

STATE OF MINNESOTA

Journal of the Senate

NINETY-SECOND LEGISLATURE

FORTY-FIFTH DAY

St. Paul, Minnesota, Thursday, April 22, 2021

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

Prayer was offered by the Chaplain, Rev. Amanda Lunemann.

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

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, Champion, Coleman, Duckworth, Dziedzic, Eaton, Eichorn, Eken, Ingebrigtsen, Latz, Mathews, Newton, 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.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 975: A bill for an act relating to higher education; providing funding and related policy changes for the Office of Higher Education, Minnesota State Colleges and Universities, the University

of Minnesota, and the Mayo Clinic; creating and modifying certain student aid programs; creating a direct admissions pilot program; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 136A.101, subdivision 5a; 136A.121, subdivisions 2, 6, 9; 136A.125, subdivisions 2, 4; 136A.126, subdivisions 1, 4; 136A.1275; 136A.1791; 136A.246, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, by adding a subdivision; 136A.63, subdivision 2; 136A.645; 136A.653, subdivision 5; 136A.68; 136A.822, subdivision 12; 136A.8225; 136A.823, by adding a subdivision; 136A.827, subdivisions 4, 8; 136F.20, by adding a subdivision; 136F.245, subdivisions 1, 2, by adding a subdivision; 136F.305, subdivisions 2, 3, 4; 136F.38, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 136F; 137; repealing Minnesota Statutes 2020, sections 136A.1703; 136A.823, subdivision 2; 136F.245, subdivision 3; Laws 2014, chapter 312, article 1, section 4, subdivision 2; Minnesota Rules, parts 4830.9050; 4830.9060; 4830.9070; 4830.9080; 4830.9090.

There has been appointed as such committee on the part of the House:

Bernardy, Christensen, Keeler, Klevorn and O'Neill.

Senate File No. 975 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 21, 2021

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. 970: A bill for an act relating to public safety; amending law and appropriating money for courts, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, human rights, Sentencing Guidelines Commission, public safety, Peace Officers Standards and Training Board, Private Detective Board, corrections, ombudsperson for corrections, and other related matters; authorizing the placement of pregnant and postpartum female inmates in community-based programs; expanding the duties of the commissioner of corrections relating to releasing offenders; reestablishing a Legislative Commission on Data Practices and Personal Data Privacy; establishing a 911 telecommunicator working group to establish statewide standards for training and certification; directing the Sentencing Guidelines Commission to increase the rankings for certain child pornography crimes in a specified manner; establishing the crime of child torture; increasing penalties for certain human trafficking offenses; increasing penalties for patrons of prostitutes; increasing penalties for certain trespassing offenses; modifying and clarifying criminal sexual conduct provisions; creating a new crime of sexual extortion; imposing criminal penalties; requiring reports and studies; amending Minnesota Statutes 2020, sections 2.722, subdivision 1; 243.166, subdivision 1b; 244.065; 299A.52, subdivision 2; 299C.80, subdivision 3; 340A.504, subdivision 7; 363A.36, subdivision 2; 363A.44, subdivision 2; 403.11, subdivision 1; 477A.03, subdivision 2b; 609.1095, subdivision 1; 609.131, subdivision 2; 609.2325; 609.322, subdivisions 1, 1a; 609.324, subdivisions 2, 4; 609.3241; 609.341, subdivisions 3, 7, 11, 12, 14, 15, by adding subdivisions; 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3455; 609.3459; 609.347, by adding a subdivision; 609.352, subdivision 4; 609.605, subdivision 2; 611.27,

subdivisions 9, 10, 11, 13, 15; 628.26; Laws 2017, chapter 95, article 3, section 30; Laws 2020, Seventh Special Session chapter 2, article 2, section 4; proposing coding for new law in Minnesota Statutes, chapters 3; 241; 609; repealing Minnesota Statutes 2020, section 609.324, subdivision 3.

Senate File No. 970 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 21, 2021

Senator Limmer moved that the Senate do not concur in the amendments by the House to S.F. No. 970 , 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.

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. 972: A bill for an act relating to commerce and energy; appropriating money for the Department of Commerce; modifying the evaluation process for mandated health benefit proposals; requiring the commissioner of commerce to apply for continuation of the state innovation waiver; establishing a revolving loan fund for energy conservation improvements in state buildings; establishing the Minnesota efficient technology accelerator; authorizing a power purchase agreement for certain electric cogeneration activities; encouraging natural gas utilities to develop innovative resources; establishing a program to provide financial incentives for the production of wood pellets; extending provision to assess for certain regulatory duties; abolishing prohibition on issuing certificate of need for new nuclear power plant; establishing a program to promote the use of solar energy on school buildings; establishing a process to compensate businesses for loss of business opportunity resulting from sale and closure of a biomass energy plant; authorizing a local exchange carrier to elect competitive market regulation under certain conditions; appropriating money; requiring reports; amending Minnesota Statutes 2020, sections 16B.86; 16B.87; 62J.03, subdivision 4; 62J.26, subdivisions 1, 2, 3, 4, 5; 116C.779, subdivision 1; 116C.7792; 216B.1691, subdivision 2f; 216B.241, by adding a subdivision; 216B.2422, by adding a subdivision; 216B.2424, by adding subdivisions; 216B.243, subdivision 3b; 216B.62, subdivision 3b; 237.025, subdivisions 6, 9; Laws 2017, chapter 13, article 1, section 15, as amended; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C; repealing Minnesota Statutes 2020, sections 115C.13; 216C.417; Laws 2005, chapter 97, article 10, section 3, as amended.

Senate File No. 972 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 21, 2021

Senator Dahms moved that the Senate do not concur in the amendments by the House to S.F. No. 972, 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.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1077:

H.F. No. 1077: A bill for an act relating to housing; establishing a budget for the Minnesota Housing Finance Agency; adopting housing finance agency policy provisions; expanding eligibility requirements for certain affordable housing, workforce housing, and disaster recovery programs; increasing the agency debt limit; increasing the individual and family household income limits under the community land trusts program; expanding requirements and uses and loan amount under the rehabilitation loan program; expanding allowable uses of housing infrastructure bonds; refunding certain deposits to bond issuers; creating the lead safe homes grant program; creating the Naturally Occurring Affordable Housing grant program; establishing a task force on shelter resident rights and shelter provider practices; expanding rental lease covenants and remedies available to tenants; expanding accommodation requirements for service and support animals; expanding procedural and reporting requirements for evictions; limiting public access to pending eviction actions; expanding eligibility for certain expungements of eviction case files; permitting manufactured homes affixed to certain property to be deemed an improvement to real property; providing residents an opportunity to purchase manufactured home parks; making technical and conforming changes; appropriating money; amending Minnesota Statutes 2020, sections 12A.09, subdivision 3; 256C.02; 273.11, subdivision 12; 273.125, subdivision 8; 363A.09, subdivision 5; 462A.05, subdivisions 14, 14a, by adding a subdivision; 462A.07, subdivision 2; 462A.204, subdivision 3; 462A.22, subdivision 1; 462A.30, subdivision 9; 462A.37, subdivisions 1, 2; 462A.38, subdivision 1; 462A.39, subdivisions 2, 5; 474A.21; 484.014, subdivisions 2, 3; 504B.001, subdivision 4; 504B.135; 504B.161, subdivision 1; 504B.211, subdivisions 2, 6; 504B.241, subdivision 4; 504B.245; 504B.321; 504B.331; 504B.335; 504B.345, subdivision 1, by adding a subdivision; 504B.361, subdivision 1; 504B.371, subdivisions 4, 5, 7; 504B.375, subdivision 1; 504B.381, subdivisions 1, 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 168A; 327C; 462A; 504B; repealing Minnesota Statutes 2020, sections 168A.141; 327C.096; 504B.341.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Hausman, Howard, Agbaje, Reyer and Theis have been appointed as such committee on the part of the House.

House File No. 1077 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 21, 2021

Senator Draheim moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1077, 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.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Tomassoni introduced--

S.F. No. 2458: A bill for an act relating to taxation; property; limiting increases in valuation and taxation for homesteads owned by persons age 65 or older; amending Minnesota Statutes 2020, sections 273.11, subdivision 5, by adding a subdivision; 273.121, subdivision 1; 276.04, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 273.

Referred to the Committee on Taxes.

Senator Murphy introduced--

S.F. No. 2459: A bill for an act relating to taxation; modifying individual income taxes and corporate franchise taxes; creating an addition for certain previously taxed income; deeming certain foreign corporations to be domestic corporations; amending Minnesota Statutes 2020, section 290.17, by adding subdivisions.

Referred to the Committee on Taxes.

Senator Dziejczak introduced--

S.F. No. 2460: A bill for an act relating to capital investment; authorizing the issuance of appropriation bonds for fire-suppressing sprinkler systems in high-rise residential buildings; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Housing Finance and Policy.

Senator Utke introduced--

S.F. No. 2461: A bill for an act relating to traffic regulations; limiting placement of crosswalks at a roundabout; amending Minnesota Statutes 2020, section 169.06, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

Senators Fateh and Torres Ray introduced--

S.F. No. 2462: A bill for an act relating to public safety; limiting the authority for peace officers to stop or detain drivers for certain motor vehicle equipment violations; proposing coding for new law in Minnesota Statutes, chapter 169.

