

FIFTY-SEVENTH DAY

St. Paul, Minnesota, Friday, May 14, 2021

The Senate met at 12:00 noon and was called to order by the President.

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

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

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

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

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, Carlson, Champion, Coleman, Eaton, Eichorn, Eken, Fateh, Goggin, Howe, Isaacson, Latz, Newton, Osmek, and Torres Ray.

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 5, 2021

The Honorable Jeremy R. Miller
President of the Senate

Dear Senator Miller:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Rita Albrecht, 1911 Norton Ave. N.W., Bemidji, in the county of Beltrami, effective April 5, 2021, for a term expiring on December 31, 2024.

Nancy Gibson, 2712 Glenhurst Ave., Saint Louis Park, in the county of Hennepin, effective April 5, 2021, for a term expiring on December 31, 2023.

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

May 12, 2021

The Honorable Jeremy R. Miller
President of the Senate

Dear Senator Miller:

I respectfully submit the attached list of Notaries Public for 2020 to the Senate for confirmation as required by Article V, Section 3 of the Minnesota Constitution and Minnesota Statutes 2020, section 359.01.

Sincerely,
Tim Walz, Governor

Senator Gazelka moved that the Notaries Public be laid on the table. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Koran, Senjem, Mathews, Goggin, and Carlson introduced--

S.F. No. 2530: A bill for an act relating to education finance; increasing funding and modifying provisions for gifted and talented programs; amending Minnesota Statutes 2020, sections 120B.11, subdivision 2; 120B.15; 126C.10, subdivision 2b.

Referred to the Committee on Education Finance and Policy.

Senators McEwen, Johnson Stewart, Marty, and Kunesh introduced--

S.F. No. 2531: A bill for an act relating to environment; establishing a residential lead service line replacement grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 446A.

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

Senators McEwen, Marty, and Kunesh introduced--

S.F. No. 2532: A bill for an act relating to taxation; corporate franchise; applying a rate increase to certain corporations; amending Minnesota Statutes 2020, sections 290.06, by adding a subdivision; 290.068, subdivision 2; 290.0921, subdivisions 1, 8.

Referred to the Committee on Taxes.

Senators McEwen, Johnson Stewart, and Marty introduced--

S.F. No. 2533: A bill for an act relating to natural resources; transferring responsibility for mining promotion.

Referred to the Committee on Mining and Forestry Policy.

Senators McEwen, Johnson Stewart, and Marty introduced--

S.F. No. 2534: A bill for an act relating to single-use plastics; banning the sale, offering for sale, or provision of single-use plastics by hotels; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Senators Johnson Stewart, McEwen, and Marty introduced--

S.F. No. 2535: A bill for an act relating to natural resources; modifying financial assurance requirements for nonferrous permit to mine; amending Minnesota Statutes 2020, sections 93.481, subdivision 1; 93.49.

Referred to the Committee on Mining and Forestry Policy.

Senator Johnson Stewart introduced--

S.F. No. 2536: A bill for an act relating to the State Building Code; requiring the installation of adult-size changing facilities in restrooms accessible to the public; amending Minnesota Statutes 2020, section 326B.106, subdivision 4.

Referred to the Committee on Labor and Industry Policy.

Senator Jasinski introduced--

S.F. No. 2537: A bill for an act relating to agriculture; making changes to the agricultural land preservation program; amending Minnesota Statutes 2020, sections 40A.11, subdivision 1; 40A.18, subdivision 2.

Referred to the Committee on Agriculture and Rural Development Finance and Policy.

Senator Ingebrigtsen introduced--

S.F. No. 2538: A bill for an act relating to capital investment; appropriating money for a regional trail segment in Maplewood State Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dibble introduced--

S.F. No. 2539: A bill for an act relating to capital investment; appropriating money for skate parks throughout the state; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Miller introduced--

S.F. No. 2540: A bill for an act relating to capital investment; appropriating money for completion of the repair of the Lanesboro dam; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dornink introduced--

S.F. No. 2541: A bill for an act relating to capital investment; appropriating money for the Minnesota BioImaging Center of the Hormel Institute; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dahms introduced--

S.F. No. 2542: A bill for an act relating to capital investment; appropriating money for the Minnesota Valley Regional Rail Authority; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dahms introduced--

S.F. No. 2543: A bill for an act relating to commerce; regulating motor vehicle self-insurance for cooperatives; amending Minnesota Statutes 2020, section 65B.48, subdivision 3.

