

STATE OF MINNESOTA

Journal of the Senate

NINETY-SECOND LEGISLATURE

THIRTIETH DAY

St. Paul, Minnesota, Wednesday, March 24, 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	Dornink	Hoffman	Latz	Putnam
Anderson	Draheim	Housley	Limmer	Rarick
Bakk	Duckworth	Howe	Marty	Rest
Benson	Dziedzic	Ingebrigtsen	Mathews	Rosen
Bigham	Eaton	Isaacson	McEwen	Ruud
Carlson	Eichorn	Jasinski	Miller	Senjem
Chamberlain	Eken	Johnson	Murphy	Tomassoni
Champion	Fateh	Johnson Stewart	Nelson	Torres Ray
Clausen	Franzen	Kent	Newman	Utke
Coleman	Frentz	Kiffmeyer	Newton	Weber
Cwodzinski	Gazelka	Koran	Osmek	Westrom
Dahms	Goggin	Kunesh	Port	Wiger
Dibble	Hawj	Lang	Pratt	Wiklund

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Abeler, Anderson, Benson, Carlson, Champion, Clausen, Coleman, Cwodzinski, Dibble, Draheim, Dziedzic, Eaton, Eichorn, Eken, Fateh, Gazelka, Goggin, Hawj, Ingebrigtsen, Isaacson, Johnson Stewart, Kiffmeyer, Koran, Kunesh, Latz, Limmer, Marty, Mathews, McEwen, Newman, Newton, Osmek, Putnam, Ruud, Senjem, Torres Ray, 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 communications were received.

March 23, 2021

The Honorable Jeremy R. Miller
President of the Senate

Dear President Miller:

I have received, approved, signed, and deposited in the Office of the Secretary of State, Chapter 6, S.F. No. 395 and Chapter 7, S.F. No. 440.

Sincerely,
Tim Walz, Governor

March 23, 2021

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Jeremy R. Miller
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2021 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2021	Date Filed 2021
	91	5	11:27 a.m. March 23	March 23
395		6	11:27 a.m. March 23	March 23
440		7	11:27 a.m. March 23	March 23

Sincerely,
Steve Simon
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

Senate Concurrent Resolution No. 4: A Senate concurrent resolution relating to adjournment for more than three days.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 22, 2021

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 109, 310, and 844.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 22, 2021

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1064.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 23, 2021

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 109: A bill for an act relating to public safety; requiring installation of automatic sprinkler systems in certain existing high-rise buildings; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

H.F. No. 310: A bill for an act relating to child protection; expanding persons required to report known or suspected child maltreatment; amending Minnesota Statutes 2020, section 260E.06, subdivision 1.

Referred to the Committee on Civil Law and Data Practices Policy.

H.F. No. 844: A bill for an act relating to consumer protection; prohibiting price gouging; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

H.F. No. 1064: A bill for an act relating to education finance; providing for education impacted by COVID-19; providing for educational uses of federal funds for COVID-19; appropriating money for summer education programs; amending Minnesota Statutes 2020, section 126C.10, subdivision 2d.

Referred to the Committee on Education Finance and Policy.

REPORTS OF COMMITTEES

Senator Johnson moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 2132. The motion prevailed.

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

S.F. No. 1124: A bill for an act relating to corrections; authorizing the Department of Corrections Fugitive Apprehension Unit to exercise general law enforcement duties during the course of official duties; amending Minnesota Statutes 2020, section 241.025, subdivisions 1, 2, 3.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 241.016, is amended to read:

241.016 ANNUAL PERFORMANCE REPORT REQUIRED.

Subdivision 1. **Biennial Annual report.** (a) The Department of Corrections shall submit a performance report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice funding by January 15 of each ~~odd-numbered~~ year. The issuance and content of the report must include the following:

- (1) department strategic mission, goals, and objectives;
- (2) the department-wide per diem, adult facility-specific per diems, and an average per diem, reported in a standard calculated method as outlined in the departmental policies and procedures;
- (3) department annual statistics as outlined in the departmental policies and procedures; and
- (4) information about prison-based mental health programs, including, but not limited to, the availability of these programs, participation rates, and completion rates.

(b) The department shall maintain recidivism rates for adult facilities on an annual basis. In addition, each year the department shall, on an alternating basis, complete a recidivism analysis of adult facilities, juvenile services, and the community services divisions and include a three-year recidivism analysis in the report described in paragraph (a). The recidivism analysis must: (1) assess education programs, vocational programs, treatment programs, including mental health programs, industry, and employment; and (2) assess statewide re-entry policies and funding, including postrelease treatment, education, training, and supervision. In addition, when reporting recidivism for the department's adult and juvenile facilities, the department shall report on the extent to which offenders it has assessed as chemically dependent commit new offenses, with separate recidivism rates reported for persons completing and not completing the department's treatment programs.

