

STATE OF MINNESOTA

# Journal of the Senate

NINETY-SECOND LEGISLATURE

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SPECIAL SESSION

FIFTEENTH DAY

St. Paul, Minnesota, Tuesday, June 29, 2021

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

Prayer was offered by the Chaplain, Pastor Mike Smith.

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	Eaton	Jasinski	Miller	Senjem
Benson	Eichorn	Johnson	Murphy	Tomassoni
Bigham	Eken	Johnson Stewart	Nelson	Torres Ray
Carlson	Fateh	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: Abeler, Carlson (California), Champion, Coleman, Eaton, Eichorn, Eken, Fateh, Goggin, Lang, Newton, Osmek, Rarick, Tomassoni, 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.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

**Senator Dahms introduced--**

**S.F. No. 69:** A bill for an act relating to liquor; prohibiting exclusive contracts for distillers; amending Minnesota Statutes 2020, section 340A.307, subdivisions 1, 4.

Referred to the Committee on Rules and Administration.

### **MOTIONS AND RESOLUTIONS**

Senator Bakk moved that the name of Senator Pappas be added as a co-author to S.F. No. 39. The motion prevailed.

Senator Duckworth moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 68. 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.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

S.F. No. 9 and the Conference Committee Report thereon were reported to the Senate.

### **CONFERENCE COMMITTEE REPORT ON S.F. No. 9**

A bill for an act relating to state government; establishing a biennial budget for Department of Employment and Economic Development, Department of Labor and Industry, Bureau of Mediation Services, and Workers' Compensation Court of Appeals; modifying various provisions governing economic development, labor and industry, unemployment insurance, and higher education; establishing Main Street Economic Revitalization Loan Program; establishing Main Street COVID-19 Relief grants; modifying fees; classifying data; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 13.7905, by adding a subdivision; 116J.035, subdivision 6; 116J.431, subdivisions 2, 3, by adding a subdivision; 116L.40, subdivisions 5, 6, 9, 10, by adding a subdivision; 116L.41, subdivisions 1, 2, by adding subdivisions; 116L.42, subdivisions 1, 2; 178.012, subdivision 1; 181.939; 268.035, subdivision 21c; 268.085, subdivisions 2, 4a; 268.133; 268.136, subdivision 1; 326B.07, subdivision 1; 326B.092, subdivision 7; 326B.108, subdivisions 1, 3, by adding a subdivision; 326B.133, subdivision 8; 326B.42, by adding subdivisions; 326B.46, subdivision 1; 326B.89, subdivisions 1, 4, 5, 9; Laws 2014, chapter 211, section 13, as amended; Laws 2017, chapter 94, article 1, section 2, subdivision 2, as amended; Laws 2019, First Special Session chapter 7, article 1, sections 2, subdivision 2, as amended; 3, subdivision 4; article 2, section 8; proposing coding for new law in Minnesota Statutes, chapters 116J; 181A; 299F; repealing Minnesota Statutes 2020, sections 181.9414; 268.085, subdivision 4.

June 28, 2021

The Honorable Jeremy R. Miller  
President of the Senate

The Honorable Melissa Hortman  
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 9 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 9, the fourth engrossment, be further amended as follows:

Page 2, line 11, delete "289,150,000" and insert "294,150,000"

Page 2, line 14, delete "248,701,000" and insert "253,701,000"

Page 2, line 21, delete "203,015,000" and insert "208,015,000"

Page 2, line 23, delete "200,215,000" and insert "205,215,000"

Page 10, after line 4, insert:

"(z) \$5,000,000 in the first year is for a grant to Lake of the Woods County for the forgivable loan program for remote recreational businesses. This appropriation is available until April 1, 2022."

Page 31, line 17, delete "25" and insert "23"

Page 31, line 19, delete "25" and insert "23"

Page 32, after line 3, insert:

"(c) The commissioner of employment and economic development may temporarily modify program standards under Minnesota Statutes, section 116J.395, to the degree necessary to comply with federal standards for funding received under this section."

Page 74, after line 2, insert:

**"Sec. 24. FORGIVABLE LOAN PROGRAM FOR REMOTE RECREATIONAL BUSINESSES.**

Subdivision 1. **Establishment.** Lake of the Woods County shall establish a loan program to make forgivable loans to eligible remote recreational businesses that experienced a loss in revenue that is greater than 30 percent during the period between March 15, 2020, and March 15, 2021, as compared with the previous year.

Subd. 2. **Definition.** For the purposes of this section, "remote recreational business" means a business in the contiguous United States that is:

(1) a small business concern as defined under section 3 of the Small Business Act, United States Code, title 15, section 632, operating in the recreational industry;

(2) located within 75 miles of the United States and Canadian border; and

(3) only accessible by land via Canada.

Subd. 3. **Eligibility.** To be eligible for a forgivable loan, a remote recreational business must:

(1) have been in operation on March 15, 2020;

(2) show that the closure of the United States and Canadian border restricted the ability of American customers to access the location of the remote recreational business; and

(3) not have received a grant under the Main Street COVID-19 relief grant program.

Subd. 4. **Application.** (a) Lake of the Woods County shall develop forms and procedures for soliciting and reviewing applications for loans under this section.

(b) Loans shall be made before April 1, 2022. Any funds not spent by April 1, 2022, must be returned to the state general fund.

Subd. 5. **Maximum loan amount.** The maximum loan amount shall be equal to 75 percent of the remote recreational business's gross annual receipts for fiscal year 2020, not to exceed \$500,000 per eligible remote recreational business.

Subd. 6. **Forgiveness.** Loans are forgiven for a remote recreational business if the business remains in operation for at least one year after the date of the loan. Lake of the Woods County shall forgive 100 percent of the value of a loan received less the amount the borrower received from:

(1) any other loan forgiveness program, including any program established under the CARES Act, Public Law 116-136; and

(2) an advance received under section 1110 of the CARES Act, United States Code, title 15, section 9009.

