

STATE OF MINNESOTA

# Journal of the Senate

NINETY-SECOND LEGISLATURE

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FORTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, April 21, 2021

The Senate met at 9:00 a.m. and was called to order by the President.

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

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

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

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, Bigham, Carlson, Champion, Clausen, Coleman, Dibble, Duckworth, Eaton, Eichorn, Eken, Fateh, Hawj, Ingebrigtsen, Isaacson, Johnson Stewart, Latz, Marty, McEwen, Newton, Port, Putnam, Rest, Rosen, Senjem, 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.

April 16, 2021

The Honorable Jeremy R. Miller  
President of the Senate

Dear Senator Miller:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Jeremy Peichel, 2071 Rosewood Ln. S., Roseville, in the county of Ramsey, effective April 19, 2021, for a term expiring on December 31, 2024.

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

Sincerely,  
Tim Walz, Governor

**MESSAGES FROM THE HOUSE**

Mr. President:

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

**S.F. No. 1098:** A bill for an act relating to economic development; labor and industry; appropriating money for jobs and economic growth finance; classifying apprenticeship data on minors; modifying employee notice requirements; requiring a written warning upon the first finding of a violation determined not to be of a serious nature; modifying state building code applicability and fire sprinkler requirements for public places of accommodation; delaying implementation of the Public Employment Relations Board; authorizing the continued operation of businesses during the COVID-19 pandemic with the use of a COVID-19 safety plan; modifying the Minnesota business development public infrastructure grant program; extending certain job creation goals for Minnesota investment fund grants during the COVID-19 pandemic; modifying certain unemployment benefits provisions; amending Minnesota Statutes 2020, sections 12.32; 13.7905, by adding a subdivision; 116J.431, subdivisions 2, 3, by adding a subdivision; 178.012, subdivision 1; 181.032; 181.101; 181.939; 182.666, subdivision 3; 268.035, subdivision 21c; 268.085, subdivisions 2, 4a; 268.133; 268.136, subdivision 1; 326B.07, subdivision 1; 326B.106, subdivision 4; 326B.108, subdivisions 1, 3, by adding a subdivision; 326B.121, subdivision 2; 326B.133, subdivision 8; 326B.89, subdivision 4; Laws 2014, chapter 211, section 13, as amended; Laws 2017, chapter 94, article 1, section 2, subdivision 2, as amended; Laws 2019, First Special Session chapter 7, article 1, sections 2, subdivision 2, as amended; 3, subdivision 4; Laws 2020, chapter 71, article 2, sections 20; 22; 23; proposing coding for new law in Minnesota Statutes, chapters 12; 181A; repealing Minnesota Statutes 2020, sections 181.9414; 268.085, subdivision 4.

Senate File No. 1098 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 20, 2021

Senator Pratt moved that the Senate do not concur in the amendments by the House to S.F. No. 1098, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

### REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

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

**H.F. No. 1065** 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.
1065	960				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1065 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1065, the third engrossment; and insert the language after the enacting clause of S.F. No. 960, the second engrossment; further, delete the title of H.F. No. 1065, the third engrossment; and insert the title of S.F. No. 960, the second engrossment.

And when so amended H.F. No. 1065 will be identical to S.F. No. 960, and further recommends that H.F. No. 1065 be given its second reading and substituted for S.F. No. 960, 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.

**Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred the following appointment:**

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD  
Carol Flynn

Reports the same back with the recommendation that the appointment be confirmed.

Senator Gazelka moved that the foregoing committee report be laid on the table. The motion prevailed.

### SECOND READING OF HOUSE BILLS

H.F. No. 1065 was read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Draheim, Dornink, Goggin, Koran, and Ruud introduced--**

**S.F. No. 2450:** A bill for an act relating to public health; modifying requirements for face coverings in youth sports.

Referred to the Committee on Education Finance and Policy.

**Senator Johnson introduced--**

**S.F. No. 2451:** A bill for an act relating to taxation; sales and use; providing a construction materials sales tax exemption for a workforce housing project; amending Minnesota Statutes 2020, section 297A.71, subdivision 52.

Referred to the Committee on Taxes.

**Senator Frentz introduced--**

**S.F. No. 2452:** A bill for an act relating to energy; eliminating the renewable qualifying facility avoided cost pricing requirement; amending Minnesota Statutes 2020, section 216B.164, subdivision 4.

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

**Senators Bakk and Wiger introduced--**

**S.F. No. 2453:** A bill for an act relating to capital investment; appropriating money to renovate the five historic sites in Cook County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Bakk introduced--**

**S.F. No. 2454:** A bill for an act relating to capital investment; appropriating money for a public water access facility and related improvements in the town of Crane Lake; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Frentz introduced--**

**S.F. No. 2455:** A bill for an act relating to capital investment; appropriating money for improvements at the St. Peter Regional Treatment Center campus; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Frentz introduced--**

**S.F. No. 2456:** A bill for an act relating to capital investment; modifying an appropriation for the St. Peter Regional Treatment Center campus; amending Laws 2018, chapter 214, article 1, section 18, subdivision 3.

Referred to the Committee on Capital Investment.

**Senators Port, Dibble, Murphy, Franzen, and Kunesh introduced--**

**S.F. No. 2457:** A bill for an act relating to vital records; authorizing change of sex on original birth certificates; proposing coding for new law in Minnesota Statutes, chapter 144.

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

**MOTIONS AND RESOLUTIONS**

Senator Johnson Stewart moved that the name of Senator Kunesh be added as a co-author to S.F. No. 2080. The motion prevailed.

