

STATE OF MINNESOTA

# Journal of the Senate

NINETY-SECOND LEGISLATURE

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TWENTY-SIXTH DAY

St. Paul, Minnesota, Wednesday, March 17, 2021

The Senate met at 12:00 noon 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	Marty	Rest
Anderson	Duckworth	Ingebrigtsen	Mathews	Rosen
Bakk	Dziedzic	Isaacson	McEwen	Ruud
Benson	Eaton	Jasinski	Miller	Senjem
Bigham	Eichorn	Johnson	Murphy	Tomassoni
Carlson	Eken	Johnson Stewart	Nelson	Torres Ray
Chamberlain	Fateh	Kent	Newman	Utke
Champion	Franzen	Kiffmeyer	Newton	Weber
Clausen	Frentz	Klein	Osmek	Westrom
Coleman	Gazelka	Koran	Pappas	Wiger
Cwodzinski	Goggin	Kunesh	Port	Wiklund
Dahms	Hawj	Lang	Pratt	
Dibble	Hoffman	Latz	Putnam	
Dornink	Housley	Limmer	Rarick	

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Abeler, Anderson, Carlson, Champion, Clausen, Coleman, Cwodzinski, Dibble, Eaton, Eichorn, Fateh, Gazelka, Housley, Isaacson, Johnson Stewart, Klein, Kunesh, Latz, Marty, McEwen, Newman, Newton, Osmek, Pappas, Putnam, Rest, Rosen, Senjem, Tomassoni, Torres Ray, Westrom, and Wiklund.

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

**CERTIFICATION**

March 15, 2021

To the Governor  
State of Minnesota

To the Senate  
State of Minnesota

To the House of Representatives  
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Monday, March 15, 2021, have elected as members of the Board of Regents of the University of Minnesota the following members to hold office for the term specified to begin upon election by the Joint Convention:

Ruth Johnson, First Congressional District, Six Years

James Farnsworth, Fourth Congressional District, Six Years

Kodi Verhalen, Sixth Congressional District, Six Years

Doug Huebsch, Seventh Congressional District, Six Years

Jeremy R. Miller  
President of the Senate

Melissa Hortman  
Speaker of the House of Representatives

**REPORTS OF COMMITTEES**

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

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

**S.F. No. 1286:** A bill for an act relating to state lands; requiring reimbursement of certain land-transaction costs; adding and deleting land from certain state parks; establishing new state forest; authorizing private sale of certain surplus state land; amending Minnesota Statutes 2020, sections 84.415, by adding a subdivision; 84.63; 84.631; 89.021, by adding a subdivision; 89.17; 92.50, by adding a subdivision.

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

Page 1, line 11, delete "commissioner of natural" and insert "state"

Page 1, line 12, delete "resources" and before "review" insert "cultural resources" and after "by" insert "the Minnesota Historical Society under contract with the commissioner of natural resources or"

Page 2, line 25, delete "commissioner of natural resources" and insert "state" and before "review" insert "cultural resources"

Page 2, line 26, after "by" insert "the Minnesota Historical Society under contract with the commissioner of natural resources or"

Page 3, line 28, delete "commissioner of natural resources" and insert "state" and before "review" insert "cultural resources"

Page 3, line 29, after "by" insert "the Minnesota Historical Society under contract with the commissioner of natural resources or"

Page 4, line 25, delete "commissioner" and insert "state" and before "review" insert "cultural resources" and after "by" insert "the Minnesota Historical Society under contract with the commissioner of natural resources or"

Page 4, line 32, delete "commissioner of natural resources" and insert "state" and before "review" insert "cultural resources"

Page 5, line 1, after "by" insert "the Minnesota Historical Society under contract with the commissioner of natural resources or"

Page 5, after line 3, insert:

"Sec. 7. Laws 2016, chapter 154, section 48, is amended to read:

**Sec. 48. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

**Subdivision 1. Exchange of land.** (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

(b) The state land that may be exchanged is located in St. Louis County and is described as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

(c) The state land administered by the commissioner of natural resources borders Low Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface River. While the land does not provide at least equal opportunity for access to waters by the public, the land to be acquired by the commissioner in the exchange will improve access to adjacent state forest lands.

**Subd. 2. Gifts of land.** Notwithstanding Minnesota Statutes, section 94.342 or 94.343, or any other law to the contrary, the Land Exchange Board may consider a gift of land from the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1(d), in addition to land proposed

for exchange with the state land referenced in section 1(b), in determining whether the proposal is in the best interests of the school trust."

Page 6, line 28, delete everything after "Government" and insert "Lots 1, 2, 3, and 4, section 16;"

Page 6 delete lines 29 to 31

Page 7, line 6, after "feet" insert "except the railroad right-of-way"

Page 7, line 12, after "Quarter" insert ", the Northeast Quarter of the Southwest Quarter"

Page 15, line 22, after "Lots" insert "1,"

Page 15, line 23, delete "1," and delete the comma

Page 16, line 21, before "and" insert "11,"

Page 21, after line 2, insert:

**"Sec. 11. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Aitkin County and is described as:

The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota (part of parcel 15-0-017700).

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

**Sec. 12. GOODHUE COUNTY; LAND TRANSFERS.**

Subdivision 1. Land transfers. (a) Notwithstanding Minnesota Statutes, section 373.01, subdivision 1, Goodhue County may sell, lease, or otherwise convey county-owned land that abuts Lake Byllesby to adjoining property owners who after the transfer will have direct access to Lake Byllesby. Any sale, lease, or other conveyance must be for the market value of the property as appraised by the county. A sale, lease, or other conveyance under this section must reserve to the county mineral rights according to Minnesota Statutes, section 373.01, and flowage easements relating to water levels of Lake Byllesby.

(b) This section does not apply to any county-owned land that has been developed by the county as public parkland.

Subd. 2. **Effective date; local approval.** This section is effective the day after the governing body of Goodhue County and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Sec. 13. **PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Itasca County and are described as:

(1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West, lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of the following described line: Commencing at the northwest corner of said Government Lot 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect the water's edge of Ball Club Lake and there said line terminates; and

(2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20 acres.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 14. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS; ROSEAU COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus island located in public water that is described in paragraph (d) to a local unit of government for less than market value.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land described in paragraph (d) may be sold by quit claim deed and the conveyance must provide that the land described in paragraph (d) be used for the public and reverts to the state if the local unit of government fails to provide for public use or abandons the public use of the land. The conveyance is subject to a flowage easement held by the United States of America.

(d) The land that may be conveyed is located in Roseau County and is described as: an unsurveyed island located in the approximate center of the South Half of the Southeast Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota; said island contains 6.7 acres, more or less (parcel identification number 563199100).

(e) The island is located in Warroad River and was created after statehood when dredge spoils were deposited on a sandbar in the Warroad River. The Department of Natural Resources has determined that the land is not needed for natural resource purposes, the conveyance would further the public interest, and the state's land management interests would best be served if the land was conveyed to a local unit of government for a public park and other public use.

**Sec. 15. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) the South Half of the North Half of the South Half of the Southwest Quarter of the Northwest Quarter, except the East 470 feet and except the part taken for a road, Township 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

(2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of the North 300 feet thereof (part of parcel identification number 410-0024-00550);

(3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

(4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel identification number 470-0010-03830).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 16. ST. LOUIS COUNTY; LAND LEASE.**

Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections 16A.695 and 282.04, St. Louis County may lease property legally described as part of Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15 West, Section 5, for use as a water intake and water treatment project under Laws 2018, chapter 214, section 22, subdivision 6, for consideration of more than \$12,000 per year and for a period exceeding ten years.

Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes, section 92.50, or other law to the contrary, the commissioner may lease property in Township 58, Range

15, Section 5, for use as a water intake and water treatment project under Laws 2018, chapter 214, section 22, subdivision 6, for a period exceeding 21 years, including a lease term of 40 years.

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

Sec. 17. **PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in Beltrami County and are described as:

(1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter, Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel identification number 16.00170.00);

(2) Lot 6, Block 12, Plat of Redby, Section 19, Township 151 North, Range 33 West (parcel identification number 36.00027.00);

(3) Lot 7, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00052.00);

(4) Lot 8, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00053.00);

(5) Lot 9, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00054.00);

(6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00055.00);

(7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00077.00);

(8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West (parcel identification number 36.00081.00); and

(9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West (parcel identification number 36.00148.00).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 and 3 and insert "relating to natural resources; requiring reimbursement of certain land-transaction costs; adding and deleting land from certain state parks; establishing new state forest; authorizing private sale of certain tax-forfeited, surplus, and other land;"

Page 1, line 4, delete everything before "amending" and insert "authorizing and modifying certain land exchanges; authorizing leases of certain land;"

Amend the title numbers accordingly

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

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

**S.F. No. 917:** A bill for an act relating to health care; modifying pharmacy benefit manager business practices; establishing pharmacy benefit manager general reimbursement practices; modifying maximum allowable cost pricing requirements; amending Minnesota Statutes 2020, sections 62W.02, by adding subdivisions; 62W.04; 62W.08; 62W.09, subdivision 1; 62W.13; proposing coding for new law in Minnesota Statutes, chapter 62W.

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

Page 2, line 19, delete "manger" and insert "manager"

Page 2, delete lines 21 to 23

Page 2, line 24, delete "(f)" and insert "(e)"

Page 3, line 4, delete "manger" and insert "manager"

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

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

**S.F. No. 831:** A bill for an act relating to health; authorizing incentives for manufacturers that choose to import certain drugs pursuant to "Pathway 2" of the safe importation action plan; proposing coding for new law in Minnesota Statutes, chapter 62J.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Report adopted.



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

**S.F. No. 1496:** A bill for an act relating to health insurance; requiring disclosure of whether funds from a patient assistance program are applied to a health plan deductible; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 1, line 10, delete "1" and insert "2"

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

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

**S.F. No. 1497:** A bill for an act relating to commerce; appropriating money for a financial services inclusion program.

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

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

**S.F. No. 875:** A bill for an act relating to human rights; requiring nondiscrimination in access to transplants; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapters 62A; 363A.

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

Page 1, delete section 1 and insert:

"Section 1. **[62A.082] NONDISCRIMINATION IN ACCESS TO TRANSPLANTS.**

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given unless the context clearly requires otherwise.

(b) "Disability" has the meaning given in section 363A.03, subdivision 12.

(c) "Enrollee" means a natural person covered by a health plan or group health plan and includes an insured, policy holder, subscriber, covered person, member, contract holder, or certificate holder.

(d) "Organ transplant" means the transplantation or transfusion of a part of a human body into the body of another for the purpose of treating or curing a medical condition.

Subd. 2. Transplant discrimination prohibited. A health plan or group health plan that provides coverage for anatomical gifts, organ transplants, or related treatment and services shall not:

(1) deny coverage to an enrollee based on the enrollee's disability;

(2) deny eligibility, or continued eligibility, to enroll or to renew coverage under the terms of the health plan or group health plan solely for the purpose of avoiding the requirements of this section;

(3) penalize or otherwise reduce or limit the reimbursement of a health care provider, or provide monetary or nonmonetary incentives to a health care provider, to induce the provider to provide care to a patient in a manner inconsistent with this section; or

(4) reduce or limit an enrollee's coverage benefits because of the enrollee's disability for medical services and other services related to organ transplantation performed pursuant to this section as determined in consultation with the enrollee's treating health care provider and the enrollee.

Subd. 3. **Collective bargaining.** In the case of a group health plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers, any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement imposed pursuant to this section shall not be treated as a termination of the collective bargaining agreement.

Subd. 4. **Coverage limitation.** Nothing in this section shall be deemed to require a health plan or group health plan to provide coverage for a medically inappropriate organ transplant."

Page 3, line 9, delete everything after "in" and insert "section 363A.03, subdivision 12"

Page 3, delete lines 10 and 11

Page 3, line 18, delete "to policies or practices"

Page 4, line 32, delete "and" and insert a comma

Page 4, line 33, after "2008" insert ", and the Minnesota Human Rights Act"

Page 5, delete lines 2 to 15 and insert:

"Subd. 3. **Remedies.** In addition to all other remedies available under this chapter, any individual who has been subjected to discrimination in violation of this section may initiate a civil action in a court of competent jurisdiction to enjoin violations of this section."

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

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

**S.F. No. 952:** A bill for an act relating to veterinary medicine; specifying that certified emergency medical personnel may provide emergency medical care to police dogs without a license to practice veterinary medicine; amending Minnesota Statutes 2020, section 156.12, subdivision 2.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Agriculture and Rural Development Finance and Policy. Report adopted.

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

**S.F. No. 1227:** A bill for an act relating to health care; reducing the license fee for manufacturers and wholesalers of medical gases; amending Minnesota Statutes 2020, section 151.065, subdivisions 1, 3, 7.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2020, section 16A.151, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific injured persons or entities, this section does not prohibit distribution of money to the specific injured persons or entities on whose behalf the litigation or settlement efforts were initiated. If money recovered on behalf of injured persons or entities cannot reasonably be distributed to those persons or entities because they cannot readily be located or identified or because the cost of distributing the money would outweigh the benefit to the persons or entities, the money must be paid into the general fund.

(b) Money recovered on behalf of a fund in the state treasury other than the general fund may be deposited in that fund.

(c) This section does not prohibit a state official from distributing money to a person or entity other than the state in litigation or potential litigation in which the state is a defendant or potential defendant.

(d) State agencies may accept funds as directed by a federal court for any restitution or monetary penalty under United States Code, title 18, section 3663(a)(3), or United States Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue account and are appropriated to the commissioner of the agency for the purpose as directed by the federal court.

(e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph (t), may be deposited as provided in section 16A.98, subdivision 12.

(f) Any money received by the state resulting from a settlement agreement or an assurance of discontinuance entered into by the attorney general of the state, or a court order in litigation brought by the attorney general of the state, on behalf of the state or a state agency, against one or more opioid manufacturers or opioid wholesale drug distributors or consulting firms working for an opioid manufacturer or opioid wholesale drug distributor related to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids in this state or other alleged illegal actions that contributed to the excessive use of opioids, must be deposited in a separate account in the state treasury and the commissioner shall notify the chairs and ranking minority members of the Finance Committee in the senate and the Ways and Means Committee in the house of representatives that an account has been created. Notwithstanding section 11A.20, all investment income and all investment losses attributable to the investment of this account shall be credited to the account. This paragraph does not apply to attorney fees and costs awarded to the state or the Attorney General's Office, to contract attorneys hired by the state or Attorney General's Office, or to other state agency attorneys. If the licensing fees under section 151.065, subdivision 1, clause (16), and subdivision

3, clause (14), are reduced and the registration fee under section 151.066, subdivision 3, is repealed in accordance with section 256.043, subdivision 4, then the commissioner shall transfer from the separate account created in this paragraph to the opiate epidemic response fund under section 256.043 an amount that ensures that \$20,940,000 each fiscal year is available for distribution in accordance with section 256.043, ~~subdivisions 2 and~~ subdivision 3.