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

Senator Dahms introduced--

S.F. No. 2544: A bill for an act relating to state lands; providing for conveyance of certain surplus state land.

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

Senator Klein introduced--

S.F. No. 2545: A bill for an act relating to game and fish; requiring the use of nontoxic ammunition; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97B.

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

Senator Pappas introduced--

S.F. No. 2546: A bill for an act relating to retirement; Minnesota State Retirement System, Public Employees Retirement Association, Teachers Retirement Association, and St. Paul Teachers Retirement Fund Association; authorizing advanced practice registered nurses (APRNs) to provide disability assessments; amending Minnesota Statutes 2020, sections 352.01, by adding a subdivision; 352.03, subdivisions 8, 9; 352.113, subdivision 4; 352.95, subdivision 4; 352B.011, by adding a subdivision; 352B.10, subdivision 4; 353.01, by adding a subdivision; 353.03, subdivision 3; 353.031, subdivisions 3, 8; 354.05, by adding a subdivision; 354.07, subdivision 2; 354.48, subdivisions 4, 6, 6a; 354A.011, by adding a subdivision; 354A.36, subdivisions 4, 6.

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

Senators Nelson, Weber, and Rest introduced--

S.F. No. 2547: A bill for an act relating to taxation; individual income and corporate franchise; providing for conformity of federal paycheck protection program loan treatment and exclusion of certain unemployment compensation.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Wiklund moved that the name of Senator Isaacson be added as a co-author to S.F. No. 942. The motion prevailed.

Senator Torres Ray moved that the name of Senator Dziejczak be added as a co-author to S.F. No. 2512. The motion prevailed.

Senator Torres Ray moved that the names of Senators Kunesh and Hawj be added as co-authors to S.F. No. 2513. The motion prevailed.

Senator Pappas moved that the name of Senator Dziejczak be added as a co-author to S.F. No. 2518. The motion prevailed.

Senator Marty moved that the names of Senators Torres Ray, Fateh, and Dibble be added as co-authors to S.F. No. 2526. The motion prevailed.

Senator Wiger introduced --

Senate Resolution No. 59: A Senate resolution celebrating the centennial of Birchwood Village, Minnesota.

Referred to the Committee on Rules and Administration.

Senator Kiffmeyer introduced --

Senate Resolution No. 60: A Senate resolution congratulating Macallister Clark of St. Michael, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senator Kiffmeyer introduced --

Senate Resolution No. 61: A Senate resolution congratulating Davis Krueger of St. Michael, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senator Kiffmeyer introduced --

Senate Resolution No. 62: A Senate resolution congratulating Owen Cary of St. Michael, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senator Kiffmeyer introduced --

Senate Resolution No. 63: A Senate resolution congratulating Seth Ruberto of St. Michael, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senators Wiklund and Franzen introduced --

Senate Resolution No. 64: A Senate resolution honoring Les Fujitake on his retirement from the Bloomington School District.

Referred to the Committee on Rules and Administration.

Senators Gazelka and Kent introduced --

Senate Concurrent Resolution No. 14: A Senate concurrent resolution relating to adjournment of the Senate and House of Representatives until 2022.

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon their adjournments on May 17, 2021, the Senate may set its next day of meeting for Monday, January 31, 2022, at 12:00 noon and the House of Representatives may set its next day of meeting for Monday, January 31, 2022, at 12:00 noon.

2. By the adoption of this resolution, each house consents to adjournment of the other house for more than three days.

Senator Gazelka moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

CONFERENCE COMMITTEES EXCUSED

Pursuant to Rule 12.5, Senator Nelson moved that the following members be excused for a Conference Committee on H.F. No. 991 at 1:00 p.m.:

Senators Nelson, Weber, Miller, Bakk, and Rest. The motion prevailed.

Pursuant to Rule 12.5, Senator Chamberlain moved that the following members be excused for a Conference Committee on H.F. No. 1065 from 1:00 to 1:20 p.m.:

Senators Chamberlain, Eichorn, Duckworth, Dornink, and Wiger. The motion prevailed.

Pursuant to Rule 12.5, Senator Newman moved that the following members be excused for a Conference Committee on H.F. No. 1684 at 1:00 p.m.:

Senators Newman, Jasinski, Howe, Osmek, and Bigham. The motion prevailed.