(c) The department shall maintain annual statistics related to the supervision of extended jurisdiction juveniles and include those statistics in the report described in paragraph (a). The statistics must include:

(1) the total number and population demographics of individuals under supervision in adult facilities, juvenile facilities, and the community who were convicted as an extended jurisdiction juvenile;

(2) the number of individuals convicted as an extended jurisdiction juvenile who successfully completed probation in the previous year;

(3) the number of individuals identified in clause (2) for whom the court terminated jurisdiction before the person became 21 years of age pursuant to section 260B.193, subdivision 5;

(4) the number of individuals convicted as an extended jurisdiction juvenile whose sentences were executed; and

(5) the average length of time individuals convicted as an extended jurisdiction juvenile spend on probation.

Sec. 2. Minnesota Statutes 2020, section 241.025, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the classified service subject to the provisions of section 43A.01, subdivision 2, and establish a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency is ~~limited to~~ primarily the arrest of Department of Corrections' discretionary and statutory released violators and Department of Corrections' escapees and this must be its primary focus. The Department of Corrections Fugitive Apprehension Unit may respond to a law enforcement agency's request to exercise general law enforcement duties during the course of official duties by carrying out law enforcement activities at the direction of the law enforcement agency of jurisdiction. In addition, the unit may investigate criminal offenses in agency-operated correctional facilities and surrounding property.

Sec. 3. Minnesota Statutes 2020, section 241.025, subdivision 2, is amended to read:

Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the fugitive apprehension unit unless otherwise directed by the law enforcement agency with primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction ~~in which a new crime is committed~~ unless the law enforcement agency authorizes the fugitive apprehension unit to assume the subsequent investigation. At the request of the primary jurisdiction, the fugitive apprehension unit may assist in subsequent investigations or law enforcement efforts being carried out by the primary jurisdiction. Persons arrested for violations that the fugitive apprehension unit determines are not within the agency's jurisdiction must be referred to the appropriate local law enforcement agency for further investigation or disposition.

Sec. 4. Minnesota Statutes 2020, section 241.025, subdivision 3, is amended to read:

Subd. 3. **Policies.** The fugitive apprehension unit must develop and file all policies required under state law for law enforcement agencies. The fugitive apprehension unit also must develop a policy for contacting law enforcement agencies in a city or county before initiating any fugitive

surveillance, investigation, or apprehension within the city or county. ~~These policies must be filed with the board of peace officers standards and training by November 1, 2000.~~ Revisions of any of these policies must be filed with the board within ten days of the effective date of the revision. The Department of Corrections shall train all of its peace officers regarding the application of these policies.

Sec. 5. Minnesota Statutes 2020, section 244.19, subdivision 3, is amended to read:

Subd. 3. **Powers and duties.** All county probation officers serving a district court shall act under the orders of the court in reference to any person committed to their care by the court, and in the performance of their duties shall have the general powers of a peace officer; and it shall be their duty to make such investigations with regard to any person as may be required by the court before, during, or after the trial or hearing, and to furnish to the court such information and assistance as may be required; to take charge of any person before, during or after trial or hearing when so directed by the court, and to keep such records and to make such reports to the court as the court may order.

All county probation officers serving a district court shall, in addition, provide probation and parole services to wards of the commissioner of corrections resident in the counties they serve, and shall act under the orders of said commissioner of corrections in reference to any ward committed to their care by the commissioner of corrections.

All probation officers serving a district court shall, under the direction of the authority having power to appoint them, initiate programs for the welfare of persons coming within the jurisdiction of the court to prevent delinquency and crime and to rehabilitate within the community persons who come within the jurisdiction of the court and are properly subject to efforts to accomplish prevention and rehabilitation. They shall, under the direction of the court, cooperate with all law enforcement agencies, schools, child welfare agencies of a public or private character, and other groups concerned with the prevention of crime and delinquency and the rehabilitation of persons convicted of crime and delinquency.

All probation officers serving a district court shall make monthly and annual reports to the commissioner of corrections, on forms furnished by the commissioner, containing such information on number of cases cited to the juvenile division of district court, offenses, adjudications, dispositions, and related matters as may be required by the commissioner of corrections. The reports shall include the information on individuals convicted as an extended jurisdiction juvenile identified in section 241.016, subdivision 1, paragraph (c).