(g) Notwithstanding paragraph (f), if money is received from a settlement agreement or an assurance of discontinuance entered into by the attorney general of the state or a court order in litigation brought by the attorney general of the state on behalf of the state or a state agency against a consulting firm working for an opioid manufacturer or opioid wholesale drug distributor and deposited into the separate account created under paragraph (f), the commissioner shall annually transfer from the separate account to the opiate epidemic response fund under section 256.043, an amount equal to the estimated amount submitted to the commissioner by the Board of Pharmacy in accordance with section 151.066, subdivision 3, paragraph (b). The amount transferred shall be included in the amount available for distribution in accordance with section 256.043, subdivision 3. This transfer shall occur each year until the registration fee under section 151.066, subdivision 3, is repealed in accordance with section 256.043, subdivision 4, or the money deposited in the account in accordance with this paragraph has been transferred, whichever occurs first.

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

Sec. 2. Minnesota Statutes 2020, section 151.01, subdivision 29, is amended to read:

Subd. 29. ~~**Legend Medical gas.** "Legend Medical gas" means a liquid or gaseous substance used for medical purposes and that is required by federal law to be dispensed only pursuant to the prescription of a licensed practitioner~~ any gas or liquid manufactured or stored in a liquefied, non-liquefied, or cryogenic state that:

(1) has a chemical or physical action in or on the human body or animals or is used in conjunction with medical gas equipment; and

(2) is intended to be used for the diagnosis, cure, mitigation, treatment, or prevention of disease.

Sec. 3. Minnesota Statutes 2020, section 151.01, is amended by adding a subdivision to read:

Subd. 29a. **Medical gas manufacturer.** "Medical gas manufacturer" means any person:

(1) originally manufacturing a medical gas by chemical reaction, physical separation, compression of atmospheric air, purification, or other means;

(2) filling a medical gas into a dispensing container via gas to gas, liquid to gas, or liquid to liquid processes;

(3) combining two or more medical gases into a container to form a medically appropriate mixture; or

(4) filling a medical gas via liquid to liquid into a final use container at the point of use.

Sec. 4. Minnesota Statutes 2020, section 151.01, is amended by adding a subdivision to read:

Subd. 29b. **Medical gas wholesaler.** "Medical gas wholesaler" means any person who sells a medical gas to another business or entity for the purpose of reselling or providing that medical gas to the ultimate consumer or patient.

Sec. 5. Minnesota Statutes 2020, section 151.01, is amended by adding a subdivision to read:

Subd. 29c. **Medical gas dispenser.** "Medical gas dispenser" means any person, other than a licensed practitioner or pharmacy, who sells or provides a medical gas directly to the ultimate consumer or patient via a valid prescription."

Page 3, after line 18, insert:

"Sec. 9. Minnesota Statutes 2020, section 151.066, subdivision 3, is amended to read:

Subd. 3. **Determination of an opiate product registration fee.** (a) The board shall annually assess an opiate product registration fee on any manufacturer of an opiate that annually sells, delivers, or distributes an opiate within or into the state 2,000,000 or more units as reported to the board under subdivision 2.

(b) For purposes of assessing the annual registration fee under this section and determining the number of opiate units a manufacturer sold, delivered, or distributed within or into the state, the board shall not consider any opiate that is used for medication assisted therapy for substance use disorders. If there is money deposited into the separate account as described in section 16A.151, subdivision 2, paragraph (g), the board shall submit to the commissioner of management and budget an estimate of the difference in the annual fee revenue collected under this section due to this exception.

(c) The annual registration fee for each manufacturer meeting the requirement under paragraph (a) is \$250,000.

~~(d)~~ (d) In conjunction with the data reported under this section, and notwithstanding section 152.126, subdivision 6, the board may use the data reported under section 152.126, subdivision 4, to determine which manufacturers meet the requirement under paragraph (a) and are required to pay the registration fees under this subdivision.

~~(e)~~ (e) By April 1 of each year, beginning April 1, 2020, the board shall notify a manufacturer that the manufacturer meets the requirement in paragraph (a) and is required to pay the annual registration fee in accordance with section 151.252, subdivision 1, paragraph (b).

~~(e)~~ (f) A manufacturer may dispute the board's determination that the manufacturer must pay the registration fee no later than 30 days after the date of notification. However, the manufacturer must still remit the fee as required by section 151.252, subdivision 1, paragraph (b). The dispute must be filed with the board in the manner and using the forms specified by the board. A manufacturer must submit, with the required forms, data satisfactory to the board that demonstrates that the assessment of the registration fee was incorrect. The board must make a decision concerning a dispute no later than 60 days after receiving the required dispute forms. If the board determines that the manufacturer has satisfactorily demonstrated that the fee was incorrectly assessed, the board must refund the amount paid in error.

~~(f)~~(g) For purposes of this subdivision, a unit means the individual dosage form of the particular drug product that is prescribed to the patient. One unit equals one tablet, capsule, patch, syringe, milliliter, or gram.

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

Sec. 10. **[151.191] LICENSING MEDICAL GAS FACILITIES; FEES; PROHIBITIONS.**

Subdivision 1. **Medical gas manufacturers; requirements.** (a) No person shall act as a medical gas manufacturer without first obtaining a license from the board and paying any applicable fee specified in section 151.065.

(b) Application for a medical gas manufacturer license under this section must be made in a manner specified by the board.

(c) A license must not be issued or renewed for a medical gas manufacturer unless the applicant agrees to operate in a manner prescribed by federal and state law and according to Minnesota Rules.

(d) A license must not be issued or renewed for a medical gas manufacturer that is required to be licensed or registered by the state in which it is physically located unless the applicant supplies the board with proof of licensure or registration. The board may establish standards for the licensure of a medical gas manufacturer that is not required to be licensed or registered by the state in which it is physically located.

(e) The board must require a separate license for each facility located within the state at which medical gas manufacturing occurs and for each facility located outside of the state at which medical gases that are shipped into the state are manufactured.

(f) Prior to the issuance of an initial or renewed license for a medical gas manufacturing facility, the board may require the facility to pass an inspection conducted by an authorized representative of the board. In the case of a medical gas manufacturing facility located outside of the state, the board may require the applicant to pay the cost of the inspection, in addition to the license fee in section 151.065, unless the applicant furnishes the board with a report, issued by the appropriate regulatory agency of the state in which the facility is located, of an inspection that has occurred within the 24 months immediately preceding receipt of the license application by the board. The board may deny licensure unless the applicant submits documentation satisfactory to the board that any deficiencies noted in an inspection report have been corrected.

(g) A duly licensed medical gas manufacturing facility may also wholesale or dispense any medical gas that is manufactured by the licensed facility, or manufactured or wholesaled by another properly licensed medical gas facility, without also obtaining a medical gas wholesaler license or medical gas dispenser registration.

