

STATE OF MINNESOTA

# Journal of the Senate

NINETY-FIRST LEGISLATURE

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FIFTH SPECIAL SESSION

FOURTH DAY

St. Paul, Minnesota, Thursday, October 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: Carlson, Clausen, Eaton, Eichorn, Franzen, Goggin, Hall, Hawj, Ingebrigtsen, Isaacson, Laine, Lang, Latz, Limmer, Little, Newton, Osmek, Relph, Rest, Sparks, Torres Ray, Utke, Westrom, 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 File, herewith returned: S.F. No. 5.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned October 12, 2020

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 27.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned October 14, 2020

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 15.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted October 12, 2020

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted October 14, 2020

Mr. President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is about to adjourn the 2020 Fifth Special Session sine die.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted October 14, 2020

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 15:** A bill for an act relating to state government; permitting video conferencing to satisfy the requirement to appear personally before a notarial officer for certain conveyances.

Senator Gazelka moved that H.F. No. 15 be laid on the table. The motion prevailed.

**H.F. No. 1:** A bill for an act relating to public finance; authorizing spending to acquire and better public land and buildings and for other improvements of a capital nature with certain conditions; modifying prior appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; modifying provisions for individual and corporate franchise and other miscellaneous taxes; modifying provisions relating to direct support professionals; making other minor policy, technical, and conforming changes; authorizing transfers; appropriating money for the operations of state government; amending Minnesota Statutes 2018, sections 16A.641, by adding a subdivision; 41B.025, by adding a subdivision; 123B.53, subdivisions 1, 4; 126C.63, subdivision 8; 126C.66, subdivision 3; 126C.69, as amended; 126C.71; 134.45, subdivision 5; 137.61; 137.62, subdivision 2, by adding a subdivision; 137.63; 137.64; 272.38, subdivision 1; 273.13, subdivision 25; 290.0131, subdivision 10; 290.0133, subdivision 12; 299C.106, subdivision 3, by adding subdivisions; 363A.36, by adding a subdivision; 363A.44, subdivision 1; 462A.37, subdivision 1, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 16A.968, subdivision 3; 256B.0659, subdivision 11, as amended; 256B.85, subdivision 16; 273.13, subdivision 34; 462A.37, subdivisions 2, 5; Laws 2008, chapter 179, section 18, subdivision 3, as amended; Laws 2014, chapter 294, article 1, section 7, subdivision 11, as amended; Laws 2015, First Special Session chapter 5, article 1, sections 10, subdivision 7, as amended; 13; Laws 2017, First Special Session chapter 8, article 1, sections 15, subdivisions 3, as amended, 4; 18, subdivision 3; 20, subdivision 21, as amended; Laws 2018, chapter 214, article 1, sections 2, subdivision 6; 7, subdivision 1; 16, subdivision 19; 21, subdivisions 1, 18, 26, 29; article 3, section 7, subdivision 1, as amended; Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 116J; 240A; repealing Minnesota Statutes 2018, sections 16A.633, subdivision 4; 126C.65, subdivision 2; 126C.68, subdivisions 1, 2, 4; Minnesota Statutes 2019 Supplement, section 126C.68, subdivision 3.

Senator Gazelka moved that H.F. No. 1 be laid on the table. The motion prevailed.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senator Marty introduced--**

**S.F. No. 28:** A bill for an act relating to health care; establishing a Primary Care Case Management program; authorizing direct state payments to health care providers; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Rules and Administration.

#### **Senators Dibble, Wiger, and Torres Ray introduced--**

**S.F. No. 29:** A bill for an act relating to state government; creating a task force to study the design of the state flag.

Referred to the Committee on Rules and Administration.

**Senators Pappas, Kent, Marty, Franzen, and Bigham introduced--**

**S.F. No. 30:** A bill for an act relating to health insurance; establishing supply requirements for prescription contraceptives; requiring health plans to cover contraceptive methods, sterilization, and related medical services, patient education, and counseling; establishing accommodations for eligible organizations; amending Minnesota Statutes 2019 Supplement, section 256B.0625, subdivision 13, as amended; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Rules and Administration.

**Senators Simonson and Tomassoni introduced--**

**S.F. No. 31:** A bill for an act relating to economic development; amending grant eligibility requirements; amending Laws 2020, First Special Session chapter 1, section 4.