Subd. 7. **Report to legislature.** By January 15, 2023, Lake of the Woods County shall report to the legislative committees with jurisdiction over economic development policy and finance on the loans provided to remote recreational businesses under this section.

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

We request the adoption of this report and repassage of the bill.

Senate Conferees: Eric Pratt, Jason Rarick, Karin Housley, Rich Draheim

House Conferees: Mohamud Noor, Rob Ecklund, Liz Olson

Senator Pratt moved that the foregoing recommendations and Conference Committee Report on S.F. No. 9 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 9 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 51 and nays 15, as follows:

Those who voted in the affirmative were:

Abeler	Dahms	Housley	Limmer	Ruud
Anderson	Dornink	Howe	Mathews	Senjem
Bakk	Draheim	Ingebrigtsen	Miller	Tomassoni
Benson	Duckworth	Isaacson	Nelson	Utke
Bigham	Eichorn	Jasinski	Newman	Weber
Carlson	Eken	Johnson	Newton	Westrom
Chamberlain	Franzen	Kiffmeyer	Osmek	Wiger
Champion	Frentz	Klein	Pratt	
Clausen	Gazelka	Koran	Putnam	
Coleman	Goggin	Lang	Rarick	
Cwodzinski	Hoffman	Latz	Rosen	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Nelson, Osmek, Rarick, and Senjem.

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

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

Those who voted in the negative were:

Dibble	Hawj	Kunesh	Murphy	Rest
Eaton	Johnson Stewart	Marty	Pappas	Torres Ray
Fateh	Kent	McEwen	Port	Wiklund

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Eaton, Fateh, and Wiklund.

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated S.F. No. 7 a Special Order to be heard immediately.

### SPECIAL ORDER

**S.F. No. 7:** A bill for an act relating to public safety; amending provisions relating to public defender county program aid; amending Minnesota Statutes 2020, sections 477A.03, subdivision 2b; 611.27, subdivisions 9, 10, 11, 13, 15.

Senator Hawj moved to amend S.F. No. 7 as follows:

Page 218, after line 7, insert:

"Sec. 29. Minnesota Statutes 2020, section 626.8473, subdivision 3, is amended to read:

Subd. 3. **Written policies and procedures required.** (a) The chief officer of every state and local law enforcement agency that uses or proposes to use a portable recording system must establish and enforce a written policy governing its use. In developing and adopting the policy, the law

enforcement agency must provide for public comment and input as provided in subdivision 2. Use of a portable recording system without adoption of a written policy meeting the requirements of this section is prohibited. The written policy must be posted on the agency's website, if the agency has a website.

(b) At a minimum, the written policy must incorporate the following:

(1) the requirements of section 13.825 and other data classifications, access procedures, retention policies, and data security safeguards that, at a minimum, meet the requirements of chapter 13 and other applicable law. The policy must prohibit altering, erasing, or destroying any recording made with a peace officer's portable recording system or data and metadata related to the recording prior to the expiration of the applicable retention period under section 13.825, subdivision 3, except that the full, unedited and unredacted recording of a peace officer using deadly force must be maintained indefinitely;

(2) mandate that a deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children be entitled to view any and all recordings from a peace officer's portable recording system, redacted no more than what is required by law, of an officer's use of deadly force no later than 48 hours after an incident where deadly force used by a peace officer results in death of an individual, except that a chief law enforcement officer may deny a request if investigators can articulate a compelling reason as to why allowing the deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children to review the recordings would interfere with the agency conducting a thorough investigation. If the chief law enforcement officer denies a request under this provision, the agency's policy must require the chief law enforcement officer to issue a prompt, written denial and provide notice to the deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children that they may seek relief from the district court;

(3) mandate release of all recordings of an incident where a peace officer used deadly force and an individual dies to the deceased individual's next of kin, legal representative of the next of kin, and other parent of the deceased individual's children no later than 90 days after the incident;

(4) procedures for testing the portable recording system to ensure adequate functioning;

~~(3)~~ (5) procedures to address a system malfunction or failure, including requirements for documentation by the officer using the system at the time of a malfunction or failure;

~~(4)~~ (6) circumstances under which recording is mandatory, prohibited, or at the discretion of the officer using the system;

~~(5)~~ (7) circumstances under which a data subject must be given notice of a recording;

~~(6)~~ (8) circumstances under which a recording may be ended while an investigation, response, or incident is ongoing;

~~(7)~~ (9) procedures for the secure storage of portable recording system data and the creation of backup copies of the data; and

~~(8)~~ (10) procedures to ensure compliance and address violations of the policy, which must include, at a minimum, supervisory or internal audits and reviews, and the employee discipline standards for unauthorized access to data contained in section 13.09."

Renumber the sections in sequence and correct the internal references

Senator Mathews moved to amend the Hawj amendment to S.F. No. 7 as follows:

Page 1, lines 14 to 18, delete the new language

Page 1 line 19, delete "mandate that" and insert "a requirement that, if the investigative law enforcement agency has completed interviews,"

Page 1, line 22, delete "48 hours" and insert "30 days"

Page 1, delete lines 32 and 33

Page 2, delete lines 1 to 2

Renumber the clauses in sequence

Senator Dibble requested division of the Mathews amendment to the Hawj amendment as follows:

First portion:

Page 1 line 19, delete "mandate that" and insert "a requirement that, if the investigative law enforcement agency has completed interviews,"

Page 1, line 22, delete "48 hours" and insert "30 days"

The question was taken on the adoption of the first portion of the Mathews amendment to the amendment.

