

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

FIRST SPECIAL SESSION

SIXTH DAY

St. Paul, Minnesota, Friday, June 19, 2020

The Senate met at 10:00 a.m. and was called to order by the President.

Prayer was offered by the Chaplain, Pastor Mike Smith.

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; Chamberlain; Champion; Eaton; Hall; Hayden; Jensen; Laine; Lang; Latz; Newton; Pappas; Rest; Senjem; Sparks; and Wiklund.

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

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. 15 and 45.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned June 17, 2020

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Abeler, Hoffman, Isaacson, Kiffmeyer, and Relph introduced--

S.F. No. 133: A bill for an act relating to human services; establishing retention grants for certain day service providers; appropriating money.

Senator Gazelka moved that S.F. No. 133 be laid on the table. The motion prevailed.

Senators Dibble, Dziedzic, Pappas, Marty, and Cohen introduced--

S.F. No. 134: A bill for an act relating to local government; authorizing the cities of Minneapolis and St. Paul to impose residency requirements for peace officers.

Referred to the Committee on Rules and Administration.

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

S.F. No. 135: A bill for an act relating to state government; establishing observance of India Day; proposing coding for new law in Minnesota Statutes, chapter 10.

Senator Gazelka moved that S.F. No. 135 be laid on the table. The motion prevailed.

Senator Johnson introduced--

S.F. No. 136: A bill for an act relating to transportation; designating a segment of marked Trunk Highway 11 in Roseau County as Patrol Inspector Robert H. Lobdell Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senator Johnson introduced--

S.F. No. 137: A bill for an act relating to transportation; designating a segment of marked Trunk Highway 310 in Roseau County as Deputy Richard K. Magnuson Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senators Latz, Dziedzic, and Wiklund introduced--

S.F. No. 138: A bill for an act relating to public safety; imposing duties on peace officers regarding reporting malfeasance, intervening to prevent the excessive use of force, and using force; requiring law enforcement agencies to adopt updated policies regarding the use of force by peace officers; authorizing rulemaking; imposing criminal penalties; amending Minnesota Statutes 2018, section 626.8452, subdivision 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Rules and Administration.

Senators Dziezic and Wiklund introduced--

S.F. No. 139: A bill for an act relating to public safety; restoring the civil right to vote of an individual upon release from incarceration or upon sentencing if no incarceration is imposed; requiring notice; amending Minnesota Statutes 2018, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 609.165, subdivision 1; Minnesota Statutes 2019 Supplement, section 204C.10; proposing coding for new law in Minnesota Statutes, chapters 201; 243.

Referred to the Committee on Rules and Administration.

Senators Wiklund and Dziezic introduced--

S.F. No. 140: A bill for an act relating to public safety; establishing standards for crisis intervention and mental illness crisis training for peace officers; requiring a report; appropriating money; amending Minnesota Statutes 2018, section 626.8469.

Referred to the Committee on Rules and Administration.

Senators Wiklund and Dziezic introduced--

S.F. No. 141: A bill for an act relating to public safety; modifying a peace officer's authority to use deadly force; amending Minnesota Statutes 2018, sections 609.066, subdivision 2, by adding a subdivision; 626.8452, subdivision 1.

Referred to the Committee on Rules and Administration.

Senator Weber introduced--

S.F. No. 142: A bill for an act relating to housing; providing an extension for the issuance of certain housing bonds.

Senator Gazelka moved that S.F. No. 142 be laid on the table. The motion prevailed.

Senator Weber introduced--

S.F. No. 143: A bill for an act relating to agriculture; appropriating money for community food security support in response to COVID-19.

Senator Gazelka moved that S.F. No. 143 be laid on the table. The motion prevailed.

Senators Weber and Westrom introduced--

S.F. No. 144: A bill for an act relating to agriculture; appropriating money for meat processing grants to address the effects of COVID-19.

Senator Gazelka moved that S.F. No. 144 be laid on the table. The motion prevailed.

Senators Westrom and Weber introduced--

S.F. No. 145: A bill for an act relating to agriculture; appropriating money for ethanol infrastructure in response to COVID-19.

Referred to the Committee on Rules and Administration.

Senators Westrom and Weber introduced--

S.F. No. 146: A bill for an act relating to agriculture; appropriating money to purchase product from certain producers negatively impacted by COVID-19.

Referred to the Committee on Rules and Administration.

Senators Westrom and Weber introduced--

S.F. No. 147: A bill for an act relating to agriculture; appropriating money for COVID-19 technical assistance.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Senator Abeler moved that the name of Senator Newton be added as a co-author to S.F. No. 9. The motion prevailed.

Senator Miller moved that the name of Senator Newton be added as a co-author to S.F. No. 42. The motion prevailed.

Senator Anderson, B. introduced --

Senate Resolution No. 7: A Senate resolution honoring Major General Jon A. Jensen for his service to the State of Minnesota.

Referred to the Committee on Rules and Administration.

Senator Gazelka introduced --

Senate Resolution No. 8: A Senate resolution relating to adjournment of the Special Session.

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

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the Special Session.

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

Senator Gazelka moved that S.F. No. 32 be withdrawn from the Committee on Rules and Administration, given a second reading, and laid on the table. The motion prevailed.

S.F. No. 32: A bill for an act relating to human services; requiring COVID-19-related screening programs in certain long-term care settings; appropriating money.

S.F. No. 32 was read the second time.

Senator Gazelka moved that S.F. No. 37 be withdrawn from the Committee on Rules and Administration, given a second reading, and laid on the table. The motion prevailed.

S.F. No. 37: A bill for an act relating to the State Building Code; clarifying building and fire code requirements for public places of accommodation that are rural event centers; authorizing rulemaking; amending Minnesota Statutes 2018, section 326B.108, by adding a subdivision.

S.F. No. 37 was read the second time.

Senator Gazelka moved that S.F. No. 42 be withdrawn from the Committee on Rules and Administration, given a second reading, and laid on the table. The motion prevailed.