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

MOTIONS AND RESOLUTIONS

Senator Koran moved that the name of Senator Lang be added as a co-author to S.F. No. 2356. The motion prevailed.

Senator Hawj moved that the name of Senator Putnam be added as a co-author to S.F. No. 2390. The motion prevailed.

Senator Marty moved that the name of Senator Jasinski be added as a co-author to S.F. No. 2402. The motion prevailed.

Senator Eken moved that the name of Senator Abeler be added as a co-author to S.F. No. 2408. The motion prevailed.

Senator Pratt moved that the names of Senators Benson and Koran be added as co-authors to S.F. No. 2430. 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. 972: Senators Dahms, Senjem, Utke, Mathews, and Frentz.

H.F. No. 1077: Senators Draheim, Duckworth, Dahms, Pratt, and Dziedzic.

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

MOTIONS AND RESOLUTIONS - CONTINUED**CONFIRMATION**

Senator Kiffmeyer moved that the report from the Committee on State Government Finance and Policy and Elections, reported April 21, 2021, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Kiffmeyer moved that the foregoing report be now adopted. The motion prevailed.

Senator Kiffmeyer moved that in accordance with the report from the Committee on State Government Finance and Policy and Elections, reported April 21, 2021, the Senate, having given its advice, do now consent to and confirm the appointment of:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

Carol Flynn, 1235 Yale Pl., Minneapolis, Hennepin County, effective August 5, 2020, for a term expiring on January 2, 2023.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED**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:

H.F. Nos. 1065 and 1684.

SPECIAL ORDER

H.F. No. 1065: A bill for an act relating to education finance; providing funding for prekindergarten through grade 12 education; modifying provisions for general education, education excellence, teachers, charter schools, special education, health and safety, facilities, nutrition and libraries, early childhood, community education, and state agencies; making forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 13.32, subdivision 3; 119A.52; 120A.22, subdivisions 7, 9, 10; 120A.35; 120A.40; 120B.02, subdivision 1; 120B.021, subdivisions 1, 2, 3, 4; 120B.024, subdivision 1; 120B.11, subdivisions 1, 1a, 2, 3; 120B.132; 120B.15; 120B.21; 120B.30, subdivision 1a, by adding subdivisions; 120B.35, subdivisions 3, 4; 121A.031, subdivisions 5, 6; 121A.41, subdivision 10, by adding subdivisions; 121A.425; 121A.45, subdivision 1; 121A.46, subdivision 4, by adding subdivisions; 121A.47, subdivisions 2, 14; 121A.53, subdivision 1; 121A.55; 121A.58; 121A.61; 122A.06, subdivisions 2, 5, 6, 7, 8, by adding a subdivision; 122A.07, subdivisions 1, 2, 4a; 122A.09, subdivisions 4, 6, 9, 10; 122A.091, subdivisions 1, 2; 122A.15, subdivision 1; 122A.16; 122A.18, subdivisions 7a, 8, 10; 122A.181, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 122A.182, subdivisions 1, 2, 3, 4, 7; 122A.183, subdivisions 1, 2, 3, by adding a subdivision; 122A.184, subdivisions 1, 2; 122A.185, subdivisions 1, 4; 122A.187; 122A.19, subdivision 4; 122A.21; 122A.26, subdivision 2; 122A.40, subdivisions 5, 8, 10, by adding a subdivision; 122A.41, subdivisions 2, 5, 14a, by adding a subdivision; 122A.61, subdivision 1; 122A.63, subdivisions 6, 9; 122A.635, subdivisions 3, 4; 122A.70; 122A.76; 123B.147, subdivision 3; 123B.595, subdivision 3; 124D.09, subdivisions 3, 5, 7, 8, 12, 13; 124D.095, subdivisions 2, 7; 124D.111; 124D.1158; 124D.128, subdivisions 1, 3; 124D.13, subdivision 2; 124D.142; 124D.151, subdivisions 2, 5, 6; 124D.162; 124D.165, subdivisions 2, 3; 124D.531, subdivision 1; 124D.55; 124D.59, subdivision 2; 124D.65, subdivision 5; 124D.74, subdivisions 1, 3; 124D.78, subdivisions 1, 3; 124D.79, subdivision 2; 124D.791, subdivision 4; 124D.81; 124D.861, subdivision 2; 124E.02; 124E.03, subdivision 2, by adding subdivisions; 124E.05, subdivisions 4, 6, 7; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1; 124E.13, subdivision 1; 124E.16, subdivision 1; 124E.21, subdivision 1; 124E.25, subdivision 1a; 125A.08; 125A.094; 125A.0942; 125A.21, subdivisions 1, 2; 125A.76, subdivision 2e; 126C.05, subdivisions 1, 3, 17; 126C.10, subdivisions 2, 2a, 2e, 4, 18a; 126C.15, subdivisions 1, 2, 5; 126C.17, by adding a subdivision; 126C.40, subdivision 1; 126C.44; 127A.47, subdivision 7; 127A.49, subdivision 3;

134.34, subdivision 1; 134.355, subdivisions 5, 6, 7; 144.4165; 179A.03, subdivision 19; 290.0679, subdivision 2; 469.176, subdivision 2; 609A.03, subdivision 7a; Laws 2019, First Special Session chapter 11, article 1, section 25, subdivisions 3, as amended, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article 2, section 33, subdivisions 2, as amended, 3, as amended, 5, as amended, 6, as amended, 16, as amended, 27; article 3, section 23, subdivision 3, as amended; article 4, section 11, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended; article 6, section 7, subdivisions 2, as amended, 3, as amended; article 7, section 1, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section 13, subdivisions 5, as amended, 14, as amended; article 9, section 3, subdivision 2, as amended; article 10, section 5, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 122A; 124D; 125A; 127A; 134; repealing Minnesota Statutes 2020, sections 120B.35, subdivision 5; 122A.091, subdivisions 3, 6; 122A.092; 122A.18, subdivision 7c; 122A.184, subdivision 3; 122A.23, subdivision 3; 122A.2451; Laws 2017, First Special Session chapter 5, article 8, section 9.

Senator Chamberlain moved to amend H.F. No. 1065, as amended pursuant to Rule 45, adopted by the Senate April 21, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 960.)

Page 43, line 19, after "who" insert "(1)" and delete "and who" and insert ", (2)"

Page 43, line 21, before the period, insert ", and (3) is a member of a household that has total annual income during the year prior to initial participation in the program, without consideration of the benefits under this program, that does not exceed an amount equal to three times the income standard used to qualify for a reduced-price meal under the National School Lunch Program"

Page 45, after line 29, insert:

"(c) The commissioner shall allow program participation of up to one percent of public school average daily membership in fiscal year 2023, one and a half percent of public school average daily membership in fiscal year 2024, and two percent of public school average daily membership in fiscal year 2025 and later."

The motion prevailed. So the amendment was adopted.

Senator Isaacson moved to amend H.F. No. 1065, as amended pursuant to Rule 45, adopted by the Senate April 21, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 960.)

Page 11, line 10, delete "7,411,499,000" and insert "7,406,926,000"

Page 11, line 11, delete "7,443,657,000" and insert "7,511,235,000"

Page 11, line 12, delete "\$6,694,173,000" and insert "\$6,689,600,000"

Page 11, line 13, delete "\$717,081,000" and insert "\$716,573,000" and delete "\$6,726,576,000" and insert "\$6,794,662,000"

Page 43, delete section 36

Page 49, line 1, delete "83,930,000" and insert "83,879,000"

Page 49, line 2, delete "83,228,000" and insert "83,234,000"

Page 49, line 3, delete "\$75,062,000" and insert "\$75,011,000"

Page 49, line 4, delete "\$8,340,000" and insert "\$8,334,000" and delete "\$74,888,000" and insert "\$74,900,000"

Page 49, line 8, delete "12,319,000" and insert "12,310,000"

Page 49, line 9, delete "14,822,000" and insert "14,823,000"

Page 49, line 12, delete "45,103,000" and insert "45,075,000"

Page 49, line 13, delete "45,964,000" and insert "45,968,000"

Page 49, line 14, delete "\$40,640,000" and insert "\$40,612,000"

Page 49, line 15, delete "\$4,515,000" and insert "\$4,512,000" and delete "\$41,449,000" and insert "\$41,456,000"

Page 49, line 24, delete "11,358,000" and insert "11,351,000"

Page 49, line 25, delete "11,774,000" and insert "11,775,000"

Page 49, line 26 delete "\$10,256,000" and insert "\$10,249,000"

Page 49, line 27, delete "\$1,139,000" and insert "\$1,138,000" and delete "\$10,635,000" and insert "\$10,637,000"

Page 52, line 22, delete "93,242,000" and insert "93,181,000"

Page 52, line 23, delete "99,545,000" and insert "99,553,000"

Page 52, line 24 delete "\$84,625,000" and insert "\$84,564,000"

Page 52, line 25, delete "\$9,402,000" and insert "\$9,395,000" and delete "\$90,143,000" and insert "\$90,158,000"

Page 52, line 31, delete "and later" and after "\$10,892,000" and insert "and the base for fiscal year 2025 and later is \$9,151,000"

Page 56, delete lines 10 to 14

Page 75, line 1, delete "88,617,000" and insert "88,563,000"