Referred to the Committee on Rules and Administration.

**Senators Simonson and Marty introduced--**

**S.F. No. 32:** 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.

Referred to the Committee on Rules and Administration.

**Senator Torres Ray introduced--**

**S.F. No. 33:** 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.

**Senators Tomassoni, Kent, Bakk, Eichorn, and Rarick introduced--**

**S.F. No. 34:** A bill for an act relating to corrections; appropriating money for the Togo and Willow River challenge incarceration programs.

Referred to the Committee on Rules and Administration.

**Senators Cohen, Torres Ray, Pappas, Hayden, and Champion introduced--**

**S.F. No. 35:** A bill for an act relating to employment and economic development; providing disaster relief to local governments for losses resulting from civil unrest; authorizing the sale and issuance of appropriation bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Rules and Administration.

**Senators Wiger, Kent, Torres Ray, Eken, and Little introduced--**

**S.F. No. 36:** A bill for an act relating to education finance; authorizing the use of the prior year's pupil count for the 2020-2021 school year to reflect COVID-19 changes in enrollment; appropriating money; amending Minnesota Statutes 2018, section 126C.05, subdivision 5; Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 2, as amended.

Referred to the Committee on Rules and Administration.

**Senators Marty, Franzen, Bigham, and Kent introduced--**

**S.F. No. 37:** A bill for an act relating to human services; exempting women from MinnesotaCare premiums; requiring commissioner of human services to provide recommendations on ensuring continuous health coverage for women transitioning from medical assistance postpartum coverage; amending Minnesota Statutes 2018, section 256L.15, subdivision 2.

Referred to the Committee on Rules and Administration.

**Senators Marty, Franzen, Bigham, and Kent introduced--**

**S.F. No. 38:** A bill for an act relating to human services; modifying personal care assistant and support worker requirements; allowing compensation for personal care assistance services provided by a parent or spouse; establishing a temporary personal care assistance rate increase; appropriating money; amending Minnesota Statutes 2019 Supplement, sections 256B.0659, subdivision 11, as amended; 256B.85, subdivision 16.

Referred to the Committee on Rules and Administration.

**Senators Marty, Franzen, Bigham, and Kent introduced--**

**S.F. No. 39:** A bill for an act relating to health insurance; codifying certain provisions of the Affordable Care Act; amending Minnesota Statutes 2018, sections 62A.04, subdivision 2; 62A.10, by adding a subdivision; 62A.65, by adding a subdivision; 62D.095, subdivisions 2, 3, 4, 5; 62Q.01, subdivision 2a; 62Q.46; 62Q.677, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 363A.

Referred to the Committee on Rules and Administration.

**Senators Torres Ray, Franzen, and Marty introduced--**

**S.F. No. 40:** A bill for an act relating to state government; modifying the definition of holiday; amending Minnesota Statutes 2018, section 645.44, subdivision 5.

Referred to the Committee on Rules and Administration.

**MOTIONS AND RESOLUTIONS**

Senator Limmer moved that the name of Senator Rarick be added as a co-author to S.F. No. 7. The motion prevailed.

Senator Marty moved that the names of Senators Cwodzinski, Torres Ray, Champion, and Wiger be added as co-authors to S.F. No. 21. The motion prevailed.

**Senators Kent, Bakk, Tomassoni, Gazelka, and Champion introduced --**

**Senate Resolution No. 6:** A Senate resolution recognizing the work of Jeff Hayden.

Referred to the Committee on Rules and Administration.

**Senator Hayden introduced --**

**Senate Resolution No. 7:** A Senate resolution commemorating Nigeria's Independence Day.

Referred to the Committee on Rules and Administration.

Senator Gazelka moved that H.F. No. 1 be taken from the table. The motion prevailed.