S.F. No. 42: A bill for an act relating to unemployment; allowing high school students to be eligible for federal pandemic unemployment assistance; amending Minnesota Statutes 2018, section 268.085, subdivision 2.

S.F. No. 42 was read the second time.

Senator Gazelka moved that S.F. No. 53 be withdrawn from the Committee on Rules and Administration, given a second reading, and laid on the table. The motion prevailed.

S.F. No. 53: A bill for an act relating to employment; modifying shared work plan eligibility.

S.F. No. 53 was read the second time.

Senator Gazelka moved that S.F. No. 106 be withdrawn from the Committee on Rules and Administration, given a second reading, and laid on the table. The motion prevailed.

S.F. No. 106: A bill for an act relating to health care; providing a supplemental payment to medical assistance dental providers to assist in covering the cost of personal protection equipment used when providing dental services to medical assistance enrollees; appropriating money.

S.F. No. 106 was read the second time.

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

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 and First 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 File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 104: A bill for an act relating to public safety; requiring updated policies regarding the use of force by peace officers; amending Minnesota Statutes 2018, section 626.8452, subdivisions 2, 4, by adding a subdivision.

Senate File No. 104 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned June 18, 2020

Senator Gazelka, for Senator Limmer moved that S.F. No. 104 be laid on the table. The motion prevailed.

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. 47: A bill for an act relating to local government aid; providing aid and reimbursements to counties, cities, and towns to fund expenses related to COVID-19; appropriating money from the coronavirus relief federal fund.

Senate File No. 47 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned June 19, 2020

Senator Gazelka, for Senator Rosen moved that S.F. No. 47 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 105.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted June 18, 2020

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 105: A bill for an act relating to human services; extending the expiration of the executive order relating to use of telemedicine in the state medical cannabis program; extending the expiration of certain human services program waivers and modifications issued by the commissioner of human services pursuant to executive orders during the peacetime emergency declared in response to the COVID-19 pandemic; establishing a 60-day period for the commissioner of human services to transition affected programs off of COVID-19 waivers and modifications following expiration of the peacetime emergency; appropriating money.

Senator Gazelka moved that H.F. No. 105 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Miller moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 42. The motion prevailed.

Senator Tomassoni moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 90. The motion prevailed.

Senator Pratt moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 135. The motion prevailed.

Senator Gazelka moved that H.F. No. 105 be taken from the table. The motion prevailed.

H.F. No. 105: A bill for an act relating to human services; extending the expiration of the executive order relating to use of telemedicine in the state medical cannabis program; extending the expiration of certain human services program waivers and modifications issued by the commissioner of human services pursuant to executive orders during the peacetime emergency declared in response to the COVID-19 pandemic; establishing a 60-day period for the commissioner of human services to transition affected programs off of COVID-19 waivers and modifications following expiration of the peacetime emergency; appropriating money.

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. 105 and that the rules of the Senate

be so far suspended as to give H.F. No. 105 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 105 was read the second time.

H.F. No. 105 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 Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Hawj, Kent, Laine, Latz, Newton, Pappas, Rest, Sparks, and Wiklund.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Chamberlain; Gazelka; Hall; Howe; Jensen; Lang; and Nelson.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Benson moved that S.F. No. 6 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Benson, designee of the Chair of the Committee on Rules and Administration, designated S.F. No. 6 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 6: A bill for an act relating to telecommunications; establishing a funding program for distance learning equipment; establishing a grant program for telemedicine equipment purchased to deal with COVID-19; requiring reports; appropriating money.

Senator Westrom moved to amend S.F. No. 6 as follows:

Page 1, line 20, after "2019-2020" insert "and 2020-2021"

Page 1, line 21, delete "year" and insert "years"

Page 2, line 3, after "2019-2020" insert "and 2020-2021" and delete "year" and insert "years"

Page 4, after line 20, insert:

"Sec. 3. **SUPPLEMENTAL BROADBAND DEVELOPMENT PROGRAM.**

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

(b) "Commissioner" means the commissioner of employment and economic development.

(c) "Broadband infrastructure" has the meaning given in Minnesota Statutes, section 116J.394.

(d) "Unserved areas" has the meaning given in Minnesota Statutes, section 116J.394.

(e) "Underserved areas" has the meaning given in Minnesota Statutes, section 116J.394.

(f) "Last-mile infrastructure" has the meaning given in Minnesota Statutes, section 116J.394.

(g) "Middle-mile infrastructure" has the meaning given in Minnesota Statutes, section 116J.394.

Subd. 2. **Establishment.** A supplemental broadband access grant program is established under the Department of Employment and Economic Development to provide new or expanded wireless or wire-line broadband access to unserved or underserved areas of the state where necessary for the peacetime public health emergency period that relates to the infectious disease known as COVID-19.

Subd. 3. **Eligible expenditures.** Grants may be awarded under this section to fund the acquisition and installation of middle-mile and last-mile infrastructure that support broadband service scalable to speeds of at least 100 megabits per second download and 100 megabits per second upload, in unserved areas of the state where increased broadband service is necessary for:

(1) student access to distance learning during the 2019-2020 and 2020-2021 school years;

(2) providing expanded telemedicine services during the peacetime public health emergency period that relates to the infectious disease known as COVID-19;

(3) businesses to remain open during the peacetime public health emergency period that relates to the infectious disease known as COVID-19; and

(4) telecommuting during the peacetime public health emergency period that relates to the infectious disease known as COVID-19.

Subd. 4. **Eligible applicants.** Eligible applicants for grants awarded under this section include:

(1) an incorporated business or a partnership;

(2) a political subdivision;

(3) an Indian tribe;

(4) a Minnesota nonprofit organization organized under Minnesota Statutes, chapter 317A; or

(5) a Minnesota cooperative association organized under Minnesota Statutes, chapter 308A or 308B.

Subd. 5. **Application process.** An eligible applicant must submit an application to the commissioner on a form prescribed by the commissioner with the initial request for applications published within 15 days of the enactment of this section. The commissioner shall consult with the office of broadband development to develop administrative procedures governing the application and grant award process that conforms with federal guidance for spending coronavirus relief federal funds. The commissioner shall act as fiscal agent for the grant program and shall be responsible for receiving and reviewing grant applications and awarding grants under this section.