(h) The filling of a medical gas into a final use container, at the point of use and by liquid to liquid transfer, is permitted as long as the facility used as the base of operations is duly licensed as a medical gas manufacturer.

Subd. 2. **Medical gas wholesalers; requirements.** (a) No person shall act as a medical gas wholesaler without first obtaining a license from the board and paying any applicable fee specified in section 151.065.

(b) Application for a medical gas wholesaler license under this section must be made in a manner specified by the board.

(c) A license must not be issued or renewed for a medical gas wholesaler unless the applicant agrees to operate in a manner prescribed by federal and state law and according to Minnesota Rules.

(d) A license must not be issued or renewed for a medical gas wholesaler that is required to be licensed or registered by the state in which it is physically located unless the applicant supplies the board with proof of licensure or registration. The board may establish standards for the licensure of a medical gas wholesaler that is not required to be licensed or registered by the state in which it is physically located.

(e) The board must require a separate license for each facility located within the state at which medical gas wholesaling occurs and for each facility located outside of the state from which medical gases that are shipped into the state are wholesaled.

(f) Prior to the issuance of an initial or renewed license for a medical gas wholesaling facility, the board may require the facility to pass an inspection conducted by an authorized representative of the board. In the case of a medical gas wholesaling facility located outside of the state, the board may require the applicant to pay the cost of the inspection, in addition to the license fee in section 151.065, unless the applicant furnishes the board with a report, issued by the appropriate regulatory agency of the state in which the facility is located, of an inspection that has occurred within the 24 months immediately preceding receipt of the license application by the board. The board may deny licensure unless the applicant submits documentation satisfactory to the board that any deficiencies noted in an inspection report have been corrected.

(g) A duly licensed medical gas wholesaling facility may also dispense any medical gas that is manufactured or wholesaled by another properly licensed medical gas facility.

Subd. 3. **Medical gas dispensers; requirements.** (a) A person or establishment not licensed as a pharmacy, practitioner, medical gas manufacturer, or medical gas dispenser must not engage in the dispensing of medical gases without first obtaining a registration from the board and paying the applicable fee specified in section 151.065. The registration must be displayed in a conspicuous place in the business for which it is issued and expires on the date set by the board.

(b) Application for a medical gas dispenser registration under this section must be made in a manner specified by the board.

(c) A registration must not be issued or renewed for a medical gas dispenser located within the state unless the applicant agrees to operate in a manner prescribed by federal and state law and according to the rules adopted by the board. A license must not be issued for a medical gas dispenser located outside of the state unless the applicant agrees to operate in a manner prescribed by federal law and, when dispensing medical gases for residents of this state, the laws of this state and Minnesota Rules.

(d) A registration must not be issued or renewed for a medical gas dispenser that is required to be licensed or registered by the state in which it is physically located unless the applicant supplies the board with proof of the licensure or registration. The board may establish standards for the registration of a medical gas dispenser that is not required to be licensed or registered by the state in which it is physically located.

(e) The board must require a separate registration for each medical gas dispenser located within the state and for each facility located outside of the state from which medical gases are dispensed to residents of this state.

(f) Prior to the issuance of an initial or renewed registration for a medical gas dispenser, the board may require the medical gas dispenser to pass an inspection conducted by an authorized representative of the board. In the case of a medical gas dispenser located outside of the state, the board may require the applicant to pay the cost of the inspection, in addition to the license fee in section 151.065, unless the applicant furnishes the board with a report, issued by the appropriate regulatory agency of the state in which the facility is located, of an inspection that has occurred within the 24 months immediately preceding receipt of the license application by the board. The board may deny licensure unless the applicant submits documentation satisfactory to the board that any deficiencies noted in an inspection report have been corrected.

(g) A facility holding a medical gas dispenser registration must not engage in the manufacturing or wholesaling of medical gases, except that a medical gas dispenser may transfer medical gases from one of its duly registered facilities to other duly registered medical gas manufacturing, wholesaling, or dispensing facilities owned or operated by that same company, without requiring a medical gas wholesaler license.

Sec. 11. Minnesota Statutes 2020, section 256.042, subdivision 4, is amended to read:

Subd. 4. **Grants.** (a) The commissioner of human services shall submit a report ~~of the grants proposed by the advisory council to be awarded for the upcoming fiscal year~~ to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance, by March 1 of each year, beginning March 1, 2020, ~~describing the priorities and specific activities the advisory council intends to address for the upcoming fiscal year based on the projected funds available for grant distribution.~~

~~(b) The commissioner of human services shall award grants from the opiate epidemic response fund under section 256.043.~~ The grants shall be awarded to proposals selected by the advisory council that address the priorities in subdivision 1, paragraph (a), clauses (1) to (4), unless otherwise appropriated by the legislature. The advisory council shall determine grant awards and funding amounts based on the funds appropriated to the commissioner under section 256.043 subdivision 3, paragraph (e). The commissioner shall award the grants from the opiate epidemic response fund and administer the grants in compliance with section 16B.97. No more than three percent of the grant amount may be used by a grantee for administration.

Sec. 12. Minnesota Statutes 2020, section 256.043, subdivision 4, is amended to read:

Subd. 4. **Settlement; sunset.** (a) If the state receives a total sum of \$250,000,000 either as a result of a settlement agreement or an assurance of discontinuance entered into by the attorney general of the state, or resulting from a court order in litigation brought by the attorney general of



the state on behalf of the state or a state agency, against one or more opioid manufacturers or opioid wholesale drug distributors or consulting firms working for an opioid manufacturer or opioid wholesale drug distributor related to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids in this state, or other alleged illegal actions that contributed to the excessive use of opioids, or from the fees collected under sections 151.065, subdivisions 1 and 3, and 151.066, that are deposited into the opiate epidemic response fund established in this section, or from a combination of both, the fees specified in section 151.065, subdivisions 1, clause (16), and 3, clause (14), shall be reduced to \$5,260, and the opiate registration fee in section 151.066, subdivision 3, shall be repealed.

(b) The commissioner of management and budget shall inform the board of pharmacy, the governor, and the legislature when the amount specified in paragraph (a) has been reached. The board shall apply the reduced license fee for the next licensure period.

(c) Notwithstanding paragraph (a), the reduction of the license fee in section 151.065, subdivisions 1 and 3, and the repeal of the registration fee in section 151.066 shall not occur before July 1, 2024.

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

**Sec. 13. OPIATE EPIDEMIC RESPONSE ADVISORY COUNCIL; INITIAL MEMBERSHIP TERMS.**

Notwithstanding Minnesota Statutes, section 256.042, subdivision 2, paragraph (c), the initial term for members of the opiate epidemic response advisory council established under Minnesota Statutes, section 256.042, identified in Minnesota Statutes, section 256.042, subdivision 2, paragraph (a), clauses (1), (3), (5), (7), (9), (11), (13), (15), and (17) ends September 30, 2022. The initial term for members identified under Minnesota Statutes, section 256.042, subdivision 2, paragraph (a), clauses (2), (4), (6), (8), (10), (12), (14), and (16) ends September 30, 2023.