**H.F. No. 1:** A bill for an act relating to public finance; authorizing spending to acquire and better public land and buildings and for other improvements of a capital nature with certain conditions; modifying prior appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; modifying provisions for individual and corporate franchise and other miscellaneous taxes; modifying provisions relating to direct support professionals; making other minor policy, technical, and conforming changes; authorizing transfers; appropriating money for the operations of state government; amending Minnesota Statutes 2018, sections 16A.641, by adding a subdivision; 41B.025, by adding a subdivision; 123B.53, subdivisions 1, 4; 126C.63, subdivision 8; 126C.66, subdivision 3; 126C.69, as amended; 126C.71; 134.45, subdivision 5; 137.61; 137.62, subdivision 2, by adding a subdivision; 137.63; 137.64; 272.38, subdivision 1; 273.13, subdivision 25; 290.0131, subdivision 10; 290.0133, subdivision 12; 299C.106, subdivision 3, by adding subdivisions; 363A.36, by adding a subdivision; 363A.44, subdivision 1; 462A.37, subdivision 1, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 16A.968, subdivision 3; 256B.0659, subdivision 11, as amended; 256B.85, subdivision 16; 273.13, subdivision 34; 462A.37, subdivisions 2, 5; Laws 2008, chapter 179, section 18, subdivision 3, as amended; Laws 2014, chapter 294, article 1, section 7, subdivision 11, as amended; Laws 2015, First Special Session chapter 5, article 1, sections 10, subdivision 7, as amended; 13; Laws 2017, First Special Session chapter 8, article 1, sections 15, subdivisions 3, as amended, 4; 18, subdivision 3; 20, subdivision 21, as amended; Laws 2018, chapter 214, article 1, sections 2, subdivision 6; 7, subdivision 1; 16, subdivision 19; 21, subdivisions 1, 18, 26, 29; article 3, section 7, subdivision 1,

as amended; Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 116J; 240A; repealing Minnesota Statutes 2018, sections 16A.633, subdivision 4; 126C.65, subdivision 2; 126C.68, subdivisions 1, 2, 4; Minnesota Statutes 2019 Supplement, section 126C.68, subdivision 3.

### 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. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 61 and nays 6, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Eichorn, Goggin, Hall, Ingebrigtsen, Lang, Limmer, Relph, Utke, and Westrom.

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

Those who voted in the negative were:

Anderson, B.	Johnson	Pratt
Draheim	Osmek	Ruud

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

The motion prevailed.

H.F. No. 1 was read the second time.

H.F. No. 1 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 3, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Eichorn, Goggin, Hall, Ingebrigtsen, Lang, Limmer, Osmek, Relph, Utke, and Westrom.

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

Those who voted in the negative were:

Anderson, B.	Benson	Johnson
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Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senator: Johnson.

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that H.F. No. 15 be taken from the table. The motion prevailed.

**H.F. No. 15:** A bill for an act relating to state government; permitting video conferencing to satisfy the requirement to appear personally before a notarial officer for certain conveyances.

### 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. 15 and that the rules of the Senate be so far suspended as to give H.F. No. 15 its second and third reading and place it on its final passage.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Bigham	Cohen	Dziedzic	Frentz
Anderson, B.	Carlson	Cwodzinski	Eaton	Gazelka
Anderson, P.	Chamberlain	Dahms	Eichorn	Goggin
Bakk	Champion	Dibble	Eken	Hall
Benson	Clausen	Draheim	Franzen	Hawj



Hayden	Kent	Marty	Rarick	Torres Ray
Hoffman	Kiffmeyer	Mathews	Relph	Utke
Housley	Klein	Miller	Rest	Weber
Howe	Koran	Nelson	Rosen	Westrom
Ingebrigtsen	Laine	Newton	Ruud	Wiger
Isaacson	Lang	Osmeck	Senjem	Wiklund
Jasinski	Latz	Pappas	Simonson	
Jensen	Limmer	Pratt	Sparks	
Johnson	Little		Tomassoni	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Eichorn, Goggin, Hall, Ingebrigtsen, Jensen, Johnson, Lang, Limmer, Osmeck, Relph, Ruud, Utke, and Westrom.

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

The motion prevailed.

H.F. No. 15 was read the second time.

H.F. No. 15 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	Osmeck	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 Jasinski cast the affirmative vote on behalf of the following Senators: Eichorn, Goggin, Hall, Ingebrigtsen, Jensen, Johnson, Lang, Limmer, Osmeck, Relph, Ruud, Utke, and Westrom.

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

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS - CONTINUED**

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

**Senators Gazelka and Kent 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.

**ADJOURNMENT**

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

Cal R. Ludeman, Secretary of the Senate

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Thursday, October 15, 2020

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