Subd. 6. **Application contents.** An applicant for a grant under this section shall provide the following information on the application:

- (1) the location of the project;
- (2) the kind and amount of broadband infrastructure to be purchased for the project;
- (3) evidence regarding the unserved or underserved nature of the community in which the project is to be located;
- (4) the number of households passed that will have access to broadband service as a result of the project, or whose broadband service will be upgraded as a result of the project;
- (5) the total cost of the project;
- (6) sources of funding or in-kind contributions for the project that will supplement any grant award; and
- (7) any additional information requested by the commissioner.

Subd. 7. **Challenge process.** (a) Within three days of the close of the grant application process, the office shall publish on its website the proposed geographic broadband service area and the proposed broadband service speeds for each application submitted.

(b) An existing broadband service provider in or proximate to the proposed project area may, within ten days of publication of the information under paragraph (a), submit in writing to the commissioner a challenge to an application. A challenge must contain information demonstrating that:

- (1) the provider currently provides or has begun construction to provide broadband service to the proposed project area at speeds equal to or greater than the state speed goal contained in Minnesota Statutes, section 237.012, subdivision 1; or
- (2) the provider commits to complete construction of broadband infrastructure and provide broadband service in the proposed project area at speeds equal to or greater than the state speed goal contained in Minnesota Statutes, section 237.012, subdivision 1, no later than 18 months after the date grant awards are made under this section for the grant cycle under which the application was submitted.

(c) The commissioner must evaluate the information submitted in a provider's challenge under this section, and is prohibited from funding a project if the commissioner determines that the provider's commitment to provide broadband service that meets the requirements of paragraph (b) in the proposed project area is credible.

(d) If the commissioner denies funding to an applicant as a result of a broadband service provider's challenge made under this section, and the broadband service provider does not fulfill the provider's commitment to provide broadband service in the project area, the commissioner is prohibited from denying funding to an applicant as a result of a challenge by the same broadband service provider for the following two grant cycles, unless the commissioner determines that the broadband service provider's failure to fulfill the provider's commitment was the result of factors beyond the broadband service provider's control.

Subd. 8. **Awarding grants.** (a) In evaluating applications and awarding grants, the commissioner shall give priority to applications that are constructed in areas identified by the director of the Office of Broadband Development as unserved.

(b) In evaluating applications and awarding grants, the commissioner may give priority to applications that:

(1) are constructed in areas identified by the director of the Office of Broadband Development as underserved;

(2) facilitate the use of telemedicine and electronic health records;

(3) serve economically distressed areas of the state, as measured by indices of unemployment, poverty, or population loss that are significantly greater than the statewide average; and

(4) provide access to broadband service to a greater number of unserved or underserved households and businesses.

(c) The commissioner shall endeavor to award grants under this section to qualified applicants in all regions of the state.

Subd. 9. **Grant amount.** (a) The commissioner must establish an amount for grants awarded under this section based on:

(1) the number of applicants;

(2) the total amount of money requested in the applications; and

(3) the availability of federal money for a similar purpose.

(b) No grants awarded under this section may fund more than 75 percent of the total cost of a project.

(c) Grants awarded to a single project must not exceed \$500,000.

Subd. 10. **Reissue grant application.** If the total grant requests based on the number of applications received under subdivision 4 are less than the amount of money available for this

program, the commissioner may accept additional applications beyond the initial deadline, and award grants that may exceed the amount established in subdivision 9, paragraph (c).

Subd. 11. **Grant agreement.** Notwithstanding Minnesota Statutes, sections 16B.98, subdivisions 5 and 7, and 16C.05, subdivision 2, and any other provision of law, the commissioner may allow an applicant that was awarded a grant under this section to begin construction of a project and may encumber the amount of the grant before the commissioner has finalized a grant agreement.

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

Page 4, line 28, delete "September 30" and insert "December 15"

Page 4, line 29, delete "December 1, 2020" and insert "January 15, 2021"

Page 5, line 8, delete "September 30" and insert "December 15"

Page 5, line 9, delete "December 31, 2020" and insert "January 15, 2021"

Page 5, line 18, delete "deposit in the" and insert "supplemental broadband development grants under section 3."

Page 5, delete line 19

Page 5, line 20, delete "30" and insert "15"

Page 5, line 23, delete everything after the period, and insert "By January 31, 2021, the commissioner of employment and economic development must report to the legislature regarding the number of applications received under section 3, the number of grants awarded, the grant amounts, and the costs to administer the grant program."

Page 5, delete lines 24 to 26

Page 5, line 27, delete everything before "This"

Page 5, line 33, after the period, insert "If the commissioner of management and budget determines at any date before December 15, 2020, that an amount less than the amount appropriated in paragraph (c) can be spent by December 15, 2020, the commissioner may cancel the balance of the appropriation that has been estimated will not be spent."

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. 6 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 Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Hayden, Kent, Laine, Latz, Newton, Pappas, Rest, Sparks, and Wiklund.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Chamberlain; Gazelka; Hall; Howe; Jensen; Lang; and Nelson.

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

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Nelson and Klein introduced--

S.F. No. 148: A bill for an act relating to health care providers; immunity from civil liability for responder unable to provide a certain level or manner of care; amending Minnesota Statutes 2018, section 12.61, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senator Nelson introduced--

S.F. No. 149: A bill for an act relating to education; amending eligibility for the collaborative urban and greater Minnesota educators of color grant program; providing for hiring bonuses; appropriating money; amending Minnesota Statutes 2018, section 123B.02, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 122A.635, subdivision 1; Laws 2019, First Special Session chapter 11, article 3, sections 22, subdivision 2; 23, subdivisions 2, 6, as amended.

Referred to the Committee on Rules and Administration.