Page 75, line 2, delete "88,518,000" and insert "88,525,000"

Page 75, line 3, delete "\$79,740,000" and insert "\$79,686,000"

Page 75, line 4, delete "\$8,859,000" and insert "\$8,853,000" and delete "\$79,659,000" and insert "\$79,672,000"

Page 82, line 19, delete "1,942,616,000" and insert "1,944,772,000"

Page 82, line 21, delete "\$1,716,421,000" and insert "\$1,718,577,000"

Page 94, line 9, delete "108,468,000" and insert "108,427,000"

Page 94, line 10, delete "110,899,000" and insert "110,904,000"

Page 94, line 11, delete "\$97,808,000" and insert "\$97,767,000"

Page 94, line 12, delete "\$10,867,000" and insert "\$10,862,000" and delete "\$100,032,000" and insert "\$100,042,000"

Page 99, line 29, delete "16,635,000" and insert "16,625,000"

Page 99, line 30, delete "16,917,000" and insert "16,918,000"

Page 100, line 1, delete "11,745,000" and insert "11,738,000"

Adjust amounts accordingly

Renumber the subdivisions in sequence

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Putnam moved to amend the Isaacson amendment to H.F. No. 1065 as follows:

Page 2, after line 21, insert:

"Page 107, lines 4 and 5, delete "2,600,000" and insert 3,580,000

Page 107, lines 6 and 7, delete "\$1,300,000" and insert "\$1,790,000"

Page 107, after line 7, insert:

"(c) The base for fiscal year 2024 and later is \$1,300,000 for the Northside Achievement Zone and \$1,300,000 for the St. Paul Promise Neighborhood."

Page 107, line 8, after the period, insert "(a)"

Page 107, lines 10 and 11, delete "480,000" and insert "1,500,000"

Page 107, after line 11, insert:

"(b) Of the amounts in paragraph (a), \$250,000 each year is for each of the following programs:

- (1) the Northfield Healthy Community Initiative in Northfield;
- (2) the Jones Family Foundation for the Every Hand Joined program in Red Wing;
- (3) the United Way of Central Minnesota for the Partners for Student Success program;
- (4) Austin Aspires;
- (5) Rochester Area Foundation as fiscal host for the Cradle 2 Career program; and
- (6) Generation Next.
- (c) Any balance in the first year does not cancel but is available in the second year.
- (d) The base for fiscal year 2024 and later is \$480,000.""

Adjust amounts accordingly

Pursuant to Rule 7.4, Senator Chamberlain questioned whether the Putnam amendment to the amendment was in order. The President ruled the amendment to the amendment was in order.

RECESS

Senator Franzen 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.

The Senate resumed consideration of the Putnam amendment to the amendment.

The question was taken on the adoption of the Putnam amendment to the Isaacson amendment.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

Bigham	Dziedzic	Hoffman	Latz	Port
Carlson	Eaton	Isaacson	Marty	Putnam
Champion	Eken	Johnson Stewart	McEwen	Rest
Clausen	Franzen	Kent	Murphy	Torres Ray
Cwodzinski	Frentz	Klein	Newton	Wiger
Dibble	Hawj	Kunesh	Pappas	Wiklund

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Eken, Latz, Newton, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Dornink	Howe	Limmer	Rarick
Anderson	Draheim	Ingebrigtsen	Mathews	Rosen
Bakk	Duckworth	Jasinski	Miller	Ruud
Benson	Eichorn	Johnson	Nelson	Senjem
Chamberlain	Gazelka	Kiffmeyer	Newman	Tomassoni
Coleman	Goggin	Koran	Osmek	Utke
Dahms	Housley	Lang	Pratt	Weber

Westrom

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

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

Senator Kunesh moved to amend the Isaacson amendment to H.F. No. 1065 as follows:

Page 1, after line 8, insert:

"Page 18, after line 6, insert:

"Sec. 7. Minnesota Statutes 2020, section 120B.024, subdivision 1, is amended to read:

Subdivision 1. **Graduation requirements.** (a) Students ~~beginning 9th grade in the 2011-2012 school year and later~~ must successfully complete the following high school level credits for graduation:

(1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;

(2) three credits of mathematics, including an algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics;

(3) an algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics;

(4) three credits of science, including at least one credit of biology, one credit of chemistry or physics, and one elective credit of science. The combination of credits under this clause must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;

(5) three and one-half credits of social studies, encompassing at least United States history, geography, ethnic studies, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

(6) one credit of the arts sufficient to satisfy all of the state or local academic standards in the arts; and

(7) a minimum of seven elective credits.

(b) A school district is encouraged to offer a course for credit in government and citizenship to 11th or 12th grade students who begin 9th grade in the 2020-2021 school year and later, that satisfies the government and citizenship requirement in paragraph (a), clause (5).

EFFECTIVE DATE. This section is effective for students beginning 9th grade in the 2022-2023 school year and later.

Sec. 8. **[120B.025] ETHNIC STUDIES.**

Subdivision 1. **Definition.** "Ethnic studies" means the critical and interdisciplinary study of race, ethnicity, and indigeneity with a focus on the experiences and perspectives of people of color within and beyond the United States. Ethnic studies analyzes the ways in which race and racism have been and continue to be powerful social, cultural, and political forces, and their connections to other groups of stratification, including gender, class, sexuality, and legal status.

Subd. 2. **Requirement.** (a) Every public school in Minnesota must offer as part of the social studies curriculum one or more ethnic studies courses that include the following topics:

- (1) Latinx Studies;
- (2) African American Studies;
- (3) Asian American Studies;
- (4) Indigenous/First Nations Studies; or
- (5) Ethnic Studies 101.

(b) Ethnic studies courses may also focus specifically on a particular group of national or ethnic origin, including Hmong Studies or Somali Studies.

(c) An ethnic studies course must meet state ethnic studies standards.

(d) A student beginning 9th grade in the 2023-2024 school year and later must successfully complete a semester-long ethnic studies course to graduate from high school. A district or charter school must offer an ethnic studies course that fulfills the requirements of this paragraph without increasing the number of credits required for graduation under section 120B.024.

(e) School districts and charter schools must provide ethnic studies curriculum in elementary schools and middle schools by the 2024-2025 school year in accordance with Department of Education rules on ethnic studies.

Subd. 3. **Rulemaking.** The commissioner of education must adopt rules for statewide academic standards for ethnic studies curriculum to be required for all kindergarten through grade 12 students. The rules must include a process for implementing standards statewide.

Subd. 4. **Department of Education.** (a) The Department of Education must hire dedicated ethnic studies staff sufficient to fulfill the following department duties:

(1) ensure that each school district or charter school implements ethnic studies courses and curriculum that fulfill ethnic studies standards;

(2) support school districts and charter schools in providing training for teachers and school district staff to successfully implement ethnic studies standards;

(3) require each school district or charter school to annually evaluate the implementation of the ethnic studies curriculum by seeking feedback from students, parents or guardians, and community members;

(4) encourage school districts and charter schools to hire a dedicated coordinator for ethnic studies implementation with support from the Department of Education; and

(5) make available to school districts and charter schools the following:

(i) a model ethnic studies curriculum;

(ii) an ethnic studies school survey for each school district and charter school to use as part of a school needs assessment;

(iii) a list of recommended materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota;

(iv) training materials for teachers and district and school staff, including an ethnic studies coordinator, to implement ethnic studies requirements, including a school needs assessment; and

(v) other resources to assist districts and charter schools in successfully implementing ethnic studies standards.

(b) The commissioner must review the ethnic studies standards, once adopted, every ten years. Review of the state standards must include robust community engagement and consultation with stakeholders.

EFFECTIVE DATE. This section is effective July 1, 2021, except subdivision 3, which is effective the day following final enactment."

Page 19, after line 10, insert:

"Sec. 9. Minnesota Statutes 2020, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** A school board, at a public meeting, ~~shall~~ must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:

(1) clearly defined district and school site goals and benchmarks for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, assess needs in ethnic studies to determine priorities for integrating ethnic studies into existing courses or developing new courses and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, including ethnic students as defined in section 120B.025, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among

the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including:

(i) the English and, where practicable, the native language development and the academic achievement of English learners; and

(ii) for all learners, access to culturally relevant or ethnic studies curriculum using culturally responsive methodologies;

(5) a process to examine the equitable distribution of teachers and strategies to ensure children from low-income and minority children families, families of color, and American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that integrate high-quality instruction; rigorous curriculum; technology; inclusive and respectful learning and work environments for all students, families, and employees; and a collaborative professional culture that develops and supports retains qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness; and

(7) an annual budget for continuing to implement the district plan.

EFFECTIVE DATE. This section is effective for all strategic plans reviewed and updated after the day of final enactment."

Page 21, after line 24, insert:

"Sec. 14. **[120B.17] IMPLEMENTATION OF INDIGENOUS EDUCATION FOR ALL CURRICULUM.**

(a) Any district with a school identified for support under the federal Elementary and Secondary Education Act, and any district identified under World's Best Workforce as needing support and improvement, must:

(1) as a part of their needs assessment, assess the quality of implementation of indigenous education for all in the school or district;

(2) include any proposed changes, additions, or enhancements to the implementation of indigenous education for all in their school or district improvement plan;

(3) ensure that indigenous curriculum is included in plans and activities in years two and three for schools and districts identified for improvement plans;

(4) engage tribal nations and indigenous families in the planning and implementation of improvement plans in schools and districts when a school or district has ten or more American Indian students; and

(5) provide evidence that implementation factors have been completed.