The roll was called, and there were yeas 48 and nays 18, as follows:

Those who voted in the affirmative were:

Abeler	Dornink	Howe	Latz	Rosen
Anderson	Draheim	Ingebrigtsen	Limmer	Ruud
Bakk	Duckworth	Isaacson	Mathews	Senjem
Benson	Eichorn	Jasinski	Miller	Tomassoni
Bigham	Franzen	Johnson	Nelson	Utke
Chamberlain	Frentz	Kent	Newman	Weber
Clausen	Gazelka	Kiffmeyer	Osmek	Westrom
Coleman	Goggin	Klein	Pappas	Wiger
Cwodzinski	Hoffman	Koran	Pratt	
Dahms	Housley	Lang	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

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

Those who voted in the negative were:

Carlson	Eken	Kunesh	Newton	Torres Ray
Champion	Fateh	Marty	Port	Wiklund
Dibble	Hawj	McEwen	Putnam	
Eaton	Johnson Stewart	Murphy	Rest	

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

The motion prevailed. So the first portion of the amendment to the amendment was adopted.

Second portion:

Page 1, lines 14 to 18, delete the new language

The question was taken on the adoption of the second portion of the Mathews amendment to the amendment.

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

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

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

Those who voted in the negative were:

Bigham	Eaton	Hoffman	Latz	Port
Carlson	Eken	Isaacson	Marty	Putnam
Champion	Fateh	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 negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Eken, Fateh, Newton, and Wiklund.

The motion prevailed. So the second portion of the amendment to the amendment was adopted.

Third portion:

Page 1, delete lines 32 and 33

Page 2, delete lines 1 to 2



Renumber the clauses in sequence

The question was taken on the adoption of the third portion of the amendment to the amendment.

The roll was called, and there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

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

Those who voted in the negative were:

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

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

The motion prevailed. So the third portion of the amendment to the amendment was adopted.

The question recurred on the adoption of the Hawj amendment, as amended.

The roll was called, and there were yeas 17 and nays 48, as follows:

Those who voted in the affirmative were:

Bigham	Frentz	Johnson Stewart	Newton	Wiklund
Clausen	Hawj	Kent	Pappas	
Cwodzinski	Hoffman	Kunesh	Senjem	
Franzen	Isaacson	Latz	Wiger	

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

Those who voted in the negative were:

Abeler	Chamberlain	Dornink	Eken	Howe
Anderson	Champion	Draheim	Fateh	Ingebrigtsen
Bakk	Coleman	Duckworth	Gazelka	Jasinski
Benson	Dahms	Eaton	Goggin	Johnson
Carlson	Dibble	Eichorn	Housley	Kiffmeyer

Klein	Mathews	Osmek	Rest	Utke
Koran	McEwen	Port	Rosen	Weber
Lang	Miller	Pratt	Ruud	Westrom
Limmer	Murphy	Putnam	Tomassoni	
Marty	Newman	Rarick	Torres Ray	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

Pursuant to Rule 40, Senator Frenz cast the negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Eken, and Fateh.

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

The motion did not prevail. So the Hawj amendment, as amended, was not adopted.

President Miller called Senator Johnson to preside.

Senator Dibble moved to amend S.F. No. 7 as follows:

Page 221, after line 26, insert:

"Sec. 30. **[629.415] PROCEEDINGS ON SUMMONS TO APPEAR.**

Subdivision 1. **Issuance of summons to appear.** A court may issue a summons in accordance with rule 3.01 of the Rules of Criminal Procedure to notify a person charged with a criminal offense of the need to appear at a certain time and place to answer the charge.

Subd. 2. **Service of summons.** A summons may be served in accordance with rule 3.03 of the Rules of Criminal Procedure. The court shall record the manner in which the summons was served and, if the summons was served by mailing it to the defendant's last known address, the court shall record whether the summons was returned as undeliverable.

Subd. 3. **Failure to appear; issuance of a sign and release warrant.** (a) Unless a prosecutor makes the showing described in subdivision 4, the court shall issue a sign and release warrant if:

(1) the court issued a summons;

(2) the summons was served by mailing it to the defendant's last known address and was returned as undeliverable;

(3) the defendant failed to appear at the time and place identified in the summons;

(4) the defendant had not previously failed to appear in the same case; and

(5) the defendant is charged with a misdemeanor offense other than a targeted misdemeanor, as defined in section 299C.10, subdivision 1, or a gross misdemeanor offense other than a violation of section 169A.20 (driving while impaired); 518B.01, subdivision 14 (violation of domestic abuse order for protection); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.2242 (domestic assault); 609.3451 (fifth-degree criminal sexual conduct); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child); 609.748, subdivision 6 (violation of

harassment restraining order); 609.749 (harassment or stalking); 609.78, subdivision 2 (interference with an emergency call); 617.261 (nonconsensual dissemination of private sexual images); or 629.75 (violation of domestic abuse no contact order).

(b) A sign and release warrant shall not require the defendant to post bail or comply with any other conditions of release. A sign and release warrant does not authorize the arrest of the defendant.

(c) Any court record provided or made available to a law enforcement agency shall indicate that the warrant is a sign and release warrant.

Subd. 4. **When bail may be required.** The court may issue a warrant that requires the defendant to post bail or comply with other conditions of release if a prosecutor shows, by a preponderance of the evidence, that bail is necessary:

- (1) for the safety of a victim;
- (2) because a defendant poses a risk to public safety; or
- (3) because the defendant otherwise poses a danger to self or others.

Subd. 5. **Sign and release warrant; law enforcement duties.** (a) When a peace officer encounters a defendant who is the subject of a sign and release warrant, the officer shall inform the defendant of the missed court appearance and provide a new notice that includes a time to appear.