Senator Nelson introduced--

S.F. No. 150: A bill for an act relating to education; extending the maximum number of e-learning days; modifying school year start date for 2020-2021 school year; requiring the commissioner of human services to apply for the Distance Learning and Telemedicine Grant authorized under the Coronavirus Aid, Relief, and Economic Security Act; requiring the commissioner of education to apply for the Education Stabilization Fund-Rethink K-12 Education Models Grant authorized under the Coronavirus Aid, Relief, and Economic Security Act; amending Minnesota Statutes 2018, sections 120A.41; 120A.414, subdivision 1.

Referred to the Committee on Rules and Administration.

Senator Jasinski introduced--

S.F. No. 151: 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.

Referred to the Committee on Rules and Administration.

Senators Rarick, Dahms, and Simonson introduced--

S.F. No. 152: A bill for an act relating to education finance; providing enhanced debt service equalization aid for consolidating school districts facing unique circumstances; clarifying allowed uses of long-term facilities maintenance revenue and capital levies; increasing lease levy authority for school districts that are members of cooperative units; modifying referendum equalization levy; authorizing Independent School District No. 709, Duluth, to transfer levy authority from the long-term facilities maintenance revenue program to the debt redemption fund; requiring a report; amending Minnesota Statutes 2018, sections 123B.535; 123B.595, subdivision 3; 126C.40, subdivision 1; Minnesota Statutes 2019 Supplement, section 126C.17, subdivision 6.

Referred to the Committee on Rules and Administration.

Senators Draheim and Nelson introduced--

S.F. No. 153: A bill for an act relating to agriculture; appropriating money for food security direct purchases in response to COVID-19.

Referred to the Committee on Rules and Administration.

Senators Weber, Westrom, and Lang introduced--

S.F. No. 154: A bill for an act relating to agriculture; appropriating money for Farm Business Management scholarships to distressed farmers.

Referred to the Committee on Rules and Administration.

Senators Torres Ray, Dibble, Hawj, and Hayden introduced--

S.F. No. 155: A bill for an act relating to taxation; providing sales tax exemptions for certain destroyed or damaged properties; providing property tax relief for properties damaged by fire or vandalism; amending Minnesota Statutes 2018, section 297A.71, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 297A.75, subdivisions 1, as amended, 2.

Referred to the Committee on Rules and Administration.

Senators Torres Ray, Dibble, Hawj, and Hayden introduced--

S.F. No. 156: A bill for an act relating to local government; authorizing limited use of eminent domain; authorizing a development moratorium in certain areas.

Referred to the Committee on Rules and Administration.

Senators Torres Ray, Dibble, Hawj, and Hayden introduced--

S.F. No. 157: A bill for an act relating to housing; providing assistance to residential and commercial tenants in areas of civil unrest.

Referred to the Committee on Rules and Administration.

Senators Torres Ray, Dibble, Hawj, and Hayden introduced--

S.F. No. 158: A bill for an act relating to local government; establishing the Metropolitan Area Redevelopment Corporation; providing for certain tax revenues; providing powers and duties to the corporation; requiring a report; appropriating money; amending Minnesota Statutes 2019 Supplement, section 297A.993, subdivisions 1, 2; proposing coding for new law as Minnesota Statutes, chapter 473K.

Referred to the Committee on Rules and Administration.

Senators Torres Ray, Dibble, Hawj, and Hayden introduced--

S.F. No. 159: A bill for an act relating to insurance; directing the commissioner of commerce to assist with certain property, casualty, or liability insurance claims.

Referred to the Committee on Rules and Administration.

Senators Hayden, Torres Ray, Dibble, and Dziejczak introduced--

S.F. No. 160: A bill for an act relating to human services; directing the commissioner of human services to convene a task force to develop an immediate solution to relocate and reduce the homeless encampment in Powderhorn Park, and to develop medium-term and long-term solutions to homelessness; appropriating money.

Referred to the Committee on Rules and Administration.

Senator Kiffmeyer introduced--

S.F. No. 161: A bill for an act relating to state government; repealing an appropriation to the Office of the Secretary of State; requiring reimbursement to the general fund; repealing Laws 2019, First Special Session chapter 10, article 1, section 39.

Referred to the Committee on Rules and Administration.

Senator Kiffmeyer introduced--

S.F. No. 162: A bill for an act relating to human services; establishing temporary fixed-cost reimbursement rates for day programs and employment service providers.

Referred to the Committee on Rules and Administration.

Senators Rarick and Dibble introduced--

S.F. No. 163: A bill for an act relating to capital investment; appropriating money for Pine Technical and Community College; appropriating money for the Minneapolis Community and Technical College for manufacturing and trades training; authorizing the sale and issuance of state bonds.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

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

Senators Hayden, Champion, Torres Ray, Hawj, and Franzen introduced --

Senate Resolution No. 9: A Senate resolution expressing the cultural and historical significance of Juneteenth.

Referred to the Committee on Rules and Administration.

Senator Benson moved that S.F. No. 28 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Benson, designee of the Chair of the Committee on Rules and Administration, designated S.F. No. 28 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 28: A bill for an act relating to motor vehicles; authorizing third-party testing for class D and commercial drivers' licenses; implementing a fee for not appearing for a driving exam; prohibiting the practice of reserving driving exam slots for driving schools; appropriating money; amending Minnesota Statutes 2018, section 171.13, subdivisions 1, 7, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 171.06, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171.

Senator Housley moved to amend S.F. No. 28 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 171.13, subdivision 7, is amended to read:

Subd. 7. **Repeat Examination fee fees.** (a) A fee of \$10 must be paid by an individual to take a third and any subsequent knowledge test administered by the department if the individual has failed two previous consecutive knowledge tests on the subject.

(b) A fee of \$20 must be paid by an individual to take a third and any subsequent skills or road test administered by the department if the individual has previously failed two consecutive skill or road tests in a specified class of motor vehicle.

(c) A fee of \$20 must be paid by an individual who fails to appear for a scheduled skills or road test or who cancels a skills or road test within 24 hours of the appointment time.