(b) The Department of Education must:

(1) provide monitoring and auditing personnel to coordinate within the department and with all indigenous education for all programs in districts and schools;

(2) provide professional development to teachers instituting indigenous curriculum;

(3) provide monitoring of high-quality curriculum materials and teaching practices regarding tribal history, culture, and government of local tribes for mutual awareness between tribes and districts and understanding the importance of accurate and tribally endorsed curriculum;

(4) provide ongoing support to all schools and districts on curricula and best teaching practices and to school boards to identify and adopt curriculum that includes tribal experiences and perspectives to engage indigenous students and ensure that all students learn about the history, culture, government, and experiences of their indigenous peers and neighbors;

(5) refer noncompliance with indigenous curriculum requirements to the Department of Human Rights;

(6) by December 1, 2022, and every two years thereafter, report to the commissioner of education regarding the progress made in the development of effective government-to-government relations, narrowing of the achievement gap, and identification and adoption of curriculum including tribal history, culture, and government. The report must include information about the adoption of curriculum regarding tribal history, culture, and government, and must address any obstacles encountered and any strategies being developed to overcome the obstacles; and

(7) publicly submit the report to the chairs and ranking minority members of the legislative committees having jurisdiction over education and to Minnesota's tribal leaders, including the Tribal National Education Committee, the Minnesota Chippewa Tribe, and the Minnesota Indian Affairs Council."

Page 1, after line 9, insert:

"Page 47, after line 25, insert:

"Sec. 40. **SOCIAL STUDIES STANDARDS.**

The commissioner must include ethnic studies, as defined in Minnesota Statutes, section 120B.025, in social studies standards during the 2020-2021 review and revision of the standards.

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

Sec. 41. **APPROPRIATIONS.**

Subd. 2. **Ethnic studies implementation.** \$144,000 in fiscal year 2022 and \$148,000 in fiscal year 2023 are appropriated from the general fund to the commissioner of education for implementation of state ethnic studies requirements. The base for fiscal year 2024 is \$0.

EFFECTIVE DATE. This section is effective July 1, 2021.""

Page 1, after line 14, insert:

"Page 49, after line 4, insert:

Subd. 3. Indigenous education for all. (a) For the implementation of indigenous education for all legislation based on the standards and benchmarks in place with the contributions of Minnesota's Tribal Nations and communities under Minnesota Statutes, section 120B.17:

\$	<u>887,000</u>	<u>.....</u>	<u>2022</u>
\$	<u>437,000</u>	<u>.....</u>	<u>2023</u>

(b) Of this amount, \$450,000 in 2022 is for onetime competitive grants to provide curricular resources to schools.

(c) Of this amount, \$150,000 annually is for a grant to the Tribal Nations Education Committee.

(d) Of this amount, \$287,000 annually is for department administration and implementation of the standards.

(e) The base for fiscal year 2024 and later is \$0.""

Page 2, after line 5, insert:

"Page 58, before line 29, insert:

Section 1. [120B.117] INCREASING THE PERCENTAGE OF TEACHERS OF COLOR AND AMERICAN INDIAN TEACHERS IN MINNESOTA.

Subdivision 1. Purpose. This section sets short-term and long-term state goals for increasing the percentage of teachers of color and American Indian teachers in Minnesota, and for ensuring all students have equitable access to effective and racially and ethnically diverse teachers who reflect the diversity of students. The goals and report required under this section are important for meeting state goals for the world's best workforce under section 120B.11, achievement and integration under section 124D.861, and higher education attainment under section 135A.012, all of which have been established to close persistent opportunity and achievement gaps that limit students' success in school and life and impede the state's economic growth.

Subd. 2. Equitable access to racially and ethnically diverse teachers. The percentage of teachers who are of color or American Indian in Minnesota must show an annual increase each year in order to have a teaching workforce that more closely reflects the state's increasingly diverse student population and ensure all students have equitable access to effective and diverse teachers of color and American Indian teachers by 2040.

Subd. 3. Rights not created. The attainment goal in this section is not to the exclusion of any other goals and does not confer a right or create a claim for any person.

Subd. 4. Reporting. (a) Beginning in 2022 and every even-numbered year thereafter, the Professional Educator Licensing and Standards Board must collaborate with the Department of

Education and the Office of Higher Education to publish a summary report of the aggregate outcomes related to the preparation or retention of diverse teachers of each grant program they administer and any other program receiving state appropriations that has or includes an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The board must submit the report to the chairs and ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education. The board must submit the report in accordance with section 3.195.

(b) The report must include programs under sections 122A.2451, 122A.63, 122A.635, 122A.685, 122A.70, 124D.09, 124D.861, 136A.1274, 136A.1275, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must report on the effectiveness of state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must also include recommendations for state policy and funding needed to achieve the goals of this section, and must include plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The 2022 report must include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of the advisory council would be if established.

(c) The board must consult with the state Indian Affairs Council under section 3.922 and ethnic councils under section 15.0145 along with other community and stakeholder groups, including secondary school students and teacher candidates who are of color or American Indian, in developing the report. By November 1 of each even-numbered year, the board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance. The report must be submitted in accordance with section 3.195 and available to the public on the board's website."

Page 67, after line 20, insert:

"Sec. 17. 122A.685 GRANTS FOR GROW YOUR OWN PROGRAMS.

Subdivision 1. **Establishment.** The commissioner of education must award grants for the three types of Grow Your Own programs established under this section in order to develop a teaching workforce that more closely reflects the state's increasingly diverse student population and ensure all students have equitable access to effective and diverse teachers.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Eligible district" means a school district, charter school, or cooperative unit under section 123A.24, subdivision 2.

(c) "Grow Your Own program" means a program established by an eligible district in partnership with a Professional Educator Licensing and Standards Board-approved teacher preparation program provider, or by a Head Start program under section 119A.50, to provide a pathway for candidates to enter the teaching profession and teach at any level from early childhood to secondary school.

(d) "Residency program" means a Professional Educator Licensing and Standards Board-approved teacher preparation program established by an eligible district and a board-approved teacher preparation program provider that uses a cohort-based model and includes a yearlong clinical experience integrating coursework and student teaching.

(e) "Resident" means a teacher candidate participating in a residency program.

Subd. 3. **Grants for residency programs.** (a) An eligible district may apply for grants to develop, maintain, or expand effective residency programs. A residency program must pair a resident with a teacher of record who must hold a Tier 3 or 4 license. The residency program must provide the teacher of record with ongoing professional development in co-teaching, mentoring, and coaching skills and must ensure that the resident and teacher of record co-teach and participate in required teacher professional development activities for at least 80 percent of the contracted week for a full academic year.

(b) A grant recipient must use at least 80 percent of grant funds to provide tuition scholarships or stipends to enable employees or community members seeking a teaching license, who are of color or American Indian, to participate in a residency program. A grant recipient may request permission from the commissioner to use the remaining grant funds to provide tuition scholarships to employees who are not persons of color or American Indian and who seek to teach in a licensure area in which the eligible district has a shortage of Tier 3 or 4 licensed teachers.

(c) An eligible district using grant funds under this subdivision to provide financial support to teacher candidates may require a commitment from a candidate to teach in the eligible district for a reasonable amount of time not to exceed five years.

Subd. 4. **Grants for programs serving adults.** (a) An eligible district or Head Start program under section 119A.50 may apply for grants to provide financial assistance, mentoring, and other experiences to support persons of color or American Indian persons to become licensed teachers or preschool teachers.

(b) An eligible district or Head Start program must use grant funds awarded under this subdivision for:

(1) tuition scholarships or stipends to eligible Tier 2 licensed teachers, education assistants, cultural liaisons, or other nonlicensed employees who are of color or American Indian and are enrolled in undergraduate or graduate-level coursework that is part of a board-approved teacher preparation program leading to a Tier 3 teacher license;

(2) developing and implementing pathway programs with local community-based organizations led by and for communities of color or American Indian communities that provide stipends or tuition scholarships to parents and community members who are of color or American Indian to change careers and obtain a Tier 3 license or other credential needed to teach in a Head Start program; or

(3) collaborating with a board-approved teacher preparation program provided by a postsecondary institution to develop and implement innovative teacher preparation programs that lead to Tier 2 or Tier 3 licensure, involve more intensive and extensive clinical experiences with more professional coaching or mentorship than are typically required in traditional college or university campus-based teacher preparation programs, provide candidates with support that is responsive to the unique needs

of candidates who are of color or American Indian, and have more than half of their candidates identify as persons of color or American Indian.

(c) An eligible district or Head Start program providing financial assistance to individuals under this subdivision may require a commitment from candidates to teach in the eligible school or Head Start program for a reasonable amount of time not to exceed five years.

Subd. 5. **Grants for programs serving secondary school students.** (a) In addition to grants for developing and offering dual-credit postsecondary course options in schools for "Introduction to Teaching" or "Introduction to Education" courses under section 124D.09, subdivision 10, a school district or charter school may apply for grants under this section to offer other innovative programs that encourage secondary school students, especially students of color and American Indian students, to pursue teaching. To be eligible for a grant under this subdivision, a school district or charter school must ensure that the aggregate percentage of secondary school students of color and American Indian students participating in the program is equal to or greater than the aggregate percentage of students of color and American Indian students in the school district or charter school.