Sec. 6. **[260B.008] USE OF RESTRAINTS.**

(a) As used in this section, "restraints" means a mechanical or other device that constrains the movement of a person's body or limbs.

(b) Restraints may not be used on a child appearing in court in a proceeding under this chapter unless the court finds that:

(1) the use of restraints is necessary:

(i) to prevent physical harm to the child or another; or

(ii) to prevent the child from fleeing in situations in which the child presents a substantial risk of flight from the courtroom; and

(2) there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another, including but not limited to the presence of court personnel, law enforcement officers, or bailiffs.

The finding in clause (1), item (i), may be based, among other things, on the child having a history of disruptive courtroom behavior or behavior while in custody for any current or prior offense that has placed others in potentially harmful situations, or presenting a substantial risk of inflicting physical harm on the child or others as evidenced by past behavior. The court may take into account the physical structure of the courthouse in assessing the applicability of the above factors to the individual child.

(c) The court shall be provided the child's behavior history and shall provide the child an opportunity to be heard in person or through counsel before ordering the use of restraints. If restraints are ordered, the court shall make findings of fact in support of the order.

(d) By April 1, 2022, each judicial district shall develop a protocol to address how to implement and comply with this section. In developing the protocol, a district shall consult with law enforcement agencies, prosecutors, public defenders within the district, and any other entity deemed necessary by the district's chief judge.

EFFECTIVE DATE. Paragraphs (a), (b), and (c) are effective April 15, 2022. Paragraph (d) is effective the day following final enactment.

Sec. 7. [260B.1755] ALTERNATIVE TO ARREST OF CERTAIN JUVENILE OFFENDERS AUTHORIZED.

(a) A peace officer who has probable cause to believe that a child is a petty offender or delinquent child may refer the child to a program that the law enforcement agency with jurisdiction over the child deems appropriate.

(b) If a peace officer or law enforcement agency refers a child to a program under paragraph (a), the peace officer or law enforcement agency may defer issuing a citation or a notice to the child to appear in juvenile court, transmitting a report to the prosecuting authority, or otherwise initiating a proceeding in juvenile court.

(c) After receiving notice that a child who was referred to a program under paragraph (a) successfully completed that program, a peace officer or law enforcement agency shall not issue a citation or a notice to the child to appear in juvenile court, transmit a report to the prosecuting authority, or otherwise initiate a proceeding in juvenile court for the conduct that formed the basis of the referral.

(d) This section does not apply to peace officers acting pursuant to an order or warrant described in section 260B.175, subdivision 1, paragraph (a), or other court order to take a child into custody.

Sec. 8. Minnesota Statutes 2020, section 401.06, is amended to read:

401.06 COMPREHENSIVE PLAN; STANDARDS OF ELIGIBILITY; COMPLIANCE.

No county or group of counties electing to provide correctional services pursuant to sections 401.01 to 401.16 shall be eligible for the subsidy herein provided unless and until its comprehensive plan shall have been approved by the commissioner. The commissioner shall, pursuant to the Administrative Procedure Act, promulgate rules establishing standards of eligibility for counties to receive funds under sections 401.01 to 401.16. To remain eligible for subsidy counties shall maintain substantial compliance with the minimum standards established pursuant to sections 401.01 to 401.16 and the policies and procedures governing the services described in section 401.025 as prescribed by the commissioner. Counties shall also be in substantial compliance with other correctional operating standards permitted by law and established by the commissioner and shall report statistics required by the commissioner including but not limited to information on individuals convicted as an extended jurisdiction juvenile identified in section 241.016, subdivision 1, paragraph (c). The commissioner shall review annually the comprehensive plans submitted by participating counties, including the facilities and programs operated under the plans. The commissioner is hereby authorized to enter upon any facility operated under the plan, and inspect books and records, for purposes of recommending needed changes or improvements.

When the commissioner shall determine that there are reasonable grounds to believe that a county or group of counties is not in substantial compliance with minimum standards, at least 30 days' notice shall be given the county or counties and a hearing conducted by the commissioner to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance. The commissioner may suspend all or a portion of any subsidy until the required standard of operation has been met."

Delete the title and insert:

"A bill for an act relating to public safety; expanding the authority of the Department of Corrections Fugitive Apprehension Unit; requiring a report on statistics for individuals convicted as an extended jurisdiction juvenile; establishing guidelines for the use of restraints on juveniles; providing alternatives to arrest for juveniles; amending Minnesota Statutes 2020, sections 241.016; 241.025, subdivisions 1, 2, 3; 244.19, subdivision 3; 401.06; proposing coding for new law in Minnesota Statutes, chapter 260B."