(d) All fees received under this subdivision must be paid into the state treasury and credited to the driver services operating account in the special revenue fund specified under section 299A.705.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 171.13, is amended by adding a subdivision to read:

Subd. 8. **Test scheduling.** The commissioner must not schedule or reserve recurring time with a public, private, or commercial driver education program for purposes of administering skills or road tests to a class D or commercial driver's license applicant.

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

Sec. 3. Minnesota Statutes 2018, section 171.13, is amended by adding a subdivision to read:

Subd. 9. **Online driver's license knowledge testing authorization.** (a) The commissioner must implement online knowledge testing as provided in this subdivision. Upon written request from a driver education program licensed by the department, the commissioner must grant access to the department's web-based knowledge testing system to the driver education program. The commissioner must not charge a fee to a driver education program for access to the knowledge testing system or for administering the knowledge test.

(b) Once granted access to the online knowledge testing system, a driver education program may administer the knowledge test to a student of the program. The driver education program must

provide all computers and equipment for students that take the knowledge test. The driver education program must also provide appropriate proctors to monitor students taking the knowledge test. A driver education program may charge a fee of no more than \$10 for administering the test. The commissioner must administer the fourth or subsequent test for a student.

EFFECTIVE DATE. This section is effective on September 1, 2020, or on the date the changes required by this section are implemented, whichever is earlier. If the changes required by this section are implemented before September 1, 2020, the commissioner of public safety must notify the revisor of statutes of the date.

Sec. 4. **REPORTS; DEPARTMENT OF PUBLIC SAFETY.**

Subdivision 1. **Backlog report.** By January 1, 2021, the commissioner of public safety must report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance on the following:

(1) a summary of the plan or plans implemented to address the class D and CDL road test backlogs during 2020 and a discussion on whether those plans were implemented, including whether any benchmarks or goals were achieved on time;

(2) monthly totals of road tests conducted, broken down by type of test and location of test;

(3) average wait times for a person seeking a road test, broken down by month, location, and type of test;

(4) a list of locations offering tests each month and the types of tests offered at each location;

(5) a summary of plans, if any, for addressing existing or potential backlogs of road tests in 2021;

(6) recommendations on whether third-party testing for class D driver's licenses and commercial driver's licenses should be authorized; and

(7) recommended legislative changes relating to elimination of road test backlogs and ways to minimize future road test backlogs.

Subd. 2. **Online knowledge testing report.** By January 1, 2022, the commissioner of public safety must report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance on the following:

(1) the number of online knowledge tests taken pursuant to Minnesota Statutes, section 171.13, subdivision 9;

(2) the number of locations providing online knowledge testing pursuant to Minnesota Statutes, section 171.13, subdivision 9;

(3) if adequate data is available, a recommendation on whether the \$10 fee cap in Minnesota Statutes, section 171.13, subdivision 9, should be changed;

(4) recommendations on whether additional entities should be authorized to administer online knowledge testing;

(5) recommendations on whether driver education programs should be allowed to administer online knowledge tests to people other than students of the program; and

(6) recommended legislative changes related to online knowledge testing.

Sec. 5. ONLINE DRIVER'S LICENSE KNOWLEDGE TESTING; USE OF APPROPRIATION.

(a) Of the appropriation in Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (c), \$450,000 is available to the commissioner of public safety to implement online driver's license knowledge testing as provided in section 3.

(b) The authority under paragraph (a) is available until January 31, 2022, for expenses incurred on or before December 31, 2021. Any funds under this section that remain unspent after January 31, 2022, revert to the purposes identified in Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (c).

(c) The base for the appropriation from the driver services operating account in Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 4, paragraph (b), is increased by \$55,000 in each of fiscal years 2022 and 2023 for annual maintenance of the online driver's license knowledge testing system.

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 28 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 Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Dziedzic, Eaton, Hayden, Kent, Laine, Latz, Newton, Pappas, Rest, Sparks, and Wiklund.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Gazelka; Hall; Howe; Ingebrigtsen; Lang; Limmer; Rosen; Senjem; and Westrom.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Weber moved that the names of Senators Howe, Draheim, and Goggin be added as co-authors to S.F. No. 144. The motion prevailed.

RECESS

Senator Benson moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

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 and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 63 and 132.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted June 19, 2020

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 63: A bill for an act relating to employment; modifying shared work plan eligibility.

Senator Benson, designee of the Chair of the Committee on Rules and Administration, moved that H.F. No. 63 be laid on the table. The motion prevailed.

H.F. No. 132: A bill for an act relating to state government; establishing the PROMISE Act; creating a community repair panel to consider claims and determine awards; classifying certain

data; creating redevelopment and relief programs; establishing a Metropolitan Area Redevelopment Corporation; imposing a sales and use tax; requiring insurance claims assistance; regulating certain leases; authorizing limited use of eminent domain; exempting certain items from sales and use tax; requiring property tax abatement for certain properties; establishing the Civil Unrest Investigatory Commission; appropriating money; amending Minnesota Statutes 2018, section 297A.71, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 297A.75, subdivisions 1, as amended, 2; proposing coding for new law as Minnesota Statutes, chapter 473K.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Housley moved that the name of Senator Goggin be added as a co-author to S.F. No. 37. The motion prevailed.

Senator Westrom moved that the names of Senators Jasinski, Lang, and Dahms be added as co-authors to S.F. No. 145. The motion prevailed.

Senator Westrom moved that the name of Senator Draheim be added as a co-author to S.F. No. 147. The motion prevailed.

Senator Weber moved that the names of Senators Jasinski and Johnson be added as co-authors to S.F. No. 154. The motion prevailed.

Senator Benson moved that S.F. No. 133 be taken from the table. The motion prevailed.

S.F. No. 133: A bill for an act relating to human services; establishing retention grants for certain day service providers; appropriating money.

SUSPENSION OF RULES

Senator Benson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 133 and that the rules of the Senate be so far suspended as to give S.F. No. 133 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 133 was read the second time.