(b) A grant recipient must use grant funds awarded under this subdivision for:

(1) supporting future teacher clubs or service-learning opportunities that provide middle and high-school students who are of color or American Indian to have experiential learning supporting the success of younger students or peers and to increase students' interest in pursuing a teaching career;

(2) providing direct support, including wrap-around services, for students who are of color or American Indian to enroll and be successful in postsecondary enrollment options courses under section 124D.09 that would meet degree requirements for teacher licensure; or

(3) offering scholarships to graduating high school students who are of color or American Indian to enroll in board-approved undergraduate teacher preparation programs at a college or university in Minnesota.

Subd. 6. **Grant procedure.** (a) An eligible district or Head Start program must apply for a grant under this section in the form and manner specified by the commissioner. The commissioner must give priority to eligible districts or Head Start programs with the highest total number or percentage of students who are of color or American Indian.

(b) For the 2022-2023 school year and later, grant applications for new and existing programs must be received by the commissioner no later than January 15 of the year prior to the school year in which the grant will be used. The commissioner must review all applications and notify grant recipients by March 15 or as soon as practicable of the anticipated amount awarded. If the commissioner determines that sufficient funding is unavailable for the grants, the commissioner must notify grant applicants by June 30 or as soon as practicable that there are insufficient funds.

Subd. 7. **Account established.** A Grow Your Own program account is created in the special revenue fund for depositing money appropriated to or received by the department for Grow Your Own programs. Money deposited in the account is appropriated to the commissioner, does not cancel, and is continuously available for grants under this section. Grant recipients may apply to use grant money over a period of up to 24 months.

Subd. 8. **Report.** Grant recipients must annually report to the commissioner in the form and manner determined by the commissioner on their activities under this section, including the number of participants, the percentage of participants who are of color or American Indian, and an assessment of program effectiveness, including participant feedback, areas for improvement, the percentage of participants continuing to pursue teacher licensure, and where applicable, the number of participants hired in the school or district as teachers after completing preparation programs. The commissioner must publish a report for the public that summarizes the activities and outcomes of grant recipients and what was done to promote sharing of effective practices among grant recipients and potential grant applicants."

Page 73, delete subdivision 3 and insert:

"Subd. 3. **Grow Your Own pathways to teacher licensure grants.** (a) For grants to develop, continue, or expand Grow Your Own new teacher programs:

\$	<u>4,000,000</u>	<u>.....</u>	<u>2022</u>
\$	<u>4,000,000</u>	<u>.....</u>	<u>2023</u>

(b) Any balance does not cancel but is available in the following fiscal year.

(c) The department may retain up to \$120,000 of the appropriation amount to monitor and administer the grant program."

Page 2, after line 10, insert:

"Page 78, after line 4, insert:

Subd. 5. **Reports on increasing percentage of teachers of color and American Indian teachers.** For a report on the efforts and impact of all state-funded programs to increase the percentage of teachers of color and American Indian teachers in Minnesota schools developed in consultation with the Department of Education, Office of Higher Education, grant recipients, and stakeholders:

\$	<u>15,000</u>	<u>.....</u>	<u>2022</u>
\$	<u>0</u>	<u>.....</u>	<u>2023</u>

The base appropriation for fiscal year 2024 and later is \$0."

Adjust amounts accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Benson questioned whether the amendment to the amendment was germane.

The President ruled that the amendment to the amendment was not germane.

Senator Wiger appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

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

Those who voted in the negative were:

Bigham	Eaton	Isaacson	Marty	Putnam
Carlson	Eken	Johnson Stewart	McEwen	Rest
Clausen	Franzen	Kent	Murphy	Torres Ray
Cwodzinski	Frentz	Klein	Newton	Wiger
Dibble	Hawj	Kunesh	Pappas	Wiklund
Dziedzic	Hoffman	Latz	Port	

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Eaton, Eken, Latz, Newton, Torres Ray, and Wiklund.

So the decision of the President was sustained.

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

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Bigham	Eaton	Isaacson	Marty	Putnam
Carlson	Eken	Johnson Stewart	McEwen	Rest
Clausen	Franzen	Kent	Murphy	Tomassoni
Cwodzinski	Frentz	Klein	Newton	Torres Ray
Dibble	Hawj	Kunesh	Pappas	Wiger
Dziedzic	Hoffman	Latz	Port	Wiklund

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Eaton, Eken, Latz, Newton, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Dornink	Howe	Limmer	Rarick
Anderson	Draheim	Ingebrigtsen	Mathews	Rosen
Bakk	Duckworth	Jasinski	Miller	Ruud
Benson	Eichorn	Johnson	Nelson	Senjem
Chamberlain	Gazelka	Kiffmeyer	Newman	Utke
Coleman	Goggin	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom

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

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

Senator Putnam moved to amend H.F. No. 1065, as amended pursuant to Rule 45, adopted by the Senate April 21, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 960.)

Page 8, after line 3, insert:

"Sec. 11. Minnesota Statutes 2020, section 126C.17, is amended by adding a subdivision to read:

Subd. 9b. **Renewal by school board.** (a) Notwithstanding the election requirements of subdivision 9, a school board may renew an expiring referendum by board action if:

(1) the per-pupil amount of the referendum is the same as the amount expiring, or for an expiring referendum that was adjusted annually by the rate of inflation, the same as the per-pupil amount of the expiring referendum, adjusted annually for inflation in the same manner as if the expiring referendum had continued;

(2) the term of the renewed referendum is no longer than the initial term approved by the voters; and

(3) the school board has adopted a written resolution authorizing the renewal after holding a meeting and allowing public testimony on the proposed renewal.

(b) The resolution must be adopted by the school board by June 15 of any calendar year and becomes effective 60 days after its adoption.

(c) A referendum expires in the last fiscal year in which the referendum generates revenue for the school district. A school board may renew an expiring referendum under this subdivision not more than two fiscal years before the referendum expires.

(d) A district renewing an expiring referendum under this subdivision must submit a copy of the adopted resolution to the commissioner and to the county auditor no later than September 1 of the calendar year in which the levy is certified.

EFFECTIVE DATE. This section is effective July 1, 2021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Bigham	Cwodzinski	Dziedzic	Franzen	Hoffman
Carlson	Dibble	Eaton	Frentz	Isaacson
Clausen	Duckworth	Eken	Hawj	Jasinski

Johnson Stewart	Latz	Newton	Rest	Wiklund
Kent	Marty	Pappas	Tomassoni	
Klein	McEwen	Port	Torres Ray	
Kunesh	Murphy	Putnam	Wiger	

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Eaton, Eken, Latz, Newton, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Dornink	Ingebrigtsen	Miller	Ruud
Anderson	Draheim	Johnson	Nelson	Senjem
Bakk	Eichorn	Kiffmeyer	Newman	Utke
Benson	Gazelka	Koran	Osmek	Weber
Chamberlain	Goggin	Lang	Pratt	Westrom
Coleman	Housley	Limmer	Rarick	
Dahms	Howe	Mathews	Rosen	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, Coleman, Eichorn, Ingebrigtsen, Mathews, Senjem, and Westrom.

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

Senator Kunesh moved to amend H.F. No. 1065, as amended pursuant to Rule 45, adopted by the Senate April 21, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 960.)

Page 21, line 26, before "When" insert "(a)"

Page 22, line 1, delete the new language

Page 22, delete lines 2 to 5

Page 22, before line 6, insert:

"(b) No student shall, on the basis of their gender, be excluded from participation in sports or extracurricular activities, be denied the benefits of a free and appropriate public education, be treated differently from another person, or otherwise be discriminated against in any public elementary or secondary school, or a school that is a member of the Minnesota State High School League. A school must work to ensure separate teams receive comparable resources, including, but not limited to:

- (1) scheduling of games and practice times;
- (2) removal of economic barriers to participation;
- (3) opportunities to receive coaching and academic tutoring;
- (4) assignment and compensation of coaches and tutors;
- (5) locker rooms, practice, and competitive facilities;

(6) medical and training facilities and services; and

(7) publicity."

President Miller called Senator Tomassoni to preside.

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

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Bigham	Eaton	Isaacson	Marty	Putnam
Carlson	Eken	Johnson Stewart	McEwen	Rest
Clausen	Franzen	Kent	Murphy	Torres Ray
Cwodzinski	Frentz	Klein	Newton	Wiger
Dibble	Hawj	Kunesh	Pappas	Wiklund
Dziedzic	Hoffman	Latz	Port	

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Eaton, Eken, Hawj, Latz, Newton, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, Bakk, Coleman, Duckworth, Eichorn, Ingebrigtsen, Mathews, Rosen, Senjem, and Utke.

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

President Miller resumed the Chair.

Senator Isaacson moved to amend H.F. No. 1065, as amended pursuant to Rule 45, adopted by the Senate April 21, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 960.)

Page 17, line 2, after the period, insert "A school district has the discretion to limit the number of groups allowed based on the schools' schedules or curriculum needs."