**Sec. 14. OPIATE REGISTRATION FEE REDUCTION.**

(a) For purposes of assessing the opiate registration fee under Minnesota Statutes, section 151.066, subdivision 3, that is required to be paid on June 1, 2021 in accordance with Minnesota Statutes, section 151.252, subdivision 1, paragraph (b), the board of pharmacy shall not consider any injectable opiate product distributed to a hospital or hospital pharmacy. If there is money deposited into the separate account as described in Minnesota Statutes, section 16A.151, subdivision 2, paragraph (g), the board shall submit to the commissioner of management and budget an estimate of the difference in the annual opiate registration fee revenue collected under Minnesota Statutes, section 151.066, due to the exception described in this paragraph.

(b) Any estimated loss to the opiate registration fee revenue attributable to paragraph (a) must be included in any transfer that occurs under Minnesota Statutes, section 16A.151, subdivision 2, paragraph (g), in calendar year 2021.

(c) If a manufacturer has already paid the opiate registration fee due on June 1, 2021, the board of pharmacy shall return the amount of the fee to the manufacturer if the manufacturer would not have been required to pay the fee after the calculations described in paragraph (a) were made.

**Sec. 15. REPEALER.**

Minnesota Statutes 2020, section 151.19, subdivision 3, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "health care" insert "; establishing a separate licensure for medical gas distributors; creating exemptions for certain opiate manufacturers from the opiate registration fee; clarifying the opiate epidemic response advisory council's role in reporting to the legislature and determining grant awards and amounts; specifying the term limits for the initial advisory council members"

Amend the title numbers accordingly

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

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

**S.F. No. 1636:** A bill for an act relating to health; requiring licensure of abortion facilities; requiring a licensing fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Report adopted.

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

**S.F. No. 519:** A bill for an act relating to corrections; requiring that certain information, assistance, services, and medications be provided to inmates upon release from prison; providing identification cards for released inmates; requiring a homelessness mitigation plan and annual reporting on information relating to homelessness; amending Minnesota Statutes 2020, section 171.06, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 241.

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

Page 3, line 20, delete "applies only" and insert "does not apply"

Page 3, line 21, delete "more" and insert "less"

Page 3, lines 22 and 23, delete "do not"

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

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

**S.F. No. 1315:** A bill for an act relating to corrections; authorizing the placement of pregnant and postpartum female inmates in community-based programs; requiring reports; amending Minnesota Statutes 2020, section 244.065.

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

Page 1, line 17, after "year" insert "postpartum" and delete "is postpartum and"

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

**Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred**

**S.F. No. 1283:** A bill for an act relating to economic development; modifying use of Minnesota investment fund; requiring a report.

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

**Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred**

**S.F. No. 761:** A bill for an act relating to human services; permitting county agencies to obtain information by phone or written communication to complete MFIP household report forms; amending Minnesota Statutes 2020, section 256J.30, subdivision 8.

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

Page 1, before line 6, insert:

"Section 1. Minnesota Statutes 2020, section 256J.08, subdivision 21, is amended to read:

Subd. 21. **Date of application.** "Date of application" means the date on which the county agency receives an applicant's ~~signed~~ application as a signed written application, an application submitted by telephone, or an application submitted through Internet telepresence.

Sec. 2. Minnesota Statutes 2020, section 256J.09, subdivision 3, is amended to read:

Subd. 3. **Submitting application form.** (a) A county agency must offer, in person or by mail, the application forms prescribed by the commissioner as soon as a person makes a written or oral inquiry. At that time, the county agency must:

(1) inform the person that assistance begins with on the date that the signed application is received by the county agency either as a signed written application; an application submitted by telephone; or an application submitted through Internet telepresence; or on the date that all eligibility criteria are met, whichever is later;

(2) inform a person that the person may submit the application by telephone or through Internet telepresence;

(3) inform a person that when the person submits the application by telephone or through Internet telepresence, the county agency must receive a signed written application within 30 days of the date that the person submitted the application by telephone or through Internet telepresence;

~~(2)~~ (4) inform the person that any delay in submitting the application will reduce the amount of assistance paid for the month of application;

~~(3)~~ (5) inform a person that the person may submit the application before an interview;

~~(4)~~ (6) explain the information that will be verified during the application process by the county agency as provided in section 256J.32;

~~(5)~~ (7) inform a person about the county agency's average application processing time and explain how the application will be processed under subdivision 5;

~~(6)~~ (8) explain how to contact the county agency if a person's application information changes and how to withdraw the application;

~~(7)~~ (9) inform a person that the next step in the application process is an interview and what a person must do if the application is approved including, but not limited to, attending orientation under section 256J.45 and complying with employment and training services requirements in sections 256J.515 to 256J.57;

~~(8)~~ (10) inform the person that ~~the~~ an interview must be conducted. The interview may be conducted face-to-face in the county office or at a location mutually agreed upon, through Internet telepresence, or at a location mutually agreed upon by telephone;

~~(9) inform a person who has received MFIP or DWP in the past 12 months of the option to have a face-to-face, Internet telepresence, or telephone interview;~~

~~(10)~~ (11) explain the child care and transportation services that are available under paragraph (c) to enable caregivers to attend the interview, screening, and orientation; and

~~(11)~~ (12) identify any language barriers and arrange for translation assistance during appointments, including, but not limited to, screening under subdivision 3a, orientation under section 256J.45, and assessment under section 256J.521.

(b) Upon receipt of a signed application, the county agency must stamp the date of receipt on the face of the application. The county agency must process the application within the time period required under subdivision 5. An applicant may withdraw the application at any time by giving written or oral notice to the county agency. The county agency must issue a written notice confirming the withdrawal. The notice must inform the applicant of the county agency's understanding that the applicant has withdrawn the application and no longer wants to pursue it. When, within ten days of the date of the agency's notice, an applicant informs a county agency, in writing, that the applicant does not wish to withdraw the application, the county agency must reinstate the application and finish processing the application.

(c) Upon a participant's request, the county agency must arrange for transportation and child care or reimburse the participant for transportation and child care expenses necessary to enable participants to attend the screening under subdivision 3a and orientation under section 256J.45."

Page 2, after line 13, insert:

**"EFFECTIVE DATE. This section is effective September 1, 2021."**

Page 2, after line 13, insert:

"Sec. 4. Minnesota Statutes 2020, section 256J.45, subdivision 1, is amended to read:

Subdivision 1. **County agency to provide orientation.** A county agency must provide a ~~face-to-face~~ an orientation to each MFIP caregiver unless the caregiver is:

(1) a single parent, or one parent in a two-parent family, employed at least 35 hours per week;  
or

(2) a second parent in a two-parent family who is employed for 20 or more hours per week provided the first parent is employed at least 35 hours per week.

The county agency must inform caregivers who are not exempt under clause (1) or (2) that failure to attend the orientation is considered an occurrence of noncompliance with program requirements, and will result in the imposition of a sanction under section 256J.46. If the client complies with the orientation requirement prior to the first day of the month in which the grant reduction is proposed to occur, the orientation sanction shall be lifted.