(b) Notice of the new time to appear shall be made in writing and must include the court file number or the warrant number. The defendant may be asked to sign a form acknowledging receipt of the notice. A defendant may not be required to sign the acknowledgment, but the peace officer or other employee may indicate that a notice was given and that the defendant refused to sign.

(c) After providing the notice, the peace officer shall release the defendant at the scene.

(d) As soon as practicable after providing the notice, the peace officer shall:

(1) inactivate the warrant or direct the appropriate office or department to inactivate the warrant;  
and

(2) submit a form or other notification that can be filed in the court's electronic filing system that includes the court case number, updates the defendant's personal contact information, and indicates that the defendant received notice of the new time to appear.

Subd. 6. **Exception; lawful arrest.** Nothing in this section prohibits a peace officer from arresting a defendant for any lawful reason.

Subd. 7. **Procedure to notify peace officers; scheduling new court dates.** (a) By January 1, 2024, the sheriff of every county, in coordination with the district court of that county, shall develop a procedure to inform peace officers about the type of warrant issued by the court and provide hearing dates for sign and release warrants.

(b) At a minimum, the procedure shall include:

(1) an office, department, or other entity that a peace officer can contact at any time to determine the type of warrant issued by a court;

(2) if the warrant is a sign and release warrant, the ability to obtain an updated time for a defendant to appear to answer the charge;

(3) the ability to inactivate a sign and release warrant after a defendant has been notified of the new time to appear; and

(4) the ability to submit a form or other notification to the court's electronic filing system updating the defendant's personal contact information and indicating that the defendant received notice of the new time.

(c) The sheriff may develop forms to provide defendants with notice of the new time to appear.

**EFFECTIVE DATE.** This section is effective July 1, 2021, and applies to warrants issued on or after January 1, 2024."

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 29 and nays 37, as follows:

Those who voted in the affirmative were:

Bigham	Eaton	Isaacson	Marty	Putnam
Carlson	Fateh	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: Carlson, Champion, Eaton, Fateh, Hawj, Latz, Newton, Port, Rest, 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, Coleman, Eichorn, Goggin, Howe, Lang, Osmek, Rarick, and Westrom.

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

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

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

President Miller resumed the Chair.

Senator Wiger moved to amend S.F. No. 7 as follows:

Page 222, after line 31, insert:

**"Sec. 31. PEACE OFFICER STANDARDS OF CONDUCT; WHITE SUPREMACIST AFFILIATION AND SUPPORT PROHIBITED.**

(a) The Peace Officer Standards and Training Board must revise the peace officer standards of conduct that the board is mandated to publish and update under Minnesota Statutes, section 626.843, subdivision 1, clause (6), to prohibit peace officers from affiliating with, supporting, or advocating for white supremacist groups, causes, or ideologies or participation in, or active promotion of, an international or domestic extremist group that the Federal Bureau of Investigation has determined supports or encourages illegal, violent conduct.

(b) For purposes of this section, white supremacist groups, causes, or ideologies include organizations and associations and ideologies that: promote white supremacy and the idea that white people are superior to Black, Indigenous, and people of color (BIPOC), promote religious and racial bigotry, or seek to exacerbate racial and ethnic tensions between BIPOC and non-BIPOC or engage in patently hateful and inflammatory speech, intimidation, and violence against BIPOC as means of promoting white supremacy."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Johnson moved to amend the Wiger amendment to S.F. No. 7 as follows:

Page 1, line 3, delete "WHITE SUPREMACIST" and insert "EXTREMIST GROUP PARTICIPATION AND PROMOTION"

Page 1, line 4, delete "AFFILIATION AND SUPPORT"

Page 1, line 5, delete "(a)"

Page 1, line 7, delete "affiliating" and insert "actively participating in or actively promoting:"

Page 1, delete line 8

Page 1, line 9, delete "participation in, or active promotion of," and before "an" insert "(1)"

Page 1, line 11, delete the period and insert "; or (2) any other group that engages in constitutionally unprotected"

Page 1, delete lines 12 to 15

Page 1, line 16, delete "and non-BIPOC or engage in patently" and delete everything after the second comma

Page 1, line 17, delete everything after "violence" and insert ", or religious, racial, or ethnic bigotry."

The question was taken on the adoption of the Johnson amendment to the Wiger amendment.

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

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

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

Those who voted in the negative were:

Bigham	Eaton	Hoffman	Latz	Port
Carlson	Eken	Isaacson	Marty	Putnam
Champion	Fateh	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 negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Eken, Fateh, Hawj, Latz, Newton, Port, Rest, and Wiklund.

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

The question recurred on the adoption of the Wiger amendment, as amended.

The roll was called, and there were yeas 11 and nays 53, as follows:

Those who voted in the affirmative were:

Abeler	Cwodzinski	Klein	Pratt
Bigham	Hoffman	Kunesh	Wiger
Clausen	Kent	Pappas	

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

Those who voted in the negative were:

Anderson	Benson	Chamberlain	Coleman	Dibble
Bakk	Carlson	Champion	Dahms	Dornink

Draheim	Goggin	Kiffmeyer	Newman	Senjem
Duckworth	Hawj	Koran	Newton	Tomassoni
Eaton	Housley	Lang	Osmek	Torres Ray
Eichorn	Howe	Limmer	Port	Utke
Eken	Ingebrigtsen	Marty	Putnam	Weber
Fateh	Isaacson	Mathews	Rarick	Westrom
Franzen	Jasinski	McEwen	Rest	Wiklund
Frentz	Johnson	Miller	Rosen	
Gazelka	Johnson Stewart	Murphy	Ruud	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Eken, Fateh, Hawj, Newton, Port, Rest, and Wiklund.

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

The motion did not prevail. So the Wiger amendment, as amended, was not adopted.