Senator Abeler moved to amend S.F. No. 133 as follows:

Delete everything after the enacting clause and insert:

"Section 1. **APPROPRIATION; COVID-19-RELATED RETENTION GRANTS FOR DISABILITY SERVICE PROVIDERS.**

Subdivision 1. **Appropriation.** \$30,000,000 is appropriated in fiscal year 2021 from the coronavirus relief fund to the commissioner of human services for retention grants under this section to eligible providers as defined under subdivision 2 to assist providers with the costs of business interruptions caused by required closures, by reduced capacity to promote social distancing measures,

or by reduced demand for services due to the COVID-19 pandemic, and to help ensure the continuity of the disability services infrastructure and prevent its failure during or following the COVID-19 pandemic. This is a onetime appropriation and is available until December 5, 2020. Any unexpended balance on December 5, 2020, cancels to the coronavirus relief fund.

Subd. 2. **Eligible services and providers.** Enrolled providers of the following eligible services are eligible for retention grants under this section:

(1) adult day services, day training and habilitation, day support services, prevocational services, and structured day services provided by the home and community-based waiver programs under Minnesota Statutes, sections 256B.092 and 256B.49, and Minnesota Statutes, chapter 256S;

(2) employment exploration services, employment development services, and employment support services provided by the home and community-based waiver programs under Minnesota Statutes, sections 256B.092 and 256B.49;

(3) children's therapeutic supports and services under Minnesota Statutes, section 256B.0943;

(4) early intensive developmental and behavioral intervention under Minnesota Statutes, section 256B.0949; and

(5) nonemergency medical transportation services under Minnesota Statutes, section 256B.0625, subdivision 17, except for nonemergency medical transportation provided by public transit or not-for-hire vehicles.

Subd. 3. **Allowable uses of funds.** Grantees must use funds awarded under this section for costs associated with maintaining the provider's capacity to provide services to its clients during or following the COVID-19 pandemic.

Subd. 4. **Emergency initial retention grants** (a) Beginning July 1, 2020, and until the commissioner implements the monthly application process described in subdivision 5 and begins awarding retention grants under subdivision 6, notwithstanding subdivisions 5 and 6, the commissioner shall make emergency initial retention grants monthly to all eligible providers. The commissioner shall determine which enrolled providers qualify under subdivision 2.

(b) The commissioner shall award emergency initial retention grants under this subdivision in an amount equal to 25 percent of the provider's total revenue from medical assistance for eligible services provided during January 2020. The commissioner shall determine each provider's total revenue from medical assistance for eligible services provided during January 2020, based on the most recent data available to the commissioner.

(c) By accepting a grant under this subdivision, the grantee agrees to the conditions specified in subdivision 8.

Subd. 5. **Application.** (a) The commissioner shall develop an application form and monthly application process for retention grants under this section. An applicant must provide the following information in the application:

(1) eligibility for existing state COVID-19-related emergency funding, including other COVID-19-related grants or small business loans;

(2) the provider's total revenue from medical assistance for eligible services provided during January 2020;

(3) the value of any emergency initial retention grants awarded to the provider under subdivision 4;

(4) how the applicant anticipates using the grant within the allowable uses;

(5) the month or months for which a grant is requested;

(6) the requested grant amount;

(7) an explanation of how the grant will allow the applicant to maintain the continuity of the disability services infrastructure and prevent its failure during or following the COVID-19 pandemic; and

(8) other information deemed necessary by the commissioner to evaluate grant applications.

(b) An eligible provider may use a single application to apply for a retention grant covering more than one prior month.

Subd. 6. **Allocation of retention grants.** (a) The commissioner may make retention grants for the months of April 2020 to December 2020.

(b) Monthly retention grants must be equal to 50 percent of the grantee's medical assistance revenue for eligible services provided during January 2020, minus the value of any emergency initial retention grants awarded under subdivision 4 for the same month or the amount requested, whichever is less.

(c) If applications for grants exceed the available appropriations, the commissioner shall give priority to grant applications from providers who are ineligible for existing COVID-19-related funding or whose services cannot be delivered according to the commissioner's temporary authority to waive or modify program and service requirements.

Subd. 7. **Payments for services provided.** Providers who receive grants under this section may continue to bill for services provided.

Subd. 8. **Condition of accepting emergency retention grants.** As a condition of accepting retention grants under this section, an eligible provider must agree in writing to:

(1) cooperate with the commissioner of human services to deliver services according to the program and service waivers and modifications issued under the commissioner's temporary authority;

(2) notify the commissioner of human services of any additional state COVID-19-related funding received, including other COVID-19-related grants or small business loans;

(3) repay retention grants as required by subdivision 9 from any COVID-19-related state funding, excluding the unforgiven portion of any COVID-19-related loans;

(4) acknowledge that retention grants may be subject to recoupment if a state audit determines that the provider received additional state COVID-19-related emergency funding from the state; and

(5) acknowledge that retention grants may be subject to recoupment if a state audit determines that inappropriate billing or duplicate payments for services occurred or that the provider used awarded funds for purposes not authorized under this section.

Subd. 9. **Assistance from other source.** If a provider receives any additional COVID-19-related state funding, the provider must notify the commissioner of human services of the amount received. From the additional COVID-19-related state funds received, excluding the unforgiven portion of any COVID-19-related loans, the provider must reimburse the commissioner for the grants the provider received under subdivision 6 in an amount equal to either the amount of the grant received under subdivision 6 or the aggregate amount of the additional COVID-19-related funding received from the state, minus the unforgiven portion of any COVID-19-related loans, whichever is less. All money paid to the commissioner under this subdivision must be deposited in the coronavirus relief fund.

Subd. 10. **Recoupment.** If the commissioner determines that the provider received additional COVID-19-related state funding and failed to reimburse the commissioner as required under subdivision 9, or that the provider used awarded funds for purposes not authorized under this section, the commissioner shall treat any amount not reimbursed as required under subdivision 9 and any amount used for a purpose not authorized under this section as an overpayment. The commissioner shall recover any overpayment under Minnesota Statutes, section 256B.0641. All money recovered by the commissioner under this subdivision must be deposited in the coronavirus relief fund.