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

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

S.F. No. 1558: A bill for an act relating to human services; modifying provisions governing child foster care and background studies; appropriating money; amending Minnesota Statutes 2020, sections 245A.05; 245A.07, subdivision 1; 245A.16, by adding a subdivision; 245C.05, subdivisions 2c, 2d, 4; 245C.08, subdivision 3; 245C.14, subdivision 1; 245C.15, by adding a subdivision; 245C.24, subdivisions 2, 3, 4, by adding a subdivision; 260C.215, subdivision 4.

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

Page 10, line 35, after the semicolon insert "or"

Page 11, line 1, delete everything after "minors" and insert a period

Page 11, delete line 2

Page 11, line 7, before the semicolon, insert ", as defined in section 260E.03, subdivision 20"

Page 11, line 9, delete "or"

Page 11, line 12, delete the period, and insert "; or"

Page 11, after line 12, insert:

"(4) committed an act that resulted in a misdemeanor or gross misdemeanor-level conviction for section 617.293 (dissemination and display of harmful materials to minors)."

Page 13, delete lines 3 to 9 and insert:

"(f) For purposes of this subdivision, the disqualification begins from:

(1) the date of the alleged violation, if the individual was not convicted;

(2) the date of conviction, if the individual was convicted of the violation but not committed to the custody of the commissioner of corrections; or

(3) the date of release from prison, if the individual was convicted of the violation and committed to the custody of the commissioner of corrections.

Notwithstanding clause (3), if the individual is subsequently reincarcerated for a violation of the individual's supervised release, the disqualification begins from the date of release from the subsequent incarceration."

Page 13, line 25, strike "(e)" and insert "(f)"

Page 16, line 31, delete "(c)" and insert "(d)"

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. 1611: A bill for an act relating to public safety; clarifying certain civil commitment notification statutes; improving postconviction notification to crime victims; amending Minnesota Statutes 2020, sections 253B.18, subdivision 5a; 253D.14, subdivisions 2, 3, by adding a subdivision; 611A.039, subdivision 1; 611A.06, subdivision 1; repealing Minnesota Statutes 2020, sections 253D.14, subdivision 4; 611A.0385.

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

Senator Senjem from the Committee on Energy and Utilities Finance and Policy, to which was referred

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.

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

Delete everything after the enacting clause and insert:

Section 1. MUNICIPAL NATURAL GAS UTILITIES; 2021 POLAR VORTEX LOAN ACCOUNT.

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

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

(c) "Critical period" means the period beginning February 12, 2021, and ending February 17, 2021.

(d) "Incremental cost" means the average unit price a utility paid for natural gas purchased for immediate delivery during the critical period, minus the average natural gas unit price for wholesale natural gas the utility paid during the period between February 5, 2021, and February 10, 2021.

(e) "Incremental volume" means the difference between the volume of gas a utility purchased for immediate delivery in Minnesota during the critical period and the volume of gas a utility distributed in Minnesota between February 5, 2021, and February 10, 2021.

(f) "Spot price" means the price paid per unit for an immediate delivery of natural gas.

(g) "Utility" means a nonprofit municipal utility established under Minnesota Statutes, chapter 412, that (1) is owned by the city to which it provides service, and (2) sells natural gas to retail customers in Minnesota.

Subd. 2. Establishment of account; expenditures. The 2021 polar vortex loan account is established in a special revenue fund. The commissioner must manage the account. Money in the account may be used to make loans under this section and to pay the reasonable costs incurred to administer this section.

Subd. 3. Purpose. The 2021 polar vortex loan account is established to alleviate cash flow problems experienced by Minnesota municipal gas utilities that purchased natural gas supplies for immediate delivery at unusually high prices during the extreme cold weather in February 2021.

Subd. 4. Eligible applicants. A utility that purchased natural gas for immediate delivery during the critical period to distribute the natural gas to Minnesota retail natural gas customers is eligible to receive a loan under this section.

Subd. 5. **Applications.** (a) An applicant for a loan under this section must file an application with the commissioner on a form developed by the commissioner. The application must require an applicant to supply:

(1) the utility's incremental cost and incremental volume;

(2) evidence indicating the prices and volumes of natural gas purchased by the utility during the critical period that the utility used to calculate the utility's incremental cost and incremental volume; and

(3) any additional information required by the commissioner.