Senator Johnson Stewart moved to amend S.F. No. 7 as follows:

Page 15, line 1, delete "\$1,000,000 each" and insert "\$900,000 the first year and \$1,000,000 the second" and delete "is" and insert "are"

Page 16, after line 5, insert:

**"(m) Study on Liability Insurance for Peace Officers**

\$100,000 in the first year is for a grant to an organization with experience in studying issues related to community safety and criminal justice for a study on the effects of requiring peace officers to carry liability insurance."

Page 78, after line 12, insert:

**"Sec. 53. STUDY ON LIABILITY INSURANCE FOR PEACE OFFICERS.**

(a) The commissioner of public safety shall issue a grant to an organization with experience in studying issues related to community safety and criminal justice for a study on the effects of requiring peace officers to carry liability insurance to pay for any valid claim based upon an act or omission of a licensed peace officer during paid on-duty time or paid off-duty work approved by the employing agency.

(b) At a minimum, the study shall analyze:

(1) the availability of liability insurance for peace officers;

(2) the cost of premiums for liability insurance to cover individual peace officers;

(3) the terms of relevant policies of liability insurance, including the amount of any deductible and applicable exclusions;

(4) what activities, if any, should be covered by liability insurance, including whether the negligent operation of a motor vehicle should be subject to a liability insurance requirement;

(5) whether the employer of the peace officer, the insurance company, or both would have a duty to defend the officer;

(6) whether limits should be placed on the subrogation rights of an employer, insurer, or both;

(7) whether limits should be placed on the subrogation rights of an insurer for claims involving joint and several liability with a peace officer insured by a separate insurer;

(8) whether statutory direction is necessary to establish priorities of coverage if multiple policies apply;

(9) what impact, if any, the existence of a requirement that peace officers carry liability insurance would be expected to have on claims against peace officers;

(10) the cost to employers, if any, if there was a requirement that peace officers carry liability insurance; and

(11) the expected impact on public safety, if any, if there was a requirement that peace officers carry liability insurance.

(c) By January 15, 2023, the grant recipient shall provide a report to the commissioner of public safety. By February 1, 2023, the commissioner shall forward the report to the chairs and ranking members of the legislative committees with primary jurisdiction over public safety.

(d) As used in this section, "peace officer" has the meaning given in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c)."

Renumber the sections in sequence and correct the internal references

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

Senator Isaacson moved to amend S.F. No. 7 as follows:

Page 26, after line 5, insert:

"Sec. 21. **TRANSFER; MINNCOR.**

\$270,000 each year is transferred from the MINNCOR account in the special revenue fund to the general fund. This is an ongoing transfer."

Page 192, after line 26, insert:

"Sec. 3. Minnesota Statutes 2020, section 169.47, subdivision 1, is amended to read:



Subdivision 1. **Misdemeanor Requirements; exceptions.** (a) It is unlawful and punishable as ~~hereinafter~~ provided in this section for any person to drive or for the owner to cause or knowingly permit to be driven on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

(b) The provisions of this chapter with respect to equipment on vehicles do not apply to implements of husbandry, road machinery, or road rollers except as otherwise provided in this chapter.

(c) For purposes of this section, a specialized vehicle resembling a low-slung trailer having a short bed or platform ~~shall be deemed to be~~ is an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry, provided, however, that no such vehicle shall operate on the highway before sunrise or after sunset unless proper lighting is affixed to the implement being drawn.

(d) Except for operators of vehicles that are required to comply with the equipment standards in chapter 221, a peace officer may not stop or detain the operator of a motor vehicle for a violation of this section if the only lawful basis for the stop is either a secondary offense or multiple secondary offenses. For purposes of this section, secondary offense has the meaning given the term in section 169.984, subdivision 1.

Sec. 4. Minnesota Statutes 2020, section 169.48, subdivision 1, is amended to read:

Subdivision 1. **Lights to be displayed.** (a) Every vehicle upon a highway within this state:

(1) at any time from sunset to sunrise;

(2) at any time when it is raining, snowing, sleeting, or hailing; and

(3) at any other time when visibility is impaired by weather, smoke, fog or other conditions or there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead;

shall display the specified number of lighted headlamps, lighted tail lamps, and illuminating devices, as ~~hereinafter, respectively,~~ required for different classes of vehicles under this chapter, subject to exceptions with respect to parked vehicles and law enforcement vehicles, ~~as hereinafter stated~~. In addition to the other requirements of this paragraph, every school bus transporting children upon a highway within this state, at any time from a half hour before sunrise to a half hour after sunset, shall display the specified number of lighted headlamps, lighted tail lamps, and illuminating devices as required by this paragraph, except that the operator shall use the lowermost distribution of light specified in section 169.60 unless conditions warrant otherwise.

(b) When requirement is ~~hereinafter~~ declared under this chapter as to the distance from which certain lamps and devices ~~shall~~ must render objects visible or within which such lamps or devices ~~shall~~ must be visible, these provisions ~~shall~~ apply during the time stated in this section upon a straight level unlighted highway under normal atmospheric conditions unless a different time or condition

is expressly stated ~~and~~. Unless otherwise specified, the location of lamps and devices ~~shall refer~~ refers to the center of such lamps or devices.

(c) Parking lamps shall not be used in lieu of headlamps to satisfy the requirements of this section.

Sec. 5. **[169.984] VEHICLE EQUIPMENT SECONDARY OFFENSES.**

Subdivision 1. **Definition.** For purposes of this section, "secondary offense" means a violation of one or more of the following sections: 168.09, subdivision 4 (plate display); 169.49 (headlamps); 169.50, subdivision 1, paragraph (b) (rear lamps); 169.50, subdivision 2 (license plate illumination); 169.63, paragraph (a) (use of headlamps); 169.69 (muffler required); 169.693 (exceed motor vehicle noise limits); 169.71, subdivision 1, paragraph (a), clause (1) or (2) (certain windshield prohibitions); 169.71, subdivision 4, clauses (1) to (4) (restrictions on mirrored/glazed windows); or 169.79, subdivision 1 or 8 (vehicle registration/plate display/validation stickers). Failure to comply with section 169.48, subdivision 1, is not a secondary offense for purposes of this section.