Senator Isaacson moved to amend the second Isaacson amendment to H.F. No. 1065 as follows:

Page 1, line 5, after the period, insert "School districts must not allow groups described as hate groups by the Southern Poverty Law Center in the schools."

The motion prevailed. So the amendment to the amendment was adopted.

Senator Chamberlain moved to amend the second Isaacson amendment to H.F. No. 1065 as follows:

Page 1, delete lines 4 and 5 and insert:

"Page 17, line 2, after the period, insert "School districts must not allow groups described as hate groups by the Southern Poverty Law Center in the schools."

The motion prevailed. So the amendment to the amendment was adopted.

Senator Chamberlain moved to amend the Chamberlain amendment to the amendment, adopted by the Senate April 22, 2021, as follows:

Page 1, line 5, delete "Southern Poverty Law Center" and insert "United States Federal Bureau of Investigation"

The motion prevailed. So the amendment was adopted.

The question recurred on the adoption of the second Isaacson, amendment, as amended. The motion prevailed. So the amendment, as amended was adopted.

H.F. No. 1065 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 37 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	Wiger
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, Benson, Coleman, Duckworth, Eichorn, Goggin, Ingebrigtsen, Johnson, Mathews, and Senjem.

Pursuant to Rule 40, Senator Tomassoni cast the affirmative vote on behalf of the following Senator: Bakk.

Those who voted in the negative were:

Bigham	Dziedzic	Hoffman	Latz	Port
Carlson	Eaton	Isaacson	Marty	Putnam
Champion	Eken	Johnson Stewart	McEwen	Rest
Clausen	Franzen	Kent	Murphy	Torres Ray
Cwodzinski	Frentz	Klein	Newton	Wiklund
Dibble	Hawj	Kunesh	Pappas	

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Eken, Hawj, Latz, Newton, Putnam, Torres Ray, and Wiklund.

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

SPECIAL ORDER

H.F. No. 1684: A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation, Metropolitan Council, and Department of Public Safety activities; authorizing the sale and issuance of state bonds; modifying prior appropriations; modifying various fees and surcharges; modifying various transportation-related tax provisions; establishing a transit sales and use tax; providing for noncompliant drivers' licenses and identification cards; establishing advisory committees; establishing accounts; modifying various provisions governing transportation policy and finance; making technical changes; requiring reports; amending Minnesota Statutes 2020, sections 13.6905, by adding a subdivision; 16A.88, subdivision 1a; 84.787, subdivision 7; 84.797, subdivision 7; 84.92, subdivision 8; 97A.055, subdivision 2; 117.075, subdivisions 2, 3; 160.02, subdivision 1a; 160.262, subdivision 3; 160.266, subdivisions 1b, as amended, 6, by adding a subdivision; 161.115, subdivision 27; 161.14, by adding subdivisions; 161.23, subdivisions 2, 2a; 161.44, subdivisions 6a, 6b; 162.145, subdivision 3; 163.07, subdivision 2; 168.002, subdivisions 10, 18; 168.013, subdivisions 1a, 1m; 168.12, subdivision 1; 168.183; 168.301, subdivision 1; 168.31, subdivision 4; 168.327, subdivisions 1, 6, by adding subdivisions; 168A.11, subdivisions 1, 2; 169.011, subdivisions 5, 9, 27, 42, by adding subdivisions; 169.035, subdivision 3; 169.09, subdivision 13; 169.18, subdivisions 3, 10; 169.222, subdivisions 1, 4, 6a, by adding a subdivision; 169.451, subdivision 3, by adding a subdivision; 169.522, subdivision 1; 169.58, by adding a subdivision; 169.812, subdivision 2; 169.92, subdivision 4; 171.04, subdivision 5; 171.06, subdivisions 2a, 3, by adding subdivisions; 171.07, subdivisions 1, 3, 4, 15; 171.071, by adding a subdivision; 171.12, subdivisions 7a, 7b, 9, by adding a subdivision; 171.13, subdivisions 1, 6, 9; 171.16, subdivisions 2, 3, by adding a subdivision; 171.18, subdivision 1; 171.20, subdivision 4; 171.27; 171.29, subdivision 2; 174.01, by adding a subdivision; 174.03, subdivisions 1c, 12; 174.185, subdivision 3; 174.24, subdivision 7; 174.285, subdivision 5; 174.40, subdivision 5; 174.42, subdivision 2; 174.50, subdivisions 6d, 7, by adding a subdivision; 174.56, subdivision 1; 219.015, subdivisions 1, 2; 219.1651; 296A.07, subdivision 3; 296A.08, subdivision 2; 296A.083, subdivision 2; 297A.64, subdivision 5; 297A.94; 297A.99, subdivision 1; 297B.02, subdivision 1; 299A.55, subdivision 3, by adding a subdivision; 299D.03, subdivision 5; 325E.15; 360.012, by adding a subdivision; 360.013, by adding subdivisions; 360.55, by adding a subdivision; 360.59, subdivision 10; 473.386, by adding a subdivision; 473.39, by adding a subdivision; 473.391, by adding a subdivision; 480.15, by adding a subdivision; 609.855, subdivisions 1, 7, by adding a subdivision; Laws 2012, chapter 287, article 3, sections 2; 3; 4; Laws 2013, chapter 143, article 9, section 20; Laws 2019, First Special Session chapter 3, article 1, section 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 161; 168; 169; 171; 174; 297A; 345; 473; repealing Minnesota Statutes 2020, sections 168.327, subdivision 5; 169.09, subdivision 7; 171.015, subdivision 7; Minnesota Rules, parts 7410.2610, subparts 1, 2, 3, 3a, 5a, 5b, 6; 7414.1490; 7470.0300; 7470.0400; 7470.0500; 7470.0600; 7470.0700.

President Miller called Senator Tomassoni to preside.

Senator Newman moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 117, delete lines 5, 6, and 7

Page 117, line 8, delete "(c)" and insert "(b)"

Page 117, line 11, delete "(d)" and insert "(c)"

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 25, line 19, delete "\$23,550,000" and insert "\$11,550,000"

Page 26, line 9, before "\$12,000,000" insert "(a)"

Page 26, after line 18, insert:

"(b) \$12,000,000 in fiscal year 2022 is appropriated from the trunk highway fund to the commissioner of transportation for expenses of the projects in paragraph (a) that are eligible to be paid from the trunk highway fund. This is a onetime appropriation and is available until June 30, 2025."

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 62, delete section 65

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Carlson moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 31, delete sections 4, 5, and 6

Page 33, delete sections 8 and 9

Page 35, delete section 13

Page 39, delete line 20

Page 39, line 21, delete "(12)" and insert "(11)"

Page 39, line 24, delete "(13)" and insert "(12)"

Page 39, line 25, delete "(14)" and insert "(13)"

Page 39, line 26, delete "(15)" and insert "(14)"

Page 39, line 27, delete "(16)" and insert "(15)"

Page 39, line 29, delete "(17)" and insert "(16)"

Page 54, delete section 50

Renumber the sections in sequence and correct the internal references

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Bigham	Dziedzic	Isaacson	Marty	Putnam
Carlson	Eaton	Johnson Stewart	McEwen	Rest
Champion	Eken	Kent	Murphy	Torres Ray
Clausen	Franzen	Klein	Newton	Wiger
Cwodzinski	Frentz	Kunesh	Pappas	Wiklund
Dibble	Hoffman	Latz	Port	

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Eken, Isaacson, Kunesh, Latz, Marty, Murphy, Newton, Putnam, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Anderson, Bakk, Coleman, Duckworth, Eichorn, Goggin, Ingebrigtsen, and Mathews.

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

President Miller resumed the Chair.

Senator Johnson Stewart moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 126, delete section 3

Page 130, delete section 9

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Senjem moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 86, after line 28, insert:

"Sec. 35. Minnesota Statutes 2016, section 169.14, is amended by adding a subdivision to read:

Subd. 5i. **Interstate Highway 35E.** The commissioner shall designate the maximum speed limit on marked Interstate Highway 35E in the city of St. Paul, from its intersection with West Seventh Street to its intersection with marked Interstate Highway 94, as 55 miles per hour. Any speed in excess of the speed designated in this subdivision is unlawful.

EFFECTIVE DATE. This section is effective on the date the commissioner erects appropriate signs designating the speed limit, which must occur on or before August 1, 2021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 17, line 22, delete "37,979,000" and insert "39,991,000" and delete "34,179,000" and insert "35,909,000"

Page 18, line 20, delete "39,840,000" and insert "42,762,000" and delete "36,793,000" and insert "37,594,000"

Page 18, delete lines 29 to 32

Page 19, after line 7, insert:

"The base is \$37,418,000 in each of fiscal years 2024 and 2025. "

Correct the subdivision and section totals and the appropriations by fund

Page 78, delete section 21

Page 95, delete section 48

Page 114, delete section 72

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 40, as follows:

Those who voted in the affirmative were:

Carlson	Dziedzic	Hoffman	Latz	Port
Champion	Eaton	Isaacson	Marty	Rest
Clausen	Franzen	Johnson Stewart	McEwen	Torres Ray
Cwodzinski	Frentz	Kent	Murphy	Wiger
Dibble	Hawj	Kunesh	Pappas	Wiklund

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Hawj, Isaacson, Kunesh, Latz, Murphy, Port, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Dornink	Howe	Limmer	Rarick
Anderson	Draheim	Ingebrigtsen	Mathews	Rosen
Bakk	Duckworth	Jasinski	Miller	Ruud
Benson	Eichorn	Johnson	Nelson	Senjem
Bigham	Eken	Kiffmeyer	Newman	Tomassoni
Chamberlain	Gazelka	Klein	Newton	Utke
Coleman	Goggin	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Pratt, Rosen, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Eken and Newton.

