but not limited to:
 - (i) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
 - (ii) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
 - (iii) avoiding a loading or unloading location that would require a pupil to cross a road, or ensuring that the driver or an aide personally escort the pupil across the road if it is not reasonably feasible to avoid such a location;
 - (iv) placing the type III vehicle in "park" during loading and unloading; and
 - (v) escorting a pupil across the road under item (iii) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- (9) compliance with paragraph (k), concerning reporting certain convictions to the employer within ten days of the date of conviction.
 - (d) A background check or background investigation of the operator has been conducted that meets the requirements under section 122A.18, subdivision 8, or 123B.03 for school district employees; section 144.057 or chapter 245C for day care employees; or section 171.321, subdivision 3, for all other persons operating a type III vehicle under this subdivision.
 - (e) Operators shall submit to a physical examination as required by section 171.321, subdivision 2, and must have in their possession the original or a copy of a current medical examiner's certificate, or otherwise provide proof of being medically qualified, to operate a school bus under this subdivision.
 - (f) The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under section 181.951, subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a Breathalyzer or similar device to fulfill random alcohol testing requirements.

(g) The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required under section 171.321, subdivision 5.

(h) A person who sustains a conviction, as defined under section 609.02, of violating section 169A.25, 169A.26, 169A.27, or 169A.31, or whose driver's license is revoked under sections 169A.50 to 169A.53 of the implied consent law or section 171.177, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.

(i) A person who has ever been convicted of a disqualifying offense as defined in section 171.3215, subdivision 1, paragraph (c), may not operate a type III vehicle under this subdivision.

(j) A person who sustains a conviction, as defined under section 609.02, of a moving offense in violation of chapter 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.

(k) An operator who sustains a conviction as described in paragraph (h), (i), or (j) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the employer within ten days of the date of the conviction.

(l) An operator of a type III vehicle whose driver's license is suspended, revoked, canceled, or disqualified by Minnesota, another state, or another jurisdiction must notify the operator's employer in writing of the suspension, revocation, cancellation, lost privilege, or disqualification. The operator must notify the operator's employer before the end of the business day immediately following the day the operator received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

(m) Students riding the type III vehicle must have training required under section 123B.90, subdivision 2.

(n) Documentation of meeting the requirements listed in this subdivision must be maintained under separate file at the business location for each type III vehicle operator. The business manager, school board, governing body of a nonpublic school, or any other entity that owns, leases, or contracts for the type III vehicle operating under this subdivision is responsible for maintaining these files for inspection.

(o) The type III vehicle must bear a current certificate of inspection issued under section 169.451.

(p) An employee of a school or of a school district, who is not employed for the sole purpose of operating a type III vehicle, is exempt from paragraphs (e) and (f).

Sec. 14. Minnesota Statutes 2019 Supplement, section 171.07, subdivision 6a, is amended to read:

Subd. 6a. **Autism spectrum or mental health identifier.** Upon the written request of the applicant, the ~~department~~ commissioner must issue a driver's license or Minnesota identification card bearing a graphic or written identifier for an autism spectrum disorder, as defined in section 62A.3094, subdivision 1, paragraph (b), ~~or a mental health condition.~~ The applicant must submit the written request for the identifier at the time the photograph or electronically produced image is

taken. The commissioner must not include any specific medical information on the driver's license or Minnesota identification card.

Sec. 15. Minnesota Statutes 2018, section 171.07, is amended by adding a subdivision to read:

Subd. 6b. **Mental health identifier.** Upon the written request of the applicant, the commissioner must issue a driver's license or Minnesota identification card bearing a graphic or written identifier for a mental health condition. The applicant must submit the written request for the identifier at the time the photograph or electronically produced image is taken. The commissioner must not include any specific medical information on the driver's license or Minnesota identification card.

Sec. 16. Minnesota Statutes 2018, section 174.30, subdivision 2a, is amended to read:

Subd. 2a. **Vehicle and equipment safety; provider responsibilities.** (a) Every special transportation service provider shall systematically inspect, repair, and maintain, or cause to be inspected, repaired, and maintained, the vehicles and equipment subject to the control of the provider. Each vehicle and its equipment must be inspected daily. A vehicle may not be operated in a condition that is likely to cause an accident or breakdown of the vehicle. Equipment, including specialized equipment necessary to ensure vehicle usability and safety for disabled persons, must be in proper and safe operating condition at all times.