Subd. 2. **Secondary offenses.** Observation of a secondary offense is not grounds for a peace officer to form a reasonable, articulable suspicion of illegal activity and a peace officer may not stop or detain the operator of a motor vehicle for a secondary offense. A peace officer may only issue a citation for a secondary offense, if:

(1) the officer stopped or detained the operator of the motor vehicle for an otherwise lawful reason; or

(2) the motor vehicle was unoccupied.

Subd. 3. **Warning letter.** If an officer does not have grounds to stop a vehicle or detain the operator of a motor vehicle for a 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.

Subd. 4. **Commercial vehicles.** This section does not apply to vehicles that are required to comply with the equipment standards in chapter 221."

Correct the subdivision and section totals and the appropriations by fund accordingly

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 24 and nays 41, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Eaton, Fateh, Hawj, Latz, Newton, Rest, and Wiklund.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Osmek, Rarick, and Westrom.

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

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

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

S.F. No. 7 was read the third time.

Senator Limmer moved that S.F. No. 7 be laid on the table. The motion prevailed.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and Introduction and First Reading of Senate Bills.

### **MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 9, and repassed said bill in accordance with the report of the Committee, so adopted.

**S.F. No. 9:** A bill for an act relating to state government; establishing a biennial budget for Department of Employment and Economic Development, Department of Labor and Industry, Bureau of Mediation Services, and Workers' Compensation Court of Appeals; modifying various provisions governing economic development, labor and industry, unemployment insurance, and higher education; establishing Main Street Economic Revitalization Loan Program; establishing Main Street COVID-19 Relief grants; modifying fees; classifying data; requiring reports; appropriating money; amending Minnesota Statutes 2020, sections 13.7905, by adding a subdivision; 116J.035, subdivision 6; 116J.431, subdivisions 2, 3, by adding a subdivision; 116L.40, subdivisions 5, 6, 9, 10, by adding

a subdivision; 116L.41, subdivisions 1, 2, by adding subdivisions; 116L.42, subdivisions 1, 2; 178.012, subdivision 1; 181.939; 268.035, subdivision 21c; 268.085, subdivisions 2, 4a; 268.133; 268.136, subdivision 1; 326B.07, subdivision 1; 326B.092, subdivision 7; 326B.108, subdivisions 1, 3, by adding a subdivision; 326B.133, subdivision 8; 326B.42, by adding subdivisions; 326B.46, subdivision 1; 326B.89, subdivisions 1, 4, 5, 9; Laws 2014, chapter 211, section 13, as amended; Laws 2017, chapter 94, article 1, section 2, subdivision 2, as amended; Laws 2019, First Special Session chapter 7, article 1, sections 2, subdivision 2, as amended; 3, subdivision 4; article 2, section 8; proposing coding for new law in Minnesota Statutes, chapters 116J; 181A; 299F; repealing Minnesota Statutes 2020, sections 181.9414; 268.085, subdivision 4.

Senate File No. 9 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned June 29, 2021

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

#### **Senators Jasinski and Pratt introduced--**

**S.F. No. 70:** A bill for an act relating to liquor; modifying license condition for brewer off-sale; amending Minnesota Statutes 2020, section 340A.28, subdivision 2.

Referred to the Committee on Rules and Administration.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Draheim moved that the name of Senator Koran be added as a co-author to S.F. No. 16. The motion prevailed.

### RECESS

Senator Limmer 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.

### MOTIONS AND RESOLUTIONS - CONTINUED

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

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 63.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted June 29, 2021

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 63:** A bill for an act relating to public safety; modifying certain provisions relating to public safety, courts, corrections, sexual offenders, crime victims, background checks, forfeiture, law enforcement, human rights, and data practices; providing for task forces and working groups; requiring reports; providing for criminal penalties; appropriating money for courts, public safety, sentencing guidelines, corrections, human rights, Peace Officer Standards and Training (POST) Board, Private Detective Board, Guardian ad Litem Board, state auditor, Legislative Coordinating Commission, Department of Natural Resources, Uniform Laws Commission, Board on Judicial Standards, and Board of Public Defense; amending Minnesota Statutes 2020, sections 2.722, subdivision 1; 13.41, subdivision 3; 13.411, by adding a subdivision; 13.552, by adding a subdivision; 13.7931, by adding a subdivision; 13.824, subdivision 6; 13.825, subdivision 9; 13.851, by adding a subdivision; 152.01, subdivision 18; 169.99, subdivision 1c, by adding a subdivision; 169A.55, subdivisions 2, 4; 169A.60, subdivisions 2, 3, 13; 169A.63, subdivisions 1, 7, 8, 9, 10, 13, by adding subdivisions; 171.29, subdivision 1; 171.30, subdivision 1; 171.306, subdivisions 2, 4; 214.10, subdivision 11; 241.016; 241.021, subdivision 1, by adding subdivisions; 243.166, subdivision 1b; 243.48, subdivision 1; 243.52; 244.19, subdivision 3; 253B.18, subdivision 5a; 253D.14, subdivisions 2, 3, by adding a subdivision; 299A.52, subdivision 2; 299C.60; 299C.61, subdivisions 2, 4, by adding subdivisions; 299C.62, subdivisions 1, 2, 3, 4, 6; 299C.63; 299C.72; 299C.80, subdivision 3; 340A.504, subdivision 7; 357.021, subdivisions 1a, 6; 363A.02, subdivision 1; 363A.08, subdivision 6; 363A.28, subdivisions 1, 6; 363A.31, subdivision 2; 363A.33, subdivision 3; 363A.36, subdivisions 1, 2, 3, 4, by adding a subdivision; 363A.44, subdivisions 2, 4, 9; 401.06; 403.02, subdivision 16; 403.03, subdivision 1; 403.07, subdivision 2; 403.11, subdivision 1; 403.21, subdivisions 3, 12; 403.36, subdivision 1; 477A.03, subdivision 2b; 524.2-503; 609.1095, subdivision 1; 609.131, subdivision 2; 609.135, subdivision 2; 609.221; 609.2325; 609.322, subdivisions 1, 1a; 609.324, subdivisions 1, 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; 609.352, subdivision 4; 609.531, subdivision 1, by adding a subdivision; 609.5311, subdivisions 2, 3, 4; 609.5314, subdivisions 1, 2, 3, by adding a subdivision; 609.5315, subdivisions 5, 5b, 6; 609.605, subdivision 2; 609.66, subdivision 1e; 611.21; 611.27, subdivisions 9, 10, 11, 13, 15; 611A.039, subdivision 1; 611A.06, subdivision 1; 617.246, subdivisions 2, 3, 4; 617.247, subdivisions 3, 4; 626.14; 626.842, subdivision 2; 626.8435, subdivision 1; 626.845, subdivision 3; 626.8457, subdivision 3; 626.8469, by adding a subdivision; 628.26; Laws 2016, chapter 189, article 4, section 7; Laws 2017, chapter 95, article 1, section 11, subdivision 7; article 3, section 30; Laws 2020, Seventh Special Session chapter 2, article 2, section 4; Laws 2021, First Special Session chapter 4,