(b) The commissioner must develop procedures governing the filing of applications, review of applications, and awarding of loans under this section.

Subd. 6. **Loan terms; limits; repayment.** (a) A loan made under this section must be a zero-interest loan with a term not exceeding five years.

(b) The commissioner must determine the amount of a loan based on the information provided in an application filed under this section. A utility's loan must not exceed the utility's incremental cost multiplied by its incremental volume. The commissioner may reduce the amount of loans proportionately if the demand for loan assistance exceeds the funds available for loans.

(c) Loan principal repayments must be made to the commissioner. The commissioner must deposit money received from loan principal repayments in the general fund.

Subd. 7. **Use of loan funds.** (a) A utility awarded a loan under this section must use the loan funds to pay for natural gas purchased during the critical period for immediate delivery. The utility must submit to the commissioner evidence that the full loan amount was used to pay for natural gas as provided in this section. The evidence must be submitted to the commissioner within ten days of the date the payment was made.

(b) A utility that is issued a loan under this section and that also receives funding from another source that is meant to be used for the purpose described in subdivision 3 must remit an amount equal to the additional funding received to the commissioner within ten days of the date the utility received the additional funding or received a loan under this section, whichever is later.

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

Sec. 2. **LOW-INCOME NATURAL GAS HEATING ASSISTANCE; 2021 POLAR VORTEX.**

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

(b) "Commission" means the Public Utilities Commission.

(c) "Commissioner" means the commissioner of commerce.

(d) "Cooperative association" means a cooperative association organized under Minnesota Statutes, chapter 308A, that sells natural gas to retail customers in Minnesota.

(e) "Critical period" means the period beginning February 12, 2021, and ending February 17, 2021.

(f) "District heating system" means a nonprofit district heating system organized under Minnesota Statutes, chapter 317A, that provides thermal energy in the form of steam or hot water generated from natural gas to residential retail customers.

(g) "Eligible low-income household" means a Minnesota residential household that consumed natural gas for space heating during the critical period and, as determined by the utility providing natural gas service to the household:

(1) received federal heating assistance under LIHEAP between October 1, 2019, and September 30, 2021;

(2) participated in a payment agreement with the utility under Minnesota Statutes, section 216B.096, 216B.097, or 216B.098, at any time since March 2020; or

(3) has missed two or more utility bill payments or submitted two or more partial utility bill payments since October 2020.

(h) "LIHEAP" means the low-income home energy assistance program under United States Code, title 42, sections 8621 to 8630, and Minnesota Statutes, section 216C.02, subdivision 1.

(i) "Municipal utility" means a nonprofit utility established under Minnesota Statutes, chapter 412, that (1) is owned by the city to which it provides service, and (2) sells natural gas to retail customers in Minnesota.

(j) "Public utility" means a public utility, as defined in Minnesota Statutes, section 216B.02, subdivision 4, that sells natural gas to retail customers in Minnesota.

(k) "Utility" means:

(1) a municipal utility;

(2) a public utility, including a public utility that is exempt from the provisions of Minnesota Statutes, chapter 216B;

(3) a cooperative association organized under Minnesota Statutes, chapter 308A; or

(4) a district heating system.

Subd. 2. **Assistance program.** (a) The commissioner of commerce must, in consultation with utilities:

(1) develop and implement a program in which each public utility, upon approval by the commission of a true-up mechanism for the cost of natural gas purchased by the public utility during the critical period, and each municipal utility, cooperative association, and district heating system,

provides bill credits to eligible low-income households to defray a portion of the elevated costs the household paid for natural gas the household consumed during the critical period; and

(2) develop a methodology, based on utility purchasing data, utility consumption data, and natural gas pricing information, to estimate the increase in natural gas bills of eligible low-income households during the critical period.

(b) Each utility requesting assistance under this section must use the methodology developed under paragraph (a), clause (2), to calculate the bill credit amount for each eligible low-income household.

(c) The commissioner must, utilizing data presented in Public Utilities Commission Docket No. 21-135 and data collected from utilities estimating the number of eligible low-income households the utility serves:

(1) allocate the appropriation in section 4 among public and municipal utilities, cooperative associations, and district heating systems;

(2) allocate assistance to individual municipal utilities, cooperative associations, and district heating systems; and

(3) determine the amount of bill credits that eligible low-income households served by municipal utilities, cooperative associations, and district heating systems receive under this section and the timing, process, notice, and mechanisms utilities must use to issue the credits.