(b) Each special transportation provider shall maintain the following records for each vehicle:

(1) an identification of the vehicle, including make, serial number, and year, and, if the vehicle is not owned by the provider, the name and address of the person furnishing the vehicle;

(2) a schedule of inspection and maintenance operations to be performed;

(3) a record of inspections, repairs, and maintenance showing the date and nature;

(4) a lubrication record; ~~and~~

(5) a record of tests conducted to ensure that emergency doors or windows and wheelchair lifts function properly; and

(6) a record of trips, limited to date, time, and driver's name.

Sec. 17. Minnesota Statutes 2018, section 174.30, subdivision 4a, is amended to read:

Subd. 4a. **Certification of special transportation provider.** (a) The commissioner may refuse to issue a certificate of compliance if an individual specified in subdivision 10, paragraph (a), clauses (1) to (3), is disqualified or is not on the provider's active roster, as defined in section 245C.02, subdivision 17a, paragraph (b).

(b) The commissioner shall annually evaluate or provide for the evaluation of each provider of special transportation service regulated under this section and certify that the provider is in compliance with the standards under this section.

Sec. 18. Minnesota Statutes 2018, section 174.30, subdivision 8, is amended to read:

Subd. 8. **Administrative penalties; loss of certificate of compliance.** (a) The commissioner may issue an order requiring violations of this section and the operating standards adopted under this section to be corrected and assessing monetary penalties of up to \$1,000 for all violations identified during a single inspection, investigation, or audit. Section 221.036 applies to administrative penalty orders issued under this section or section 174.315. The commissioner shall suspend, without a hearing, a special transportation service provider's certificate of compliance for failure to pay, or make satisfactory arrangements to pay, an administrative penalty when due.

(b) If the commissioner determines that an individual subject to background studies under subdivision 10, paragraph (a), is disqualified or is not on the provider's active roster, as defined in section 245C.02, subdivision 17a, paragraph (b), the commissioner must issue a written notice ordering the special transportation service provider to immediately cease permitting the individual to perform services or functions listed in subdivision 10, paragraph (a). The written notice must include a warning that failure to comply with the order may result in the suspension or revocation of the provider's certificate of compliance under this section.

(c) The commissioner may suspend or revoke a provider's certificate of compliance upon determining that, following receipt by a provider of written notice under paragraph (b), the individual has continued to perform services or functions listed in subdivision 10, paragraph (a), for the provider. A provider whose certificate is suspended or revoked may appeal the commissioner's action in a contested case proceeding under chapter 14.

(d) If the commissioner determines that a provider has failed to pay the decal fees as required by subdivision 4, the commissioner must send written notice by certified mail ordering the provider to pay the applicable fees within 60 days after the notice was mailed.

(e) The commissioner may suspend a provider's certificate of compliance if the provider fails to submit the required payment after receiving written notice under paragraph (d). A provider whose certificate is suspended may appeal the commissioner's action in a contested case proceeding under chapter 14.

~~(d)~~ (f) Penalties collected under this section must be deposited in the state treasury and credited to the trunk highway fund.

Sec. 19. **[216F.015] REQUIREMENTS CODED ELSEWHERE.**

Requirements governing certain towers are established in section 360.915.

Sec. 20. Minnesota Statutes 2018, section 299D.03, is amended by adding a subdivision to read:

Subd. 2a. **Salary and benefits survey.** (a) By January 1 of 2021, 2023, 2027, and 2031, the legislative auditor must conduct a compensation and benefit survey of law enforcement officers in every police department:

(1) in a city with a population in excess of 25,000, located in a metropolitan county, as defined in section 473.121, subdivision 4, that is represented by a union certified by the Bureau of Mediation Services; or

(2) in a city of the first class.

The State Patrol must also be included in the survey.

(b) The legislative auditor must base the survey on compensation and benefits for the past completed calendar year. The survey must be based on full-time equivalent employees. The legislative auditor must calculate compensation using base salary, overtime wages, and premium pay. Premium pay is payment that is received by a majority of employees and includes, but is not limited to, education pay and longevity pay. The legislative auditor must not include any payments made to officers or troopers for work performed for an entity other than the agency that employs the officer or trooper, regardless of who makes the payment. The legislative auditor must also include in the survey all benefits, including insurance, retirement, and pension benefits. The legislative auditor must include contributions from both the employee and employer when determining benefits.

(c) The legislative auditor must compile the survey results into a report. The report must show each department separately. For each department, the survey must include:

(1) an explanation of the salary structure, and include minimum and maximum salaries for each range or step; and

(2) an explanation of benefits offered, including the options that are offered and the employee and employer contribution for each option.