article 9, sections 1; 2; 3; 4; 5; Laws 2021, First Special Session chapter 5, article 3, sections 1; 2; 3; 4; 5; proposing coding for new law in Minnesota Statutes, chapters 3; 84; 260B; 299A; 299F; 326B; 604A; 609; 611A; 626; 629; 634; repealing Minnesota Statutes 2020, sections 253D.14, subdivision 4; 609.324, subdivision 3; 609.5317; 611A.0385.

## MOTIONS AND RESOLUTIONS - CONTINUED

### SUSPENSION OF RULES

Senator Gazelka moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 63 and that the rules of the Senate be so far suspended as to give H.F. No. 63 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 63 was read the second time.

Senator Limmer moved to amend H.F. No. 63 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 63, and insert the language after the enacting clause, and the title, of S.F. No. 7, the first engrossment.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 38 and nays 27, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Newman, Osmek, and Westrom.

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

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

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Klein, Latz, Newton, and Wiklund.

The motion prevailed. So the amendment was adopted.

H.F. No. 63 was read the third time.

### RECESS

Senator Johnson 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 H.F. No 63.

### RECONSIDERATION

Senator Limmer moved to reconsider the third reading of H.F. No. 63. The motion prevailed.

### RECONSIDERATION

Having voted on the prevailing side, Senator Limmer moved that the vote whereby the Limmer amendment to H.F. No. 63 was adopted on June 29, 2021, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Senator Limmer withdrew his amendment.

H.F. No. 63 was read the third time.

Senator Limmer moved that H.F. No. 63 be laid on the table. 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.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Limmer moved that H.F. No. 63 be taken from the table. The motion prevailed.

**H.F. No. 63:** A bill for an act relating to public safety; modifying certain provisions relating to public safety, courts, corrections, sexual offenders, crime victims, background checks, forfeiture, law enforcement, human rights, and data practices; providing for task forces and working groups; requiring reports; providing for criminal penalties; appropriating money for courts, public safety, sentencing guidelines, corrections, human rights, Peace Officer Standards and Training (POST) Board, Private Detective Board, Guardian ad Litem Board, state auditor, Legislative Coordinating

Commission, Department of Natural Resources, Uniform Laws Commission, Board on Judicial Standards, and Board of Public Defense; amending Minnesota Statutes 2020, sections 2.722, subdivision 1; 13.41, subdivision 3; 13.411, by adding a subdivision; 13.552, by adding a subdivision; 13.7931, by adding a subdivision; 13.824, subdivision 6; 13.825, subdivision 9; 13.851, by adding a subdivision; 152.01, subdivision 18; 169.99, subdivision 1c, by adding a subdivision; 169A.55, subdivisions 2, 4; 169A.60, subdivisions 2, 3, 13; 169A.63, subdivisions 1, 7, 8, 9, 10, 13, by adding subdivisions; 171.29, subdivision 1; 171.30, subdivision 1; 171.306, subdivisions 2, 4; 214.10, subdivision 11; 241.016; 241.021, subdivision 1, by adding subdivisions; 243.166, subdivision 1b; 243.48, subdivision 1; 243.52; 244.19, subdivision 3; 253B.18, subdivision 5a; 253D.14, subdivisions 2, 3, by adding a subdivision; 299A.52, subdivision 2; 299C.60; 299C.61, subdivisions 2, 4, by adding subdivisions; 299C.62, subdivisions 1, 2, 3, 4, 6; 299C.63; 299C.72; 299C.80, subdivision 3; 340A.504, subdivision 7; 357.021, subdivisions 1a, 6; 363A.02, subdivision 1; 363A.08, subdivision 6; 363A.28, subdivisions 1, 6; 363A.31, subdivision 2; 363A.33, subdivision 3; 363A.36, subdivisions 1, 2, 3, 4, by adding a subdivision; 363A.44, subdivisions 2, 4, 9; 401.06; 403.02, subdivision 16; 403.03, subdivision 1; 403.07, subdivision 2; 403.11, subdivision 1; 403.21, subdivisions 3, 12; 403.36, subdivision 1; 477A.03, subdivision 2b; 524.2-503; 609.1095, subdivision 1; 609.131, subdivision 2; 609.135, subdivision 2; 609.221; 609.2325; 609.322, subdivisions 1, 1a; 609.324, subdivisions 1, 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; 609.352, subdivision 4; 609.531, subdivision 1, by adding a subdivision; 609.5311, subdivisions 2, 3, 4; 609.5314, subdivisions 1, 2, 3, by adding a subdivision; 609.5315, subdivisions 5, 5b, 6; 609.605, subdivision 2; 609.66, subdivision 1e; 611.21; 611.27, subdivisions 9, 10, 11, 13, 15; 611A.039, subdivision 1; 611A.06, subdivision 1; 617.246, subdivisions 2, 3, 4; 617.247, subdivisions 3, 4; 626.14; 626.842, subdivision 2; 626.8435, subdivision 1; 626.845, subdivision 3; 626.8457, subdivision 3; 626.8469, by adding a subdivision; 628.26; Laws 2016, chapter 189, article 4, section 7; Laws 2017, chapter 95, article 1, section 11, subdivision 7; article 3, section 30; Laws 2020, Seventh Special Session chapter 2, article 2, section 4; Laws 2021, First Special Session chapter 4, article 9, sections 1; 2; 3; 4; 5; Laws 2021, First Special Session chapter 5, article 3, sections 1; 2; 3; 4; 5; proposing coding for new law in Minnesota Statutes, chapters 3; 84; 260B; 299A; 299F; 326B; 604A; 609; 611A; 626; 629; 634; repealing Minnesota Statutes 2020, sections 253D.14, subdivision 4; 609.324, subdivision 3; 609.5317; 611A.0385.

H.F. No. 63 was placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 21, as follows:

Those who voted in the affirmative were:

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



Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Eichorn, Goggin, Lang, Newman, and Westrom.

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

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

Those who voted in the negative were:

Carlson	Franzen	Kunesh	Osmek	Wiklund
Champion	Hawj	Marty	Pappas	
Dibble	Isaacson	McEwen	Port	
Eaton	Johnson Stewart	Murphy	Rest	
Fateh	Kent	Newton	Torres Ray	

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

Pursuant to Rule 40, Senator Frenz cast the negative vote on behalf of the following Senators: Carlson, Champion, Eaton, Newton, Rest, and Wiklund.

So the bill 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. 2:** A bill for an act relating to state government operation; appropriating money for certain constitutional offices, legislature, certain state agencies, offices, departments, boards, commissions, certain retirement accounts, general contingent accounts, tort claims, state lottery, Minnesota Historical Society, Minnesota Humanities Center, and military and veterans affairs; canceling certain fiscal year appropriations; making changes to policy provisions in state government operations; changing military and veterans affairs policy provisions; modifying election policy provisions; establishing provisions for federal funds; amending Minnesota Statutes 2020, sections 10.578; 14.389, subdivision 5; 15.057, as amended; 16A.06, by adding a subdivision; 16B.24, by adding a subdivision; 138.38; 155A.23, subdivision 16; 190.07; 197.791, subdivisions 4, 5, 5a, 5b; 198.006; 198.03, subdivision 2; 201.071, subdivision 2; 201.121, subdivision 3; 203B.08, subdivisions 1, 3; 203B.121, subdivision 1; 204B.14, subdivision 3; 204B.16, subdivision 1; 204B.18, subdivision 1; 204B.40; 204C.13, subdivision 3; 204C.35, subdivision 3, by adding a subdivision; 240.01,

subdivision 18; 240.06, subdivision 7; 240.11; 240.131, subdivision 7; 240.24, subdivisions 2a, 3; 240.30, subdivision 5; 270C.21; 477A.03, subdivision 2b; 609.095; 645.071; Laws 2019, First Special Session chapter 10, article 1, section 40; Laws 2020, chapter 77, section 3, subdivision 6; Laws 2020, Fifth Special Session chapter 3, article 9, section 13; proposing coding for new law in Minnesota Statutes, chapters 3; 10; 16A; 43A; 196; 198; 203B; 609.

Senate File No. 2 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned June 29, 2021

### CONCURRENCE AND REPASSAGE

Senator Kiffmeyer moved that the Senate concur in the amendments by the House to S.F. No. 2 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 54 and nays 12, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Isaacson	Mathews	Rest
Anderson	Duckworth	Jasinski	Miller	Rosen
Bakk	Eaton	Johnson	Murphy	Ruud
Bigham	Eken	Johnson Stewart	Nelson	Senjem
Carlson	Franzen	Kent	Newman	Tomassoni
Chamberlain	Frentz	Kiffmeyer	Newton	Utke
Clausen	Gazelka	Klein	Pappas	Weber
Coleman	Hoffman	Koran	Port	Westrom
Cwodzinski	Housley	Lang	Pratt	Wiger
Dahms	Howe	Latz	Putnam	Wiklund
Dornink	Ingebrigtsen	Limmer	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Coleman, Lang, Newman, and Westrom.

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senator: Carlson, Eaton, Eken, Klein, Latz, Newton, Rest, and Wiklund.

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

Those who voted in the negative were:

Benson	Eichorn	Hawj	McEwen
Champion	Fateh	Kunesh	Osmek
Dibble	Goggin	Marty	Torres Ray

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Eichorn, Goggin, and Osmek.

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

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

#### **MEMBERS EXCUSED**

Senator Dziezic was excused from the Session of today. Senator Nelson was excused from the Session of today from 2:30 to 3:00 p.m. and from 4:45 to 6:00 p.m. Senator Latz was excused from the Session of today from 4:50 to 5:30 p.m. Senator Rest was excused from the Session of today from 12:30 to 1:00 a.m.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Wednesday, June 30, 2021. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate



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