(d) The commission must, by order, utilizing the data presented in Public Utilities Commission Docket No. 21-135, the commissioner's allocation of the appropriation in section 4 to public utilities, criteria the commission deems necessary to target relief, and filings the commission requests from individual public utilities, determine the amount of bill credits eligible low-income households served by public utilities receive under this section.

(e) A utility must comply with a request from the commissioner or the commission for any additional data necessary to carry out the duties of this section.

(f) A bill credit issued under this section must not exceed a reasonable estimate made using a methodology approved by the commissioner or as determined by the commission, as applicable, and may be apportioned to an eligible low-income household over a period of up to 12 months, or longer if deemed appropriate by the commission or the commissioner.

(g) The commissioner and the commission may proportionately reduce the amount of a bill credit a utility provides to a customer under this section if the aggregated calculated amount for bill credits exceeds available funds.

(h) The commission must, by order, determine the aggregate amount of bill credits each public utility must provide to eligible low-income households and must provide a copy of the order to the commissioner. Upon receipt of the order, the commissioner shall transfer from the appropriation made in section 4, paragraph (b), the aggregate amount of funds available for bill credits, as determined by the commission, to the applicable public utility.

Subd. 3. **Eligible expenditure.** The commissioner may make expenditures under this section to:

(1) provide funds to utilities to issue bill credits to eligible low-income households;

(2) reimburse the Department of Commerce for the reasonable costs incurred to administer this section; and

(3) reimburse the commission for the reasonable costs incurred to administer this section.

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

Sec. 3. **ADDITIONAL FUNDS.**

(a) Any federal funds received by the state that are intended to provide relief from the natural gas price spike experienced during the critical period must be deposited in the general fund. To the extent that the appropriation in section 4, paragraph (b), meets the relevant spending requirements of these federal funds, the appropriation is reduced by the amount of the federal funds.

(b) Any funds awarded to the state as a result of a settlement or legal judgment regarding price gouging or other malfeasance relating to overpayment for natural gas consumed during the critical period must be deposited in the general fund and must be used to reduce the amount of the appropriation made in section 4, paragraph (b).

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

Sec. 4. **APPROPRIATIONS.**

(a) \$15,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of commerce to make loans to eligible municipal utilities under section 1 and to reimburse the commissioner for the reasonable costs incurred to administer section 1. Any unexpended funds remaining at the end of the biennium cancel to the general fund.

(b) \$..... in fiscal year 2021 is appropriated from the general fund to the commissioner of commerce for transfer to utilities to fund bill credits to low-income households in Minnesota that consumed natural gas during the spike in natural gas prices between February 12, 2021, and February 17, 2021, as described in section 2. This is a onetime appropriation. Any unexpended funds at the end of the biennium cancel to the general fund.

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

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

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

Senator Gazelka, from the Committee on Rules and Administration, to which was referred

H.F. No. 333 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
333	531				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Gazelka, from the Committee on Rules and Administration, to which was referred

H.F. No. 652 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
652	837				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Gazelka, from the Committee on Rules and Administration, to which was referred

H.F. No. 1438 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1438	1156				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1438 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1438, the third engrossment; and insert the language after the enacting clause of S.F. No. 1156, the second engrossment; further, delete the title of H.F. No. 1438, the third engrossment; and insert the title of S.F. No. 1156, the second engrossment.

And when so amended H.F. No. 1438 will be identical to S.F. No. 1156, and further recommends that H.F. No. 1438 be given its second reading and substituted for S.F. No. 1156, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1124 and 1611 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 333, 652, and 1438 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Housley introduced--

S.F. No. 2267: A bill for an act relating to real property; prohibiting certain restrictions on the use of residential solar energy systems; amending Minnesota Statutes 2020, sections 515.07; 515B.2-103; 515B.3-102; proposing coding for new law in Minnesota Statutes, chapter 500.

Referred to the Committee on Civil Law and Data Practices Policy.

Senators McEwen and Port introduced--

S.F. No. 2268: A bill for an act relating to taxation; individual income; establishing a subtraction for supplemental unemployment insurance benefits.

Referred to the Committee on Taxes.

Senator Anderson introduced--

S.F. No. 2269: A bill for an act relating to claims against the state; providing for the settlement of certain claims; appropriating money.

Referred to the Committee on Finance.

Senators Westrom and Anderson introduced--

S.F. No. 2270: A bill for an act relating to civil law; prohibiting online content discrimination; authorizing civil action; proposing coding for new law as Minnesota Statutes, chapter 363B.