Subd. 11. **Expiration.** Except for subdivisions 9 and 10, this section expires January 31, 2021.

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

The motion prevailed. So the amendment was adopted.

Senator Hoffman moved to amend the Abeler amendment to S.F. No. 133, adopted by the Senate June 19, 2020, as follows:

Page 1, line 32, after "pandemic" insert ", or future improvement of community-based initiatives"

The motion prevailed. So the amendment was adopted.

S.F. No. 133 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

Anderson, B.

Anderson, P.

Bakk

Benson

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

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Hall; Howe; Ingebrigtsen; Lang; Newman; Senjem; and Westrom.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Rosen moved that S.F. No. 106 be taken from the table. The motion prevailed.

S.F. No. 106: A bill for an act relating to health care; providing a supplemental payment to medical assistance dental providers to assist in covering the cost of personal protection equipment used when providing dental services to medical assistance enrollees; appropriating money.

SUSPENSION OF RULES

Senator Rosen moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 106 and that the rules of the Senate be so far suspended as to give S.F. No. 106 its third reading and place it on its final passage. The motion prevailed.

Senator Benson moved to amend S.F. No. 106 as follows:

Delete everything after the enacting clause and insert:

"Section 1. **SUPPLEMENTAL PAYMENTS TO MEDICAL ASSISTANCE DENTAL PROVIDERS FOR PERSONAL PROTECTIVE EQUIPMENT DURING THE COVID-19 PANDEMIC; APPROPRIATION.**

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

(b) "Commissioner" means the commissioner of human services.

(c) "Eligible provider" means a dentist or dental clinic that:

(1) accepts patients who are covered by medical assistance;

(2) is actively enrolled as a medical assistance provider on August 15, 2020;

(3) is located in Minnesota;

(4) is not paid on a cost-based payment system; and

(5) has received at least \$5,000 in medical assistance payments from claims with a date of service on or after October 1, 2019 through April 1, 2020.

(d) "Medical assistance payments" means payments received for providing dental services to medical assistance enrollees from claims submitted to either the commissioner or to a managed care plan or county based purchasing plan, or to the plan's subcontractor.

Subd. 2. **Supplemental payments.** (a) By August 15, 2020, the commissioner shall pay a onetime supplemental payment to each eligible provider for the purpose of assisting in the increased costs incurred by the provider for personal protective equipment during the COVID-19 pandemic.

(b) The supplemental payment to each eligible provider shall be based on a distribution formula established by the commissioner within the amount of the appropriation and the requirements of this section. For each claim paid with a date of service on or after October 1, 2019 through April 1, 2020, the eligible provider shall receive a fixed dollar amount not to exceed \$10 per claim. Only claims received by the commissioner before July 1, 2020, shall be considered for the supplemental payment.

(c) Notwithstanding paragraph (a), if a dentist or dental clinic meets the criteria in subdivision 1, paragraph (c), clauses (1) through (4), but enrolled as a medical assistance provider after October 1, 2019, the commissioner may calculate a pro-rated supplemental payment for the dentist or dental clinic.

Subd. 3. **Appropriation.** \$5,000,000 is appropriated in fiscal year 2021 from the coronavirus relief federal fund to the commissioner of human services for the supplemental payments authorized in this section. The total amount of supplemental payments paid under this section must not exceed the amount appropriated. If based on the fixed dollar amount of the supplemental payment per claim specified in subdivision 2, there are unobligated and unexpended funds from the appropriation, these funds shall be returned to the coronavirus relief fund by September 1, 2020.

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

The motion prevailed. So the amendment was adopted.

S.F. No. 106 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	Bakk	Carlson	Clausen	Dahms
Anderson, B.	Benson	Chamberlain	Cohen	Dibble
Anderson, P.	Bigham	Champion	Cwodzinski	Draheim

Dziedzic	Hoffman	Koran	Newton	Sparks
Eaton	Housley	Laine	Osmek	Tomassoni
Eichorn	Howe	Lang	Pappas	Torres Ray
Eken	Ingebrigtsen	Latz	Pratt	Utke
Franzen	Isaacson	Limmer	Rarick	Weber
Frentz	Jasinski	Little	Relph	Westrom
Gazelka	Jensen	Marty	Rest	Wiger
Goggin	Johnson	Mathews	Rosen	Wiklund
Hall	Kent	Miller	Ruud	
Hawj	Kiffmeyer	Nelson	Senjem	
Hayden	Klein	Newman	Simonson	

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Hall; Howe; Ingebrigtsen; Lang; Newman; Senjem; and Westrom.

So the bill, as amended, was 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 and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 33, 41, and 108.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted June 19, 2020

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 33: A bill for an act relating to education; making certain policy changes for prekindergarten through grade 12 education including general education, education excellence, teacher licensing, health and safety, special education, and early childhood education; authorizing a school district fund transfer; making changes to a report; amending Minnesota Statutes 2018, sections 120A.20, by adding a subdivision; 121A.22, subdivision 1, by adding a subdivision; 122A.181, subdivision 3; 122A.182, subdivision 3; 122A.187, subdivision 6; 123B.52, subdivisions 1, 3; 124D.165, subdivisions 3, 4; 125A.08; 125A.30; 125A.50, subdivision 1; 126C.17, subdivision 9; Minnesota Statutes 2019 Supplement, section 120B.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A.

Senator Benson, designee of the Chair of the Committee on Rules and Administration, moved that H.F. No. 33 be laid on the table. The motion prevailed.

H.F. No. 41: A bill for an act relating to human services; modifying the child care assistance provider reimbursement rates; amending Minnesota Statutes 2018, section 119B.13, subdivision 1.

Senator Benson, designee of the Chair of the Committee on Rules and Administration, moved that H.F. No. 41 be laid on the table. The motion prevailed.

H.F. No. 108: A bill for an act relating to state government; delaying implementation of a state board; providing COVID-19 grant and appropriation extensions; requiring a report; amending Laws 2014, chapter 211, section 13, as amended.

Senator Benson, designee of the Chair of the Committee on Rules and Administration, moved that H.F. No. 108 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Benson moved that H.F. No. 33 be taken from the table. The motion prevailed.