SPECIAL ORDERS

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

S.F. Nos. 415 and 1589.

SPECIAL ORDER

S.F. No. 415: A bill for an act relating to public safety; regulating charitable bail organizations; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 629.

Senator Koran moved to amend S.F. No. 415 as follows:

Page 1, line 7, delete the comma and insert "(1)"

Page 1, line 8, delete "(1)" and insert "(i)"

Page 1, line 9, delete "(2)" and insert "(ii)" and delete the period and insert a semicolon

Page 1, after line 9, insert:

"(2) "previous conviction" does not include a conviction if more than ten years have elapsed since the date of the conviction and the person's sentence has been discharged; and

(3) "violent offense" means:

(i) a crime of violence as defined in section 624.712, subdivision 5;

(ii) a crime described in section 243.166, subdivision 1b;

(iii) a violation of section 518B.01;

(iv) a violation of section 609.2242;

(v) a violation of section 609.749; and

(vi) a violation of section 629.75."

Page 2, line 1, delete everything after the first "a" and insert "violent offense; or"

Page 2, delete line 2

Page 2, line 3, delete everything after "has" and insert "a previous conviction for a violent offense or who"

Page 2, line 4, after "is" insert "currently"

Page 2, line 5, after "before" insert "registering with the state court administrator as required in paragraph (g) and" and after "(b)" insert ", clauses (1), (2), (3), and (5)"

The motion prevailed. So the amendment was adopted.

S.F. No. 415 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 36 and nays 30, 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 Ruud cast the affirmative vote on behalf of the following Senators: Abeler, Anderson, Bakk, Chamberlain, Coleman, Eichorn, Goggin, Howe, Ingebrigtsen, Jasinski, Lang, Nelson, Newman, Osmek, Senjem, and Weber.

Those who voted in the negative were:

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

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

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

SPECIAL ORDER

S.F. No. 1589: A bill for an act relating to health; establishing limits for contact tracing, digital contact tracing, immunizations, communicable disease testing, and the required disclosure of certain information; requiring the destruction of certain data; prohibiting mandatory digital contact tracing by employers; providing for civil penalties; proposing coding for new law in Minnesota Statutes, chapters 144; 145; 181.

Senator Benson moved to amend S.F. No. 1589 as follows:

Page 2, delete subdivision 3

Page 3, line 27, delete "or the University of Minnesota"

Page 4, delete section 3

ReNUMBER the subdivisions in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend S.F. No. 1589 as follows:

Page 4, after line 14, insert:

"Sec. 3. [145.678] COVID-19 IMMUNIZATION DISCLOSURE IN PLACES OF PUBLIC ACCOMMODATION.

(a) For purposes of this section, "place of public accommodation" has the meaning given in section 363A.03, subdivision 34, and "communicable disease" has the meaning given in section 144.419, subdivision 1.

(b) In order to protect the fundamental rights and privacy of Minnesotans and because vaccination status is protected health data, no place of public accommodation shall require the disclosure of a person's immunization status for the infectious disease known as COVID-19 prior to entry on the premises unless the place of public accommodation required the disclosure of immunization status for other communicable diseases as of March 13, 2020.

(c) Nothing in this section shall limit or alter an employer's ability to develop and maintain lawful workplace policies for employees.

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

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.

S.F. No. 1589 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 39 and nays 27, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Anderson, Chamberlain, Coleman, Eichorn, Goggin, Howe, Ingebrigtsen, Lang, Newman, Osmek, Senjem, and Weber.

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

Those who voted in the negative were:

Bakk	Dziedzic	Isaacson	Marty	Torres Ray
Bigham	Eaton	Johnson Stewart	Murphy	Wiger
Carlson	Fateh	Kent	Newton	Wiklund
Champion	Franzen	Klein	Pappas	
Clausen	Frenz	Kunesh	Port	
Cwodzinski	Hawj	Latz	Putnam	

Pursuant to Rule 40, Senator Frenz cast the negative vote on behalf of the following Senators: Bigham, Carlson, Champion, Eaton, Fateh, Isaacson, Latz, Newton, and Torres Ray.

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

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

57TH DAY]

FRIDAY, MAY 14, 2021

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MEMBERS EXCUSED

Senator Bigham was excused from the Session of today from 1:00 to 1:45 p.m. Senator Nelson was excused from the Session of today at 1:20 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 7:30 p.m., Saturday, May 15, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