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

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

Senator Dibble moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 3, line 16, delete everything after the semicolon

Page 3, line 17, delete "Stewardship;"

Page 5, line 32, delete "219,938,000" and insert "227,555,000" and delete "219,938,000" and insert "227,555,000"

Page 6, line 3, delete "219,485,000" and insert "227,102,000" and delete "219,485,000" and insert "227,102,000"

Page 7, line 25, delete "177,500,000" and insert "162,266,000"

Page 7, line 31, delete "127,500,000" and insert "119,883,000"

Correct the subdivision and section totals and the appropriations by fund

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

Bigham	Dziedzic	Isaacson	Marty	Rest
Carlson	Eaton	Johnson Stewart	McEwen	Torres Ray
Champion	Franzen	Kent	Murphy	Wiger
Clausen	Frentz	Klein	Pappas	Wiklund
Cwodzinski	Hawj	Kunesh	Port	
Dibble	Hoffman	Latz	Putnam	

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Hawj, Isaacson, Kunesh, Latz, Murphy, Port, Putnam, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Ingebrigtsen	Miller	Ruud
Anderson	Duckworth	Jasinski	Nelson	Senjem
Bakk	Eichorn	Johnson	Newman	Tomassoni
Benson	Eken	Kiffmeyer	Newton	Utke
Chamberlain	Gazelka	Koran	Osmek	Weber
Coleman	Goggin	Lang	Pratt	Westrom
Dahms	Housley	Limmer	Rarick	
Dornink	Howe	Mathews	Rosen	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Pratt, Rosen, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Eken and Newton.

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

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

Senator Johnson Stewart moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 3, line 17, after the semicolon, insert "or" and delete everything after "Rights"

Page 3, line 18, delete "Office of Equity and Diversity"

Page 7, line 25, delete "156,550,000" and insert "153,489,000" and delete "177,500,000" and insert "174,439,000"

Page 7, line 31, delete "127,500,000" and insert "124,439,000"

Page 10, line 25, delete "50,008,000" and insert "53,069,000" and delete "50,008,000" and insert "53,069,000"

Page 10, line 29, delete "41,302,000" and insert "44,363,000" and delete "41,302,000" and insert "44,363,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

Bigham	Dziedzic	Hoffman	Latz	Port
Carlson	Eaton	Isaacson	Marty	Putnam
Champion	Eken	Johnson Stewart	McEwen	Rest
Clausen	Franzen	Kent	Murphy	Torres Ray
Cwodzinski	Frentz	Klein	Newton	Wiger
Dibble	Hawj	Kunesh	Pappas	Wiklund

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Eken, Hawj, Isaacson, Latz, Murphy, Newton, Port, Putnam, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Jasinski	Nelson	Tomassoni
Anderson	Duckworth	Johnson	Newman	Utke
Bakk	Eichorn	Kiffmeyer	Osmek	Weber
Benson	Gazelka	Koran	Pratt	Westrom
Chamberlain	Goggin	Lang	Rarick	
Coleman	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Dornink	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Pratt, Senjem, and Westrom.

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

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

Senator McEwen moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 5, line 26, delete "364,300,000" and insert "366,430,000" and delete "362,806,000" and insert "364,936,000"

Page 5, after line 26, insert:

"\$2,130,000 in each year is from the trunk highway fund for efforts to reduce road salt use by investing in liquid deicing chemicals and storage and application equipment. These are onetime appropriations."

Page 5, line 32, delete "219,938,000" and insert "220,288,000" and delete "219,938,000" and insert "220,288,000"

Page 6, line 3, delete "219,485,000" and insert "219,835,000" and delete "219,485,000" and insert "219,835,000"

Page 6, after line 7, insert:

"\$350,000 in each year is from the trunk highway fund to develop and coordinate sustainability and public health activities."

Page 7, line 25, delete "156,550,000" and insert "153,845,000" and delete "177,500,000" and insert "174,795,000"

Page 7, line 31, delete "127,500,000" and insert "126,925,000"

Page 11, line 3, delete "32,622,000" and insert "32,847,000" and delete "32,122,000" and insert "32,347,000"

Page 11, line 7, delete "32,573,000" and insert "32,798,000" and delete "32,073,000" and insert "32,298,000"

Page 11, after line 18, insert:

"\$75,000 in each year is from the trunk highway fund to develop and coordinate sustainability and public health activities. \$150,000 in each year is for energy efficiency improvements that reduce energy use and costs for agency facilities."

Page 21, after line 17, insert:

"Sec. 11. APPROPRIATION; ENVIRONMENT AND CLIMATE REPORT.

"\$75,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of transportation for the environment and climate report under Minnesota Statutes, section 174.023. This is a onetime appropriation."

Page 25, line 9, delete "\$10,000,000" and insert "\$3,725,000"

Page 26, after line 18, insert:

"Sec. 31. RONDO LAND BRIDGE DEVELOPMENT; APPROPRIATION.

(a) \$6,200,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of transportation for a grant to ReConnect Rondo for project development of the Rondo Land Bridge freeway lid over marked Interstate Highway 94 in a portion of the segment from Lexington Avenue to Rice Street in St. Paul. Eligible uses of funds include but are not limited to project management, area planning and design, project assessment and analysis, market research, financial evaluation, community outreach, fund raising, redevelopment programming, and organizational capacity activities. This is a onetime appropriation and is available until June 30, 2023.

(b) The commissioner must not require an expenditure prior to making grant funds available."

Page 41, after line 8, insert:

"Sec. 27. [161.369] INDIAN EMPLOYMENT PREFERENCE.

As authorized by United States Code, title 23, section 104, paragraph (d), the commissioner may implement an Indian employment preference for members of federally recognized tribes on projects carried out under United States Code, title 23, on or near an Indian reservation. For purposes of this section, a project is near an Indian reservation if the project is within the distance a person seeking employment could reasonably be expected to commute to and from each workday. The commissioner, in consultation with federally recognized Minnesota tribes, may determine when a project is near an Indian reservation."

Page 45, after line 16, insert:

"Sec. 36. [174.023] ENVIRONMENT AND CLIMATE REPORTING.

(a) Annually by January 15, the commissioner must submit a report on transportation and the environment to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance and policy.

(b) At a minimum, the report must include:

(1) a detailed explanation of how the department is meeting the goals set forth in the climate change action plan adopted pursuant to section 216H.02;

(2) an explanation of how the department is achieving the goals set forth in sections 174.01, subdivision 2, clauses (10) and (15); and 174.02, subdivision 1a, clause (3);

(3) if the department is not meeting any of the goals under clause (2), the reason the goals are not being met; and

(4) any recommended legislative changes that would assist the department in meeting the identified goals."

Page 126, after line 20, insert:

"Sec. 3. Minnesota Statutes 2020, section 473.391, is amended by adding a subdivision to read:

Subd. 3. **Air quality, emissions, and bus deployment.** (a) The council must coordinate with the commissioner of the Pollution Control Agency to identify locales in the metropolitan area with poor air quality. The analysis may use modeling based on air quality monitoring data and must use the highest level of detail available. The council must categorize each bus in its fleet based on estimated or measured air quality impacts from vehicle emissions.

(b) For regular route bus service, excluding arterial or highway bus rapid transit, the council must deploy buses with the lowest emissions on routes that serve locales with poor air quality.

(c) Analysis under this subdivision must be revised at least once every three years.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Renumber the sections in sequence and correct the internal references

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

Bigham	Dziedzic	Isaacson	Marty	Putnam
Carlson	Eaton	Johnson Stewart	McEwen	Rest
Champion	Franzen	Kent	Murphy	Torres Ray
Clausen	Frentz	Klein	Newton	Wiger
Cwodzinski	Hawj	Kunesh	Pappas	Wiklund
Dibble	Hoffman	Latz	Port	

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Hawj, Isaacson, Latz, Murphy, Newton, Port, Putnam, Rest, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Ingebrigtsen	Miller	Senjem
Anderson	Duckworth	Jasinski	Nelson	Tomassoni
Bakk	Eichorn	Johnson	Newman	Utke
Benson	Eken	Kiffmeyer	Osmek	Weber
Chamberlain	Gazelka	Koran	Pratt	Westrom
Coleman	Goggin	Lang	Rarick	
Dahms	Housley	Limmer	Rosen	
Dornink	Howe	Mathews	Ruud	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Pratt, Ruud, Senjem, and Westrom.

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

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

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

Senator Johnson Stewart moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 92, after line 16, insert:

"Sec. 45. **[169.984] VEHICLE EQUIPMENT SECONDARY OFFENSES.**

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings given.

(b) "Dangerous condition" means a situation where an improper or malfunctioning piece of motor vehicle equipment creates a substantial, identifiable risk to human life.