Wherever possible, the report must be designed so that the data for each department is in the same table or grid format to facilitate easy comparison.

(d) By January 15 of 2021, 2023, 2027, and 2031, the legislative auditor must transmit the survey report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over the State Patrol budget.

(e) It is the legislature's intent to use the information in this study to compare salaries between the identified police departments and the State Patrol and to make appropriate increases to patrol trooper salaries. For purposes of this paragraph, "patrol troopers" has the meaning given in subdivision 2, paragraph (a).

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

Sec. 21. **[360.915] METEOROLOGICAL TOWERS.**

Subdivision 1. **Definition.** (a) For purposes of this section, "stand-alone meteorological tower" means a structure, whether self-standing or supported by guy wires and ground anchors, that:

(1) is designed with accessory facilities on which antenna, sensor, camera, meteorological, or other equipment is able to be mounted;

(2) has a height of at least 50 feet and not more than 200 feet; and

(3) has a diameter of ten feet or less at the aboveground base, excluding concrete footing.

(b) A stand-alone meteorological tower does not include a structure that is:

(1) affixed or adjacent to a building, including a house, barn, or utility station;

(2) an electric transmission or distribution line;

(3) a streetlight erected or maintained by a governmental entity;

(4) a wind energy conversion system, as defined in section 216F.01, subdivision 4, that has rotor blades with a length of more than six feet;

(5) a facility registered with the Federal Communications Commission or any structure with the primary purpose of supporting telecommunications equipment, including microwave relay facilities and towers erected for the purpose of providing commercial mobile radio service or commercial mobile data service, as the terms are defined in Code of Federal Regulations, title 47, section 20.3; or

(6) a utility pole located in the public right-of-way.

Subd. 2. **Application; location.** The requirements of this section do not apply to a stand-alone meteorological tower that is located:

(1) within the curtilage of a farmstead; or

(2) in a statutory or home rule charter city or town.

Subd. 3. **Visibility; marking.** A stand-alone meteorological tower must:

(1) be painted in equal-width bands of solid color over its entire length, alternating between aviation orange and white so that orange is at the top of the tower and at the base of the tower;

(2) have at least two spherical markers attached to each of the highest or outside guy wires that are:

(i) painted solid aviation orange; and

(ii) placed so that one is within 15 feet of the upper anchor point of the guy wire;

(3) have a high-visibility sleeve on each guy wire, which must extend at least seven feet from the lower anchor point of each guy wire; and

(4) have a flashing red light placed at the top of the tower that is compatible with a night vision imaging system, as determined by the commissioner.

Subd. 4. **Notifications.** (a) At least 30 days prior to erecting a stand-alone meteorological tower, the tower owner must provide notice to the commissioner in the manner specified by the commissioner. The notice must identify:

(1) the tower owner's name and contact information;

(2) the name and contact information of any tower owner's representative;

(3) the height above ground level of the tower, including its base;

(4) the elevation of the tower site; and

(5) global positioning system coordinates of the center of the tower.

(b) The tower owner must notify the commissioner within 15 days of any change in any information provided under paragraph (a).

(c) The tower owner must notify the commissioner within 30 days after removal of a stand-alone meteorological tower.

Subd. 5. **Fee.** The owner of a stand-alone meteorological tower who provides notice under subdivision 4, paragraph (a), must pay a fee of \$50. A fee is not imposed for a notification provided under subdivision 4, paragraphs (b) and (c).

Subd. 6. **Administration.** (a) The commissioner must maintain records on stand-alone meteorological towers under this section and must provide information on stand-alone meteorological tower locations on the department's website.

(b) The commissioner must deposit revenue received under this section in the state airports fund.

Subd. 7. **Penalty.** The owner of a stand-alone meteorological tower who violates the requirements under subdivision 3 or 4, paragraph (a), is guilty of a misdemeanor.

Subd. 8. **Implementation; existing towers.** The owner of a stand-alone meteorological tower erected prior to the effective date of this section must meet the requirements of this section within one year of the effective date of this section.

Sec. 22. Laws 2019, First Special Session chapter 3, article 2, section 34, subdivision 2, is amended to read:

Subd. 2. Driver and Vehicle Systems Oversight Committee established. (a) The Driver and Vehicle Systems Oversight Committee is established and consists of the following members:

(1) the chair of the senate Finance Committee, or a senator appointed by the chair of the senate Finance Committee;

(2) the chair and ranking minority member of the senate committee with jurisdiction over transportation finance;

(3) the chair of the house of representatives Ways and Means Committee, or a member of the house of representatives appointed by the chair of the house of representatives Ways and Means Committee; and

(4) the chair and ranking minority member of the house of representatives committee with jurisdiction over transportation finance.