**RECESS**

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

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

**APPOINTMENTS**

Senator Gazelka from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 1098: Senators Pratt, Rarick, Housley, Draheim, and Eken.

Senator Gazelka moved that the foregoing appointments be approved. The motion prevailed.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Senator Gazelka moved that H.F. No. 2253 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 2253 a Special Order to be heard immediately.

**SPECIAL ORDER**

**H.F. No. 2253:** 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.

H.F. No. 2253 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Coleman, Duckworth, Eichorn, Housley, Ingebrigtsen, Lang, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Bigham, Carlson, Champion, Clausen, Dibble, Eaton, Eken, Fateh, Hawj, Isaacson, Johnson Stewart, Latz, Marty, McEwen, Newton, Port, Putnam, Rest, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

### SPECIAL ORDERS

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

S.F. Nos. 1807, 443, 193, and 151.

### SPECIAL ORDER

**S.F. No. 1807:** A bill for an act relating to real property; extending sunset of temporary exception for certain filings of mortgages and deeds of trust; amending Laws 2020, chapter 118, section 4.

S.F. No. 1807 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Coleman, Duckworth, Eichorn, Housley, Ingebrigtsen, Lang, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Bigham, Carlson, Champion, Clausen, Dibble, Eaton, Eken, Fateh, Hawj, Isaacson, Johnson Stewart, Latz, Marty, McEwen, Newton, Port, Putnam, Rest, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 443:** A bill for an act relating to public safety; requiring disclosure of a person's status as a registered predatory offender to a hospice provider; amending Minnesota Statutes 2020, section 243.166, subdivision 4b.

S.F. No. 443 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Coleman, Duckworth, Eichorn, Housley, Ingebrigtsen, Lang, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Bigham, Carlson, Champion, Clausen, Dibble, Eaton, Eken, Fateh, Hawj, Isaacson, Johnson Stewart, Latz, Marty, McEwen, Newton, Port, Putnam, Rest, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

President Miller called Senator Kunesh to preside.

### SPECIAL ORDER

**S.F. No. 193:** A bill for an act relating to health occupations; creating a psychology interjurisdictional compact; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 148.

S.F. No. 193 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 1, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Coleman, Duckworth, Eichorn, Housley, Ingebrigtsen, Lang, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Bigham, Carlson, Champion, Clausen, Dibble, Eaton, Eken, Fateh, Hawj, Isaacson, Johnson Stewart, Latz, Marty, McEwen, Newton, Port, Putnam, Rest, Torres Ray, and Wiklund.

Those who voted in the negative were:

Anderson

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

So the bill passed and its title was agreed to.

President Miller called Senator Pratt to preside.



**SPECIAL ORDER**

**S.F. No. 151:** A bill for an act relating to state government; State Lottery; making name of a lottery prize winner private; amending Minnesota Statutes 2020, section 349A.08, subdivision 9.

Senator Kiffmeyer moved to amend S.F. No. 151 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 349A.01, is amended by adding a subdivision to read:

Subd. 14. **Second chance drawing.** "Second chance drawing" means a drawing in which an eligible nonwinning lottery ticket is submitted to the lottery for entry into a drawing for a chance to win a prize.

Sec. 2. Minnesota Statutes 2020, section 349A.08, subdivision 9, is amended to read:

Subd. 9. **Privacy.** (a) The phone number and street address of a winner of a lottery prize is private data on individuals under chapter 13.

(b) Data on an individual, including name, physical and electronic address, and telephone number, that are given to the lottery for direct marketing purposes are private data on individuals as defined in section 13.02. For purposes of this subdivision, "direct marketing" means marketing conducted by the lottery directly with the consumer.

(c) The name of the winner of a lottery prize that includes a cash payment greater than \$10,000, and the name of a winner of a second chance drawing prize that includes a cash payment greater than \$10,000, are private data on individuals under chapter 13.

(d) The name of the winner of a lottery prize that is classified under paragraph (c) may be made public if the winner provides written consent after the director has informed the winner of the director's intended use of the winner's name.

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 151 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Bigham	Clausen	Dibble	Dziedzic
Anderson	Carlson	Coleman	Dornink	Eaton
Bakk	Chamberlain	Cwodzinski	Draheim	Eichorn
Benson	Champion	Dahms	Duckworth	Eken

Fateh	Isaacson	Latz	Pappas	Torres Ray
Franzen	Jasinski	Limmer	Port	Utke
Frentz	Johnson	Marty	Pratt	Weber
Gazelka	Johnson Stewart	Mathews	Putnam	Westrom
Goggin	Kent	McEwen	Rarick	Wiger
Hawj	Kiffmeyer	Miller	Rest	Wiklund
Hoffman	Klein	Murphy	Rosen	
Housley	Koran	Nelson	Ruud	
Howe	Kunesh	Newton	Senjem	
Ingebrigtsen	Lang	Osmek	Tomassoni	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Coleman, Duckworth, Eichorn, Housley, Ingebrigtsen, Lang, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Bigham, Carlson, Champion, Clausen, Dibble, Eaton, Eken, Fateh, Hawj, Isaacson, Johnson Stewart, Latz, Marty, McEwen, Newton, Port, Putnam, Rest, Torres Ray, and Wiklund.

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

President Miller resumed the Chair.

#### **MEMBERS EXCUSED**

Senator Newman was excused from the Session of today.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 10:00 a.m., Thursday, April 22, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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Wednesday, April 21, 2021

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