Sec. 5. Minnesota Statutes 2020, section 256J.95, subdivision 5, is amended to read:

Subd. 5. **Submitting application form.** The eligibility date for the diversionary work program begins ~~with~~ on the date that the ~~signed~~ combined application form (CAF) is received by the county agency ~~either as a signed written application; an application submitted by telephone; or an application submitted through Internet telepresence; or~~ on the date that diversionary work program eligibility criteria are met, whichever is later. The county agency must inform an applicant that when the applicant submits the application by telephone or through Internet telepresence, the county agency must receive a signed written application within 30 days of the date that the applicant submitted the application by telephone or through Internet telepresence. The county agency must inform the applicant that any delay in submitting the application will reduce the benefits paid for the month of application. The county agency must inform a person that an application may be submitted before the person has an interview appointment. Upon receipt of a signed application, the county agency must stamp the date of receipt on the face of the application. The applicant may withdraw the application at any time prior to approval by giving written or oral notice to the county agency. The county agency must follow the notice requirements in section 256J.09, subdivision 3, when issuing a notice confirming the withdrawal."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "amending public assistance provisions by making permanent certain temporary modifications made in response to the COVID-19 pandemic;"

Amend the title numbers accordingly

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

**Senator Jasinski from the Committee on Local Government Policy, to which was referred**

**S.F. No. 2029:** A bill for an act relating to local government; modifying enacting language of Duluth Entertainment and Convention Center; amending Laws 1963, chapter 305, sections 2, as amended; 3, as amended; 4, as amended; 5, as amended; 8, as amended; 9, as amended; 10, as amended.

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

Page 6, lines 24, 29, and 30, delete "\$15,000" and insert "\$50,000"

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

**Senator Jasinski from the Committee on Local Government Policy, to which was re-referred**

**S.F. No. 915:** A bill for an act relating to local government; limiting municipal planning and zoning controls; amending Minnesota Statutes 2020, section 462.352, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 462.

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

**Senator Jasinski from the Committee on Local Government Policy, to which was re-referred**

**S.F. No. 1114:** A bill for an act relating to State Building Code; authorizing border cities to adopt changes to the code related to frost footing depth; amending Minnesota Statutes 2020, section 326B.121, subdivision 2.

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

Page 3, line 7, after "depth" insert "for one- and two-family dwellings"

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

**Senator Jasinski from the Committee on Local Government Policy, to which was referred**

**S.F. No. 1974:** A bill for an act relating to local government; modifying county competitive bidding; amending Minnesota Statutes 2020, section 471.345, subdivision 20.

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

Page 1, line 8, delete "\$750,000" and insert "\$500,000"

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

**Senator Utke from the Committee on Human Services Licensing Policy, to which was referred**

**S.F. No. 1821:** A bill for an act relating to human services; clarifying qualification criteria for provider staff to provide treatment coordination services; authorizing pretreatment coordination services for individuals seeking substance use disorder treatment; requiring establishment of a reimbursement rate for pretreatment coordination services; authorizing pretreatment coordination services as a covered service; directing the commissioner of human services to develop a tool to screen individuals for pretreatment coordination services, to develop a method to evaluate the impact of recent substance use disorder legislation, and to create and distribute educational materials regarding recent substance use disorder legislation and implementation; amending Minnesota Statutes 2020, sections 245G.02, subdivision 2; 245G.04, by adding a subdivision; 245G.06, subdivision 3; 245G.11, subdivision 7; 254B.05, subdivisions 1, 5; 256B.0625, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Health and Human Services Finance and Policy. Report adopted.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 485:** A bill for an act relating to state government; establishing a Capitol flag program for families of military service members and first responders who die in the line of duty; providing a Capitol flag program study and pilot program; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Page 2, line 13, delete "must present the flags to the eligible" and insert "shall deliver the requested flags"

Page 2, line 14, delete "family member, or"

Page 2, line 22, delete "No fee for first flag" and insert "Eligibility; fees" and delete "The" and insert "(a) For deaths that occur after August 1, 2021, the"

Page 2, after line 27, insert:

"(b) For deaths that occurred before August 1, 2021, the family of a public safety officer killed in the line of duty or service member of the United States armed forces who died in active service may receive a Minnesota state flag and a United States flag for a fee, unless there are donated, nonstate funds available to provide a flag without a fee. If payment of a fee is required under this paragraph, the commissioner may charge an eligible family an amount that does not exceed the actual cost of flying each flag and preparing a certificate memorializing the occasion."

Page 2, line 28, delete "July 1, 2022" and insert "August 1, 2021"

Page 2, delete section 2

Amend the title as follows:

Page 1, line 4, delete "study and pilot program"

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 353:** A bill for an act relating to state government; making technical changes in chapter 16E and making a conforming change; amending Minnesota Statutes 2020, sections 15.01; 16E.01; 16E.016; 16E.02; 16E.03, subdivisions 1, 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465, subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision 2; 97A.057, subdivision 1; repealing Minnesota Statutes 2020, sections 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; 16E.145.

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

Page 1, line 15, after "Technology" insert "Services"

Page 9, line 25, delete "and lieutenant governor" and before "select" insert "also"

Page 9, line 29, after "leader" insert "of the house of representatives"

Page 9, lines 30 and 31, after "leader" insert "of the senate"

Page 9, line 27, delete "also"

Page 10, line 1, delete "and lieutenant governor"

Page 10, line 5, delete "council" and strike "shall select a chair from its members. The"

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

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 839:** A bill for an act relating to environment; requiring rulemaking to make whole effluent toxicity requirements for dischargers of effluent consistent statewide.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Report adopted.

**Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was referred**

**S.F. No. 1671:** A bill for an act relating to human services; permitting the commissioner to collect data about children's mental health screenings; clarifying requirements for public guardianship for a person with a developmental disability; modifying requirements for a petition for an appointment of public guardianship for a person with a developmental disability; changing terminology and



making related changes; making technical changes; amending Minnesota Statutes 2020, sections 245.4874, subdivision 1; 252A.01, subdivision 1; 252A.02, subdivisions 2, 9, 11, 12, by adding subdivisions; 252A.03, subdivisions 3, 4; 252A.04, subdivisions 1, 2, 4; 252A.05; 252A.06, subdivisions 1, 2; 252A.07, subdivisions 1, 2, 3; 252A.081, subdivisions 2, 3, 5; 252A.09, subdivisions 1, 2; 252A.101, subdivisions 2, 3, 5, 6, 7, 8; 252A.111, subdivisions 2, 4, 6; 252A.12; 252A.16; 252A.17; 252A.19, subdivisions 2, 4, 5, 7, 8; 252A.20; 252A.21, subdivisions 2, 4; repealing Minnesota Statutes 2020, sections 252A.02, subdivisions 8, 10; 252A.21, subdivision 3.

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

Page 3, line 31, strike "shall be considered private data" and insert "are classified as private data on individuals, as defined by section 13.02, subdivision 12"

Page 3, line 32, delete the new language and insert "The county board may provide the commissioner with access to the screening results for the purposes of program evaluation and improvement."

Page 3, delete line 33

Page 4, line 28, delete "or" and insert a semicolon

Page 4, delete line 29

Page 6, line 8, strike "individual service plan" and insert "coordinated service and support plan"

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

**Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was re-referred**

**S.F. No. 1535:** A bill for an act relating to health; changing access to birth and death records; amending Minnesota Statutes 2020, section 144.225, subdivision 7.

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

**Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was referred**

**S.F. No. 1704:** A bill for an act relating to public safety; modifying Minnesota Child Protection Background Check Act to conform with federal law and inclusion of elderly and individuals with a disability; extending criminal history check to certain licensees and county or city employees and volunteers; amending Minnesota Statutes 2020, sections 299C.60; 299C.61, subdivisions 2, 4, by adding subdivisions; 299C.62, subdivisions 1, 2, 3, 4, 6; 299C.63; 299C.72.