Referred to the Committee on Civil Law and Data Practices Policy.

Senator Utke introduced--

S.F. No. 2271: A bill for an act relating to local governments; appropriating money for a grant to a Tribal government.

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

Senators Abeler, Port, Dziedzic, Hoffman, and McEwen introduced--

S.F. No. 2272: A bill for an act relating to natural resources; appropriating money for lawns to legumes grant program.

Referred to the Committee on Environment and Natural Resources Finance.

Senators Rosen and Gazelka introduced--

S.F. No. 2273: A bill for an act relating to state government; requiring federal funds received for COVID-19 purposes to be spent pursuant to a direct appropriation by law.

Referred to the Committee on Finance.

Senator Rosen introduced--

S.F. No. 2274: A bill for an act relating to capital investment; appropriating money for a justice center in Martin county; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Clausen introduced--

S.F. No. 2275: A bill for an act relating to capital investment; appropriating money for Apple Valley Red Line transit station improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Clausen introduced--

S.F. No. 2276: A bill for an act relating to human services; adding two members to the opioid prescribing working group; changing requirements of annual prescribing reports related to the opioid prescribing improvement program; amending Minnesota Statutes 2020, section 256B.0638, subdivisions 3, 7.

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

Senators Benson and Draheim introduced--

S.F. No. 2277: A bill for an act relating to health care; modifying the prescription drug price transparency public posting; amending Minnesota Statutes 2020, section 62J.84, subdivision 6.

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

Senator Frentz introduced--

S.F. No. 2278: A bill for an act relating to public safety; requiring certifying entities to timely process visa certification documents; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

Senators Kiffmeyer, Wiklund, and Rosen introduced--

S.F. No. 2279: A bill for an act relating to state government; expanding the authority of the Legislative Budget Office to order fiscal notes; changing data classifications for data related to fiscal notes; modifying the treatment of unofficial fiscal notes; amending Minnesota Statutes 2020, sections 3.8853, by adding a subdivision; 3.98, subdivision 1; 13.64, subdivisions 3, 4.

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

Senators Eichorn and Duckworth introduced--

S.F. No. 2280: A bill for an act relating to education; creating a licensed school nurse position at the Department of Education; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education Finance and Policy.

Senator Torres Ray introduced--

S.F. No. 2281: A bill for an act relating to health; directing the commissioner of human services to enter into a contract with a public-private African-American community-driven partnership to support the integrated care for high-risk pregnant women grant program; appropriating money; amending Minnesota Statutes 2020, section 256B.79.

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

Senator Kiffmeyer introduced--

S.F. No. 2282: A bill for an act relating to taxes; sales and use; providing a sales tax exemption for certain senior cooperatives; amending Minnesota Statutes 2020, section 297A.70, subdivision 4.

Referred to the Committee on Taxes.

Senator Johnson Stewart introduced--

S.F. No. 2283: A bill for an act relating to transportation; requiring commissioner of transportation to implement trunk highway performance measures and annual targets; requiring a report; amending Minnesota Statutes 2020, section 174.03, subdivision 12.

Referred to the Committee on Transportation Finance and Policy.

Senator Utke introduced--

S.F. No. 2284: A bill for an act relating to critical services; creating a task force to facilitate development of a statewide public-private telepresence strategy; requiring a report.

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

Senator Bakk introduced--

S.F. No. 2285: A bill for an act relating to parks and trails; extending the availability of an appropriation for the Proctor-Hermantown Munger Trail Spur.

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

Senator Tomassoni introduced--

S.F. No. 2286: A bill for an act relating to capital investment; appropriating money for the Canisteo Flood Mitigation Project to mitigate threats to public safety, property, and regional water quality; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dzedzic introduced--

S.F. No. 2287: A bill for an act relating to capital investment; appropriating money to replace the pedestrian and bike bridge over Interstate Highway 94 connecting Cedar-Riverside and Seward neighborhoods in Minneapolis; authorizing the issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Howe introduced--

S.F. No. 2288: A bill for an act relating to public safety; requiring three-fifths majority approval from both legislative bodies to extend peacetime emergencies beyond 30 days; amending Minnesota Statutes 2020, section 12.31, subdivision 2.

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

Senator Eichorn, by request, introduced--

S.F. No. 2289: A bill for an act relating to taxation; sales and use; providing a refundable construction exemption for the Grand Rapids civic center; amending Minnesota Statutes 2020, section 297A.71, subdivision 52.

Referred to the Committee on Taxes.