H.F. No. 33: A bill for an act relating to education; making certain policy changes for prekindergarten through grade 12 education including general education, education excellence, teacher licensing, health and safety, special education, and early childhood education; authorizing a school district fund transfer; making changes to a report; amending Minnesota Statutes 2018, sections 120A.20, by adding a subdivision; 121A.22, subdivision 1, by adding a subdivision; 122A.181, subdivision 3; 122A.182, subdivision 3; 122A.187, subdivision 6; 123B.52, subdivisions 1, 3; 124D.165, subdivisions 3, 4; 125A.08; 125A.30; 125A.50, subdivision 1; 126C.17, subdivision 9; Minnesota Statutes 2019 Supplement, section 120B.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A.

SUSPENSION OF RULES

Senator Benson 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. 33 and that the rules of the Senate be so far suspended as to give H.F. No. 33 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 33 was read the second time.

H.F. No. 33 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 Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Hayden, Laine, Latz, Newton, Pappas, Rest, Sparks, and Wiklund.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Gazelka; Hall; Howe; Ingebrigtsen; Kiffmeyer; Lang; Limmer; Newman; Senjem; and Westrom.

So the bill passed and its title was agreed to.

RECESS

Senator Benson moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senators Marty and Klein introduced--

S.F. No. 164: A bill for an act relating to health; modifying electronic monitoring requirements; modifying Board of Executives for Long-Term Service and Supports fees; establishing a private cause of action for retaliation in certain long-term care settings; modifying infection control requirements in certain long-term care settings; modifying hospice and assisted living bills of rights; establishing consumer protections for clients receiving assisted living services; prohibiting termination of assisted living services during a peacetime emergency; establishing procedures for transfer of clients receiving assisted living services during a peacetime emergency; requiring the commissioner of health to establish a state plan to control SARS-CoV-2 infections in certain unlicensed long-term care settings; establishing the Long-Term Care cCOVID-19 Task Force; requiring a report; appropriating money; amending Minnesota Statutes 2018, sections 144A.751, subdivision 1; 144G.03, by adding subdivisions; Minnesota Statutes 2019 Supplement, sections 144.6502, subdivision 3, by adding a subdivision; 144.6512, by adding a subdivision; 144A.291, subdivision 2; 144A.4798, subdivision 3; 144G.07, by adding a subdivision; 144G.09, subdivision 3; 144G.42, by adding subdivisions; 144G.91, by adding a subdivision; 144G.92, by adding a subdivision.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Nelson moved that the name of Senator Miller be added as a co-author to S.F. No. 149. The motion prevailed.

Senator Benson moved that S.F. No. 19 be withdrawn from the Committee on Rules and Administration, given a second reading, and laid on the table. The motion prevailed.

S.F. No. 19: A bill for an act relating to energy; authorizing a power purchase agreement for certain electric cogeneration activities; amending Minnesota Statutes 2018, section 216B.2424, by adding subdivisions.

S.F. No. 19 was read the second time.

Senator Housley moved that H.F. No. 41 be taken from the table. The motion prevailed.

H.F. No. 41: A bill for an act relating to human services; modifying the child care assistance provider reimbursement rates; amending Minnesota Statutes 2018, section 119B.13, subdivision 1.

SUSPENSION OF RULES

Senator Housley 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. 41 and that the rules of the Senate be so far suspended as to give H.F. No. 41 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 41 was read the second time.

H.F. No. 41 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 66 and nays 1, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frenz cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Laine, Latz, Newton, Pappas, Rest, Sparks, and Wiklund.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Gazelka; Hall; Howe; Ingebrigtsen; Jensen; Lang; Osmek; and Westrom.

Those who voted in the negative were:

Mathews

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Housley moved that H.F. No. 63 be taken from the table. The motion prevailed.

H.F. No. 63: A bill for an act relating to employment; modifying shared work plan eligibility.

SUSPENSION OF RULES

Senator Housley 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. 63 and that the rules of the Senate be so far suspended as to give H.F. No. 63 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 63 was read the second time.

H.F. No. 63 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	Frenz	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 Frenz cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Laine, Latz, Newton, Pappas, Rest, Sparks, and Wiklund.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Gazelka; Hall; Howe; Ingebrigtsen; Jensen; Lang; Osmek; and Westrom.

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 Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senators Hayden, Kent, Champion, Torres Ray, and Franzen introduced--

S.F. No. 165: A bill for an act relating to state government; making Juneteenth a state holiday; amending Minnesota Statutes 2018, section 645.44, subdivision 5.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Weber moved that the names of Senators Utke and Goggin be added as co-authors to S.F. No. 143. The motion prevailed.

Senator Westrom moved that the names of Senators Lang, Pratt, and Draheim be added as co-authors to S.F. No. 146. The motion prevailed.

RECESS

Senator Benson moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that the Senate do now adjourn the Special Session sine die.

Senator Kent moved to amend the Gazelka motion as follows:

"That the Senate do now adjourn until Monday, June 22, 2020, at 12:00 noon."

The question was taken on the adoption of the Kent amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Eaton, Hayden, Klein, Laine, Latz, Newton, Pappas, Rest, Sparks, Wiger, and Wiklund.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler; Anderson, B.; Anderson, P.; Chamberlain; Hall; Housley; Howe; Ingebrigtsen; Jensen; Lang; Mathews; Newman; Osmek; Rarick; Senjem; and Westrom.

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

The question was taken on the adoption of the Gazelka motion to adjourn sine die.

The roll was called, and there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler; Anderson, B.; Anderson, P.; Chamberlain; Hall; Housley; Howe; Ingebrigtsen; Jensen; Koran; Lang; Mathews; Newman; Osmek; Rarick; Senjem; and Westrom.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Hayden, Klein, Laine, Latz, Newton, Pappas, Rest, Sparks, Wiger, and Wiklund.

The motion prevailed. So the Senate was adjourned sine die.

Cal R. Ludeman, Secretary of the Senate