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

Page 2, line 14, before "or" insert "617.246;"

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

**Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was re-referred**

**S.F. No. 226:** A bill for an act relating to labor and industry; adopting agency policy provisions; classifying apprenticeship data on minors; modifying membership of the Construction Codes Advisory Council; amending Minnesota Statutes 2020, sections 13.7905, by adding a subdivision; 178.012, subdivision 1; 326B.07, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 181A.

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 875, 1315, 761, 2029, 915, 1114, 1974, 1535, 1704, and 226 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Jasinski and Gazelka introduced--**

**S.F. No. 2124:** A bill for an act relating to capital investment; amending an appropriation for an access road in Wadena; amending Laws 2020, Fifth Special Session chapter 3, article 1, section 21, subdivision 44.

Referred to the Committee on Capital Investment.

**Senators Jasinski and Gazelka introduced--**

**S.F. No. 2125:** A bill for an act relating to capital investment; appropriating money for the Lake Shamineau High Water Project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Torres Ray introduced--**

**S.F. No. 2126:** A bill for an act relating to state government; exempting hairstyling, makeup application, and eyelash application from licensing; establishing cosmetology apprenticeships; changing the membership of the Board of Cosmetology; requiring interpreter services; appropriating money; amending Minnesota Statutes 2020, sections 155A.20; 155A.23, subdivisions 3, 5, 8, 18, by adding subdivisions; 155A.24, by adding subdivisions; 155A.27, subdivisions 1, 2, 9; 155A.271, subdivision 1; 155A.29, subdivisions 1, 6; proposing coding for new law in Minnesota Statutes, chapter 155A; repealing Minnesota Rules, part 2105.0183, subpart 5.

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

**Senator Torres Ray introduced--**

**S.F. No. 2127:** A bill for an act relating to environment; providing for environmental justice considerations in determining certain state permitting; amending Minnesota Statutes 2020, sections 116.06, by adding subdivisions; 116.07, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 116.

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

**Senators Ruud, Ingebrigtsen, Howe, and Dornink introduced--**

**S.F. No. 2128:** A bill for an act relating to natural resources; appropriating money for shooting sports facility grants and to upgrade the Department of Natural Resources shooting range database.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Abeler and Hoffman introduced--**

**S.F. No. 2129:** A bill for an act relating to early childhood; adjusting appropriations in fiscal year 2021 for a forecasted child care assistance program at the Department of Human Services.

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

**Senators Klein, Benson, Marty, and Frenz introduced--**

**S.F. No. 2130:** A bill for an act relating to health; protecting the physician-patient relationship by prohibiting noncompete agreements; proposing coding for new law in Minnesota Statutes, chapter 145.

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

**Senator Howe introduced--**

**S.F. No. 2131:** A bill for an act relating to transportation; modifying certain bicycle traffic regulations, powers, and duties; amending Minnesota Statutes 2020, sections 160.02, subdivision 1a; 169.011, subdivisions 5, 9, by adding a subdivision; 169.18, subdivision 3; 169.222, subdivisions 1, 4.

Referred to the Committee on Transportation Finance and Policy.

**Senator Senjem introduced--**

**S.F. No. 2132:** A bill for an act relating to energy; establishing a loan program for municipal utilities paying unusually high prices for natural gas in February 2021; establishing a program to defray high natural gas bills from the February 2021 price spike for low-income households; appropriating money.

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

**Senator Chamberlain introduced--**

**S.F. No. 2133:** A bill for an act relating to courts; prohibiting execution of criminal sentences for certain probation violations; amending Minnesota Statutes 2020, section 609.14, subdivision 3.

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

**Senator Duckworth introduced--**

**S.F. No. 2134:** A bill for an act relating to education finance; adjusting pupil units for the 2021-2022 school year.

Referred to the Committee on Education Finance and Policy.

**Senator Osmek introduced--**

**S.F. No. 2135:** A bill for an act relating to transit; requiring the Metropolitan Council to distribute federal funds pursuant to a federal formula.

Referred to the Committee on Transportation Finance and Policy.

**Senator Kunesh introduced--**

**S.F. No. 2136:** A bill for an act relating to insurance; setting requirements for calculating an enrollee's contribution toward an out-of-pocket maximum or cost sharing; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

**Senator Fateh introduced--**

**S.F. No. 2137:** A bill for an act relating to environment; modifying cumulative impact analysis requirements; requiring permits for certain demolitions; amending Minnesota Statutes 2020, section 116.07, subdivision 4a, by adding a subdivision.

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

**Senator Fateh introduced--**

**S.F. No. 2138:** A bill for an act relating to public safety; repealing the prohibition on obstructing highways; amending Minnesota Statutes 2020, sections 160.2715; 609.74.

Referred to the Committee on Transportation Finance and Policy.

**Senator Fateh introduced--**

**S.F. No. 2139:** A bill for an act relating to public safety; regulating no-knock search warrants; amending Minnesota Statutes 2020, section 626.14.

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

**Senator Fateh introduced--**

**S.F. No. 2140:** A bill for an act relating to health; appropriating money for a health, safety, and community engagement program.

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

**Senator Fateh introduced--**

**S.F. No. 2141:** A bill for an act relating to public safety; expanding the grounds that justify the Peace Officer Standards and Training Board to take licensure action against peace officers; amending Minnesota Statutes 2020, section 626.8432, subdivision 1.

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

**Senators Abeler, Hoffman, and Wiger introduced--**

**S.F. No. 2142:** A bill for an act relating to game and fish; modifying trapping and snaring provisions; requiring reporting; requiring license forfeiture for certain violations; providing criminal penalties; amending Minnesota Statutes 2020, sections 97A.421, subdivision 1; 97B.903; 97B.931, subdivision 2, by adding a subdivision; 97B.951; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

**Senator Utke introduced--**

**S.F. No. 2143:** A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; amending Minnesota Statutes 2020, sections 176.101, subdivision 1; 176.136, by adding a subdivision; 176.1362, subdivisions 1, 6; 176.1363, subdivisions 1, 2, 3; 176.194, subdivisions 3, 4; 176.223, as amended; 176.351, by adding a subdivision; Laws 2020, chapter 72, section 1.

Referred to the Committee on Labor and Industry Policy.

**Senator Miller introduced--**

**S.F. No. 2144:** A bill for an act relating to energy; establishing a program to promote the use of solar energy on school buildings; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

**Senator Bakk introduced--**

**S.F. No. 2145:** A bill for an act relating to public health; exempting certain hot tubs from public pool regulations; amending Minnesota Statutes 2020, section 144.1222, subdivision 2d.

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

**Senator Tomassoni introduced--**

**S.F. No. 2146:** A bill for an act relating to higher education; increasing funding to the Natural Resources Research Institute at the University of Minnesota; appropriating money.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Koran introduced--**

**S.F. No. 2147:** A bill for an act relating to public safety; establishing a program of random testing to verify abstinence as a condition of release and probation for certain DWI offenses; amending Minnesota Statutes 2020, sections 169A.277, subdivision 2; 169A.44, subdivisions 1, 2.

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

**Senator Draheim introduced--**

**S.F. No. 2148:** A bill for an act relating to health; increasing medical assistance and MinnesotaCare dental payment rates; amending Minnesota Statutes 2020, sections 256B.76, subdivision 2; 256L.11, subdivision 6a.