(c) "Mandatory secondary offense" means a violation of section 168.09, subdivision 1 (vehicle registration); 169.50, subdivision 2 (license plate illumination); 169.69 (muffler required); 169.693 (exceed motor vehicle noise limits); 169.71, subdivision 1, paragraph (a), clause (2) or (3), and subdivision 2 (windshield prohibitions/windshield wipers required); 169.71, subdivision 4, clauses (1) to (4) (restrictions on mirrored/glazed windows); or 169.79, subdivision 8 (license plate validation stickers).

(d) "Presumptive secondary offense" means a violation of section 169.47, subdivision 1, paragraph (a) (unsafe equipment); 169.49 (headlamps); 169.55, subdivision 1 (lamps required); 169.50, subdivision 1, paragraph (b) (rear lamps); 169.57, subdivision 1, paragraph (a), and subdivision 3 (turn signals required/lamp/signal maintenance); 169.63, paragraph (a) (use of headlamps); or 169.71, subdivision 1, paragraph (a), clause (1) (certain windshield prohibitions).

Subd. 2. **Secondary offenses.** (a) A peace officer may not stop or detain the operator of a motor vehicle for a mandatory secondary offense, and may not issue a citation for a mandatory secondary offense, unless:

(1) the officer lawfully stopped or detained the operator of the motor vehicle for a moving violation that was not related to operation or maintenance of the vehicle's equipment; or

(2) the motor vehicle was unoccupied.

(b) This subdivision does not apply to a commercial vehicle as defined in Code of Federal Regulations, title 49, section 390.05, engaged in intrastate and interstate commerce.

Subd. 3. **Presumptive secondary offenses.** (a) A peace officer may not stop or detain the operator of a motor vehicle for a presumptive secondary offense, and may not issue a citation for a presumptive secondary offense, unless:

(1) the officer lawfully stopped or detained the operator of the motor vehicle for a moving violation that was not related to operation or maintenance of the vehicle's equipment;

(2) the motor vehicle was unoccupied; or

(3) as otherwise provided for in this subdivision.

(b) A peace officer may stop or detain an operator of a motor vehicle for a presumptive secondary offense when the officer has reasonable and articulable suspicion that the operator has committed a presumptive secondary offense and any of the following circumstances exist:

(1) the operator is in violation of section 169.47, subdivision 1, paragraph (a) (unsafe equipment), in a manner that creates a dangerous condition;

(2) the operator is in violation of section 169.50, subdivision 1, paragraph (b) (tail lamps); 169.55, subdivision 1 (lamps required); or 169.63, paragraph (a) (use of headlamps), and none of the headlamps are functioning or none of the tail lamps are functioning;

(3) the operator is in violation of section 169.57, subdivision 1, paragraph (a), or subdivision 3 (turn signals required/lamp/signal maintenance), and none of the vehicle's stop lamps are functioning; or

(4) the operator is in violation of section 169.71, subdivision 1, paragraph (a), clause (1) (certain windshield prohibitions), and the violation creates an imminent threat to human life.

(c) This subdivision does not apply to a commercial vehicle as defined in Code of Federal Regulations, title 49, section 390.05, engaged in intrastate and interstate commerce.

Subd. 4. **Warning letter.** If an officer does not have grounds to stop a vehicle or detain the operator of a motor vehicle for a mandatory secondary offense or presumptive secondary offense and the officer can identify the owner of the vehicle, the officer's agency is encouraged to send a letter to the owner of the vehicle identifying the violation and instructing the owner to correct the defect or otherwise remedy the violation."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Newman questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Johnson Stewart appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 37 and nays 28, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Jasinski	Miller	Senjem
Anderson	Duckworth	Johnson	Nelson	Tomassoni
Bakk	Eichorn	Kent	Newman	Utke
Benson	Gazelka	Kiffmeyer	Osmek	Weber
Chamberlain	Goggin	Koran	Pratt	Westrom
Coleman	Housley	Lang	Rarick	
Dahms	Howe	Limmer	Rosen	
Dornink	Ingebrigtsen	Mathews	Ruud	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Pratt, Ruud, Senjem, and Westrom.

Pursuant to Rule 40, Senator Tomassoni cast the affirmative vote on behalf of the following Senator: Bakk.

Those who voted in the negative were:

Bigham	Dziedzic	Hoffman	McEwen	Rest
Carlson	Eaton	Isaacson	Murphy	Torres Ray
Champion	Eken	Johnson Stewart	Newton	Wiger
Clausen	Franzen	Klein	Pappas	Wiklund
Cwodzinski	Frentz	Kunesh	Port	
Dibble	Hawj	Marty	Putnam	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Eken, Frentz, Hawj, Isaacson, Murphy, Newton, Port, Putnam, Torres Ray, and Wiklund..

So the decision of the President was sustained.

Senator Franzen moved to amend H.F. No. 1684, as amended pursuant to Rule 45, adopted by the Senate April 20, 2021, as follows:

(The text of the amended House File is identical to S.F. No. 1159.)

Page 2, line 15, before "The" insert "(a)"

Page 2, line 16, before the period, insert ", except as provided in paragraph (b)"

Page 2, after line 26, insert:

"(b) No appropriation provided in this act is available before each house of the legislature and the governor have certified that satisfactory law enforcement accountability reform legislation has been enacted by the 92nd legislature at the 2021 regular session."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

Bigham	Dziedzic	Isaacson	Marty	Putnam
Carlson	Eaton	Johnson Stewart	McEwen	Rest
Champion	Franzen	Kent	Murphy	Torres Ray
Clausen	Frentz	Klein	Newton	Wiger
Cwodzinski	Hawj	Kunesh	Pappas	Wiklund
Dibble	Hoffman	Latz	Port	

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Hawj, Isaacson, Latz, Murphy, Newton, Port, Putnam, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Ingebrigtsen	Miller	Senjem
Anderson	Duckworth	Jasinski	Nelson	Tomassoni
Bakk	Eichorn	Johnson	Newman	Utke
Benson	Eken	Kiffmeyer	Osmek	Weber
Chamberlain	Gazelka	Koran	Pratt	Westrom
Coleman	Goggin	Lang	Rarick	
Dahms	Housley	Limmer	Rosen	
Dornink	Howe	Mathews	Ruud	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Anderson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Pratt, Ruud, Senjem, and Westrom.

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

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

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

H.F. No. 1684 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 40 and nays 26, as follows:

Those who voted in the affirmative were:

Abeler	Bakk	Bigham	Coleman	Dornink
Anderson	Benson	Chamberlain	Dahms	Draheim

Duckworth	Housley	Koran	Newman	Ruud
Eichorn	Howe	Lang	Newton	Senjem
Eken	Ingebrigtsen	Limmer	Osmek	Tomassoni
Gazelka	Jasinski	Mathews	Pratt	Utke
Goggin	Johnson	Miller	Rarick	Weber
Hoffman	Kiffmeyer	Nelson	Rosen	Westrom

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Anderson, Benson, Coleman, Draheim, Duckworth, Eichorn, Goggin, Ingebrigtsen, Mathews, Nelson, Osmek, Pratt, Rosen, Ruud, Senjem, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Eken and Newton.

Pursuant to Rule 40, Senator Tomassoni cast the affirmative vote on behalf of the following Senator: Bakk.

Those who voted in the negative were:

Carlson	Eaton	Kent	Murphy	Wiger
Champion	Franzen	Klein	Pappas	Wiklund
Clausen	Frentz	Kunesh	Port	
Cwodzinski	Hawj	Latz	Putnam	
Dibble	Isaacson	Marty	Rest	
Dziedzic	Johnson Stewart	McEwen	Torres Ray	

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Champion, Dziedzic, Eaton, Hawj, Isaacson, Klein, Latz, Murphy, Port, Putnam, Torres Ray, and Wiklund.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

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. 958: A bill for an act relating to state government; establishing a budget for the Department of Agriculture, the Board of Animal Health, the Agricultural Utilization Research Institute, and broadband development; making policy and technical changes to various provisions related to agriculture, food, rural development, and broadband development, including provisions related to grants, loans, pesticides, feedlots, bioincentive programs, Cervidae, veterinary services, reports, and mapping; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 3.737, by adding a subdivision; 17.1017, subdivision 6; 18B.33, subdivision 1; 18E.04,

subdivision 4; 28A.15, by adding a subdivision; 28A.152, subdivisions 1, 3, 4, 5; 31A.15, subdivision 1; 35.155, subdivisions 5, 11; 41A.16, subdivision 5; 41A.17, subdivision 4; 116.07, subdivision 7; 116J.394; 116J.397; 156.12, subdivision 2; Laws 2020, chapter 101, section 5, subdivisions 2, 7; proposing coding for new law in Minnesota Statutes, chapter 25.

Senate File No. 958 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 22, 2021

Senator Gazelka, for Senator Westrom, moved that the Senate do not concur in the amendments by the House to S.F. No. 958 , 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.

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. 958: Senators Westrom, Dornink, Goggin, Anderson, and Murphy.

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

MEMBERS EXCUSED

Senator Fateh was excused from the Session of today. Senator Champion was excused from the Session of today from 11:55 a.m. to 4:00 p.m. Senator Hawj was excused from the Session of today from 5:10 to 5:50 p.m. Senator Putnam was excused from the Session of today from 5:55 to 6:10 p.m. Senator Latz was excused from the Session of today from 6:45 to 7:00 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, April 26, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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