(b) The chair of the Blue Ribbon Council on Information Technology, or the chair's designee, must serve on the committee as a nonvoting member. If the council expires or is dissolved, ~~this position on the committee is discontinued.~~ the chair of the council at the time of expiration or dissolution, or the chair's designee, must continue to serve on the committee as a nonvoting member until the committee expires as provided by subdivision 8.

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

Sec. 23. Laws 2019, First Special Session chapter 3, article 3, section 120, is amended to read:

Sec. 120. **LEGISLATIVE ROUTE NO. 112 ~~REMOVED~~; PARTIAL REMOVAL.**

~~(a)~~ Minnesota Statutes, section 161.115, subdivision 43, is ~~repealed~~ modified effective the day after the commissioner of transportation receives copies of the agreements between the commissioner and the governing bodies of Dakota County; and the city of South St. Paul; ~~and the city of St. Paul~~ to transfer jurisdiction of portions of Legislative Route No. 112 and after the commissioner ~~notifies the revisor of statutes under paragraph (b).~~

~~(b)~~ ~~The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor electronically or in writing that the conditions required to transfer the route have been satisfied.~~

Sec. 24. Laws 2020, chapter 71, article 2, section 15, subdivision 2, is amended to read:

Subd. 2. **Licenses and identification cards.** (a) Notwithstanding Minnesota Statutes, sections 171.07, subdivision 4; 171.186, subdivision 4; and 171.27, the expiration date is extended for any valid driver's license, including but not limited to an instruction permit, provisional license, operator's permit, limited license, and farm work license, and any Minnesota identification card, issued under Minnesota Statutes, chapter 171, that absent this subdivision would otherwise expire (1) during the peacetime public health emergency period, ~~or~~ (2) on any day of the month in which the peacetime public health emergency period terminates, or (3) on any day of the month following the month in which the peacetime public health emergency period terminates.

(b) An extension in this subdivision is provided to the last day of the second consecutive month following the month in which the peacetime public health emergency period terminates.

(c) No fee or surcharge under Minnesota Statutes, chapter 171, is imposed for an extension under this subdivision.

(d) An extension under this subdivision does not alter the expiration date for subsequent license or Minnesota identification card renewals. Nothing in this subdivision prevents suspension, cancellation, revocation, or disqualification as provided in Minnesota Statutes, chapter 168, 169, 169A, 171, 260B, 260C, or any other chapter.

(e) The authority in this subdivision does not apply:

(1) to issuance of a new driver's license or Minnesota identification card, except as provided in subdivision 3;

(2) to reinstatement of a canceled, suspended, or revoked license; and

(3) to a person who is no longer eligible for the license or Minnesota identification card.

(f) The commissioner of public safety must ensure that the driving record of a person whose driver's license expiration date is extended pursuant to this subdivision indicates that the person's driver's license is valid until the extension expires as provided in this subdivision. The commissioner

must ensure, as far as practicable, that this information is available to law enforcement and other entities outside the state of Minnesota.

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

Sec. 25. **FEDERAL FUNDS REPORTING REQUIREMENTS.**

(a) For purposes of this section, "federal funds" means any funding received by the state from the federal government pursuant to any federal law, rule, grant, or loan relating to the infectious disease known as COVID-19. This includes but is not limited to the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136.

(b) The commissioner of transportation must report all expenditures of federal funds to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance and policy by February 15, 2021, and annually thereafter until all federal funds are expended. The report must include the total amount of each expenditure, the purpose of each expenditure, and any additional information the commissioner determines is necessary to properly document each expenditure.

(c) The commissioner of public safety must report all expenditures of federal funds relating to driver and vehicle services and the State Patrol to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance and policy by February 15, 2021, and annually thereafter until all federal funds are expended. The report must include the total amount of each expenditure, the purpose of each expenditure, and any additional information the commissioner determines is necessary to properly document each expenditure.

(d) The chair of the Metropolitan Council must report all expenditures of federal funds to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance and policy or the Metropolitan Council by February 15, 2021, and annually thereafter until all federal funds are expended. The report must include the total amount of each expenditure, the purpose of each expenditure, and any additional information the chair determines is necessary to properly document each expenditure.

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

Sec. 26. **LEGISLATIVE ROUTE NO. 237 REMOVED.**

(a) Minnesota Statutes, section 161.115, subdivision 168, is repealed effective the day after the commissioner of transportation receives a copy of the agreement between the commissioner and the governing body of Stearns County to transfer jurisdiction of Legislative Route No. 237 and after the commissioner notifies the revisor of statutes under paragraph (b).