Senator Isaacson introduced--

S.F. No. 2290: A bill for an act relating to education finance; providing for employee health insurance; increasing the minimum starting salary for nonlicensed school personnel; providing for paid orientation and professional development for paraprofessionals; appropriating money; amending Minnesota Statutes 2020, sections 125A.08; 471.61, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Education Finance and Policy.

Senator Isaacson introduced--

S.F. No. 2291: A bill for an act relating to education; modifying requirements for interpreters; amending Minnesota Statutes 2020, section 122A.31, subdivision 1.

Referred to the Committee on Education Finance and Policy.

Senator Isaacson introduced--

S.F. No. 2292: A bill for an act relating to courts; amending the formula for distribution of fine proceeds; amending Minnesota Statutes 2020, section 484.85.

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

Senator Isaacson introduced--

S.F. No. 2293: A bill for an act relating to labor relations; modifying public labor relations; amending Minnesota Statutes 2020, sections 13.43, subdivision 6; 179A.06, subdivision 6, by adding a subdivision; 179A.07, by adding subdivisions; 572B.17.

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

MOTIONS AND RESOLUTIONS

Senator Draheim moved that the name of Senator Mathews be added as a co-author to S.F. No. 130. The motion prevailed.

Senator Champion moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 186. The motion prevailed.

Senator Abeler moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 189. The motion prevailed.

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

Senator Housley moved that the names of Senators Rarick and Champion be added as co-authors to S.F. No. 523. The motion prevailed.

Senator Lang moved that the name of Senator Draheim be added as a co-author to S.F. No. 1148. The motion prevailed.

Senator Rest moved that the name of Senator Coleman be added as a co-author to S.F. No. 1242. The motion prevailed.

Senator Carlson moved that the name of Senator Port be added as a co-author to S.F. No. 1337. The motion prevailed.

Senator Coleman moved that the name of Senator Housley be added as a co-author to S.F. No. 1360. The motion prevailed.

Senator Bigham moved that the name of Senator Housley be added as a co-author to S.F. No. 1524. The motion prevailed.

Senator Benson moved that the name of Senator Bigham be added as a co-author to S.F. No. 1587. The motion prevailed.

Senator Housley moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Tomassoni be added as chief author to S.F. No. 1673. The motion prevailed.

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

Senator Senjem moved that the name of Senator Latz be added as a co-author to S.F. No. 1757. The motion prevailed.

Senator Nelson moved that the name of Senator Carlson be added as a co-author to S.F. No. 1868. The motion prevailed.

Senator Duckworth moved that the names of Senators Kunesh and Tomassoni be added as co-authors to S.F. No. 1902. The motion prevailed.

Senator Dziejdzic moved that the name of Senator Rest be added as a co-author to S.F. No. 1905. The motion prevailed.

Senator Dibble moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1918. The motion prevailed.

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

Senator Senjem moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1994. The motion prevailed.

Senator Latz moved that the name of Senator Hawj be added as a co-author to S.F. No. 2003. The motion prevailed.

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

Senator Dibble moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2018. The motion prevailed.

Senator Pappas moved that the name of Senator Nelson be added as a co-author to S.F. No. 2022. The motion prevailed.

Senator Howe moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 2042. The motion prevailed.

Senator Rarick moved that the name of Senator Clausen be added as a co-author to S.F. No. 2053. The motion prevailed.

Senator Koran moved that the name of Senator McEwen be added as a co-author to S.F. No. 2166. The motion prevailed.

Senator Putnam moved that the names of Senators Torres Ray and Fateh be added as co-authors to S.F. No. 2181. The motion prevailed.

Senator Dibble moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Pappas be added as chief author to S.F. No. 2188. The motion prevailed.

Senator Pappas moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2188. The motion prevailed.

Senator Dibble moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2191. The motion prevailed.

Senator Dibble moved that the names of Senators Dziejdzic and Pappas be added as co-authors to S.F. No. 2192. The motion prevailed.

Senator Mathews moved that the names of Senators Nelson and Gazelka be added as co-authors to S.F. No. 2202. The motion prevailed.

Senator Nelson moved that the name of Senator Rest be added as a co-author to S.F. No. 2206. The motion prevailed.

Senator Pappas moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2230. The motion prevailed.

Senator Utke moved that S.F. No. 1363 be withdrawn from the Committee on Health and Human Services Finance and Policy and returned to its author. The motion prevailed.

MEMBERS EXCUSED

Senators Klein and Pappas were excused from the Session of today.

ADJOURNMENT

Senator Johnson moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 25, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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