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

**Senator Bakk introduced--**

**S.F. No. 2149:** A bill for an act relating to capital investment; appropriating money for improvements to the Tower Breitung water treatment facilities; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Champion introduced--**

**S.F. No. 2150:** A bill for an act relating to economic development; appropriating money to make workforce training and entrepreneurship investments intended to help close the state's opportunity gaps for Minnesotans of color.

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

**Senator Champion introduced--**

**S.F. No. 2151:** A bill for an act relating to economic development; appropriating money for the business development competitive grant program; amending Laws 2011, First Special Session chapter 4, article 1, section 3, subdivision 2.

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

**Senator Champion introduced--**

**S.F. No. 2152:** A bill for an act relating to public safety; requiring chief law enforcement officers to report certain peace officer misconduct data to the Peace Officer Standards and Training Board; amending Minnesota Statutes 2020, sections 13.411, by adding a subdivision; 626.845, subdivision 3; 626.8457, subdivision 3.

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

**Senator Coleman introduced--**

**S.F. No. 2153:** A bill for an act relating to public safety; providing enhanced penalties for making emergency calls to harass, hinder, intrude upon, or interfere with another person; amending Minnesota Statutes 2020, section 609.78.

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

**Senator Coleman introduced--**

**S.F. No. 2154:** A bill for an act relating to transportation; appropriating money for a new bus garage for Eastern Carver County Schools.

Referred to the Committee on Transportation Finance and Policy.

**Senators Coleman and Benson introduced--**

**S.F. No. 2155:** A bill for an act relating to health occupations; modifying the list of certifying organizations for doulas; modifying provisions governing the doula registry; amending Minnesota Statutes 2020, sections 148.995, subdivision 2; 148.996, subdivisions 2, 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

**MOTIONS AND RESOLUTIONS**

Senator Dziejdzic moved that the name of Senator Marty be added as a co-author to S.F. No. 155. The motion prevailed.

Senator Housley moved that the name of Senator Frenz be added as a co-author to S.F. No. 207. The motion prevailed.

Senator Cwodzinski moved that the name of Senator Duckworth be added as a co-author to S.F. No. 240. The motion prevailed.

Senator Biggam moved that the name of Senator Klein be added as a co-author to S.F. No. 370. The motion prevailed.

Senator Lang moved that the name of Senator Dibble be added as a co-author to S.F. No. 388. The motion prevailed.

Senator Utke moved that the name of Senator Clausen be added as a co-author to S.F. No. 455. The motion prevailed.

Senator Clausen moved that his name be stricken as a co-author to S.F. No. 634. The motion prevailed.

Senator Draheim moved that the name of Senator Utke be added as a co-author to S.F. No. 662. The motion prevailed.

Senator Rosen moved that the name of Senator Duckworth be added as a co-author to S.F. No. 789. The motion prevailed.

Senator Nelson moved that the name of Senator Putnam be added as a co-author to S.F. No. 929. The motion prevailed.

Senator Koran moved that the name of Senator Bigham be added as a co-author to S.F. No. 1179. The motion prevailed.

Senator Koran moved that the name of Senator Draheim be added as a co-author to S.F. No. 1227. The motion prevailed.

Senator Rosen moved that the name of Senator Duckworth be added as a co-author to S.F. No. 1252. The motion prevailed.

Senator Utke moved that the name of Senator Klein be added as a co-author to S.F. No. 1362. The motion prevailed.

Senator Weber moved that the name of Senator Duckworth be added as a co-author to S.F. No. 1471. The motion prevailed.

Senator Fateh moved that the name of Senator Wiklund be added as a co-author to S.F. No. 1489. The motion prevailed.

Senator Johnson moved that the names of Senators Utke, Bakk, and Rarick be added as co-authors to S.F. No. 1494. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Wiklund be added as a co-author to S.F. No. 1519. The motion prevailed.

Senator Coleman moved that the names of Senators Duckworth and Wiger be added as co-authors to S.F. No. 1537. The motion prevailed.

Senator Dziedzic moved that the name of Senator Murphy be added as a co-author to S.F. No. 1642. The motion prevailed.

Senator Miller moved that the name of Senator Pappas be added as a co-author to S.F. No. 1701. The motion prevailed.

Senator Howe moved that the name of Senator Ruud be added as a co-author to S.F. No. 1767. The motion prevailed.



Senator Housley moved that the name of Senator Franzen be added as a co-author to S.F. No. 1786. The motion prevailed.

Senator Osmek moved that the name of Senator Marty be added as a co-author to S.F. No. 1907. The motion prevailed.

Senator Putnam moved that the name of Senator Pappas be added as a co-author to S.F. No. 1967. The motion prevailed.

Senator Tomassoni moved that the name of Senator Housley be added as a co-author to S.F. No. 1986. The motion prevailed.

Senator Latz moved that the name of Senator Bakk be added as a co-author to S.F. No. 2006. The motion prevailed.

Senator Carlson moved that the name of Senator Clausen be added as a co-author to S.F. No. 2009. The motion prevailed.

Senator Frentz moved that the name of Senator Rest be added as a co-author to S.F. No. 2026. The motion prevailed.

Senator McEwen moved that the names of Senators Fateh, Marty, Torres Ray, and Dibble be added as co-authors to S.F. No. 2031. The motion prevailed.

Senator McEwen moved that the names of Senators Marty, Eaton, and Fateh be added as co-authors to S.F. No. 2032. The motion prevailed.

Senator McEwen moved that the names of Senators Hawj and Johnson Stewart be added as co-authors to S.F. No. 2033. The motion prevailed.

Senator Duckworth moved that the name of Senator Clausen be added as a co-author to S.F. No. 2037. The motion prevailed.

Senator Duckworth moved that the name of Senator Clausen be added as a co-author to S.F. No. 2038. The motion prevailed.

Senator Duckworth moved that the name of Senator Clausen be added as a co-author to S.F. No. 2040. The motion prevailed.

Senator Kunesh moved that the names of Senators Torres Ray, Wiger, and Nelson be added as co-authors to S.F. No. 2043. The motion prevailed.

Senator Marty moved that the name of Senator Pappas be added as a co-author to S.F. No. 2048. The motion prevailed.

Senator Klein moved that the names of Senators Murphy, Franzen, Bigham, and Kunesh be added as co-authors to S.F. No. 2051. The motion prevailed.

Senator Dahms moved that the names of Senators Bakk and Senjem be added as co-authors to S.F. No. 2055. The motion prevailed.

Senator Bigham moved that the name of Senator Wiger be added as a co-author to S.F. No. 2063. The motion prevailed.

Senator Bigham moved that the name of Senator Newton be added as a co-author to S.F. No. 2069. The motion prevailed.

Senator Champion moved that the name of Senator Pappas be added as a co-author to S.F. No. 2081. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Bakk be added as a co-author to S.F. No. 2097. The motion prevailed.

Senator Draheim moved that the name of Senator Benson be added as a co-author to S.F. No. 2110. The motion prevailed.

Senator Torres Ray moved that the names of Senators Pappas and Marty be added as co-authors to S.F. No. 2118. The motion prevailed.

Senator Pratt moved that S.F. No. 1678 be withdrawn from the Committee on Energy and Utilities Finance and Policy and re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Senator Bigham moved that S.F. No. 2106 be withdrawn from the Committee on State Government Finance and Policy and Elections and re-referred to the Committee on Civil Law and Data Practices Policy. The motion prevailed.

### **ADJOURNMENT**

Senator Johnson moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 18, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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