(b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor electronically or in writing that the conditions required to transfer the route have been satisfied.

Sec. 27. **NONCOMPLIANT DRIVER'S LICENSE APPLICATION; NEW PHOTOGRAPH AND EYE EXAMINATION NOT REQUIRED.**

(a) This section applies to applications for noncompliant driver's licenses or identification card made on or before June 30, 2021, if the applicant's name, address, signature, and driver's license number have not changed.

(b) Notwithstanding Minnesota Statutes, section 171.13, or Minnesota Rules, part 7410.2400, subpart 1, an applicant for a noncompliant driver's license or identification card is not required to undergo a vision examination if the Department of Public Safety has a record that the applicant passed an examination of the applicant's eyesight.

(c) Notwithstanding Minnesota Statutes, section 171.071, or Minnesota Rules, chapter 7410, an applicant for a noncompliant driver's license or identification card is not required to appear in person to have a new photograph taken if the commissioner of public safety has a photograph of the applicant on file. If there is such a photograph on file, the commissioner must use the photograph for the applicant's driver's license or identification card.

EFFECTIVE DATE. This section is effective two weeks following final enactment or on the date the changes required by this section are implemented, whichever is earlier. If the changes required by this section are implemented earlier than two weeks after final enactment, the commissioner of public safety must notify the revisor of statutes of the date.

Sec. 28. REQUIRING USE OF WARNING LIGHTS AND STOP ARMS ON SCHOOL BUSES WHEN MAKING DELIVERIES TO STUDENTS.

(a) For purposes of this section, "peacetime public health emergency period" means the duration of any peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19, but ending no later than January 31, 2021.

(b) Notwithstanding Minnesota Statutes, section 169.443, subdivision 3, during a peacetime public health emergency period, a school bus driver must activate the prewarning flashing amber signals or flashing red signals and the stop arm signal when the school bus is stopped on a street or highway to deliver or drop off food, schoolwork, supplies, or other items for students.

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

Sec. 29. ROAD AND BRIDGE FUND MONEY FROM UNORGANIZED TOWNSHIPS; AITKIN COUNTY.

Notwithstanding Minnesota Statutes, section 163.06, subdivision 4, the road and bridge fund tax money collected from unorganized townships in Aitkin County need not be set apart in separate funds for each township. Notwithstanding Minnesota Statutes, section 163.06, subdivision 5, road and bridge fund tax money that is collected from the various unorganized townships may be expended by the Aitkin County Board in any of the unorganized townships in the county.

EFFECTIVE DATE. This section is effective the day after the Aitkin County Board of Commissioners and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 30. REPEALER.

(a) Minnesota Statutes 2018, section 169.86, subdivision 3b, is repealed.

(b) Minnesota Statutes 2018, section 174.30, subdivision 4b, is repealed.

EFFECTIVE DATE. Paragraph (a) is effective the day following final enactment. Paragraph (b) is effective August 1, 2020."

Delete the title and insert:

"A bill for an act relating to public safety; modifying and authorizing various provisions relating to transportation, motor vehicles, and drivers; establishing requirements for meteorological towers; requiring reports; amending Minnesota Statutes 2018, sections 160.05, subdivision 1; 161.115, subdivision 43; 168.09, subdivision 7; 168.091; 168.092; 169.09, subdivision 3; 169.451, subdivisions 2, 4, by adding a subdivision; 171.02, subdivisions 2a, 2b; 171.07, by adding a subdivision; 174.30, subdivisions 2a, 4a, 8; 299D.03, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 161.14, subdivision 94; 171.07, subdivision 6a; Laws 2019, First Special Session chapter 3, article 2, section 34, subdivision 2; article 3, section 120; Laws 2020, chapter 71, article 2, section 15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 169; 216F; 360; repealing Minnesota Statutes 2018, sections 169.86, subdivision 3b; 174.30, subdivision 4b."

The motion prevailed. So the amendment was adopted.

H.F. No. 462 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 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 Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Lang; Nelson; Osmek; Ruud; Senjem; and Weber.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Bigham, Carlson, Clausen, Dziedzic, Eaton, Hayden; Isaacson, Klein, Laine, Latz, Marty, Newton, Rest, Sparks, Torres Ray, and Wiklund.

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

ADJOURNMENT

Senator Benson moved that the Senate do now adjourn until 11:00 a.m., Saturday, May 16, 2020. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate