

STATE OF MINNESOTA

# Journal of the Senate

NINETY-SECOND LEGISLATURE

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SIXTY-SIXTH DAY

St. Paul, Minnesota, Monday, February 14, 2022

The Senate met at 11:00 a.m. and was called to order by the President.

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

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

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

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

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Bakk, Carlson, Eaton, Eken, Ingebrigtsen, Jasinski, Port, and Tomassoni.

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

February 9, 2022

The Honorable David J. Osmek  
President of the Senate

Dear Senator Osmek:

Pursuant to Rule 10.6 of the 2021-22 Temporary Rules of the Senate, we hereby make the following change in committee membership:

Committee on Rules and Administration, Subcommittee on Conference Committees - remove Senator Gazelka and add Senator Miller. Senator Miller to serve as Chair of the Subcommittee. Remove Senator Kent and add Senator López Franzen.

Committee on Rules and Administration, Subcommittee on Committees - remove Senator Gazelka and add Senator Miller. Senator Miller to serve as Chair of the Subcommittee. Remove Senator Kent and add Senator López Franzen.

Sincerely,  
Jeremy R. Miller  
Chair, Committee on Rules and  
Administration  
Minnesota Senate, District 28

Melisa López Franzen  
Minority Leader  
Minnesota Senate, District 49

## REPORTS OF COMMITTEES

Senator Miller moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

**Senator Utke from the Committee on Health and Human Services Finance and Policy, to which was referred**

**S.F. No. 2853:** A bill for an act relating to human services; modifying payment rates for ambulance services; temporarily modifying the authority of the Emergency Medical Services Regulatory Board; appropriating money; amending Minnesota Statutes 2020, section 256B.0625, subdivision 17a.

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

Delete everything after the enacting clause and insert:

"Section 1. **EMERGENCY MEDICAL SERVICES REGULATORY BOARD TEMPORARY AUTHORITY.**

(a) Notwithstanding Minnesota Statutes, section 144E.266, the Emergency Medical Services Regulatory Board may temporarily suspend any of the requirements of Minnesota Statutes, sections 144E.10; 144E.101, subdivisions 1, 2, 3, 6, 7, 8, 9, 10, 11, and 13; 144E.103; 144E.12; 144E.121; 144E.123; 144E.127; and 144E.15. Any requirements suspended under this section remain suspended until the earlier of the following:

(1) the board reinstates the requirement; or

(2) June 30, 2023.

(b) Upon adoption by the board of an internal operating procedure authorizing the executive director to do so, the executive director may immediately temporarily suspend requirements listed in paragraph (a) for no longer than 72 hours.

(c) This section expires June 30, 2023.

(d) No later than 48 hours after suspending a requirement under this section, the executive director of the Emergency Medical Services Regulatory Board must provide written notice to the chairs and ranking minority members of the legislative committees with jurisdiction over the Emergency Medical Services Regulatory Board.

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

Sec. 2. **COMMISSIONER OF HEALTH; TEMPORARY EMERGENCY AUTHORITY.**

Subdivision 1. **Temporary emergency authority granted.** The commissioner of health is granted temporary emergency authority as described in and limited by this section. The temporary emergency authority granted to the commissioner may only be used to grant individual or blanket state waivers.

Subd. 2. **Individual or blanket waivers permitted.** Temporary individual or blanket waivers may be granted to waive requirements in the following statutes provided a granted waiver does not adversely affect resident or patient care or quality of the services:

(1) Minnesota Statutes, chapter 144, for hospitals relating to hospital construction moratorium or bed capacity restrictions, except that no individual or blanket waiver may be granted that will result in construction or other physical alterations of a hospital that cannot be removed at the expiration of the waiver; and

(2) Minnesota Statutes, chapters 144 and 144A, for nursing homes relating to bed moratorium, bed capacity, layaway and nonlayaway beds, and the notice timeline requirements for residents who are transferred or discharged as a response to COVID-19.

Subd. 3. **Notice.** (a) No later than 48 hours after an individual waiver or blanket waiver under this section goes into effect, the commissioner must provide written notice of the waiver to the appropriate ombudsman, if any, and to the chairs and ranking minority members of the legislative committees with jurisdiction over the Department of Health.

(b) A waiver issued or granted under this section must be posted on the Department of Health's website within 48 hours after being issued or granted and must include a plain-language description of the waiver.

Subd. 4. **Expiration of waivers.** Any waiver granted by this section expires on June 30, 2022. This subdivision does not apply to nursing home transfer and discharge waivers if necessary federal approval is not obtained prior to June 30, 2022.

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

Delete the title and insert:

"A bill for an act relating to health; temporarily modifying the authority of the Emergency Medical Services Regulatory Board; granting the commissioner of health temporary emergency authority to grant certain COVID waivers."

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

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 2676:** A bill for an act relating to transit; requiring the legislative auditor to conduct a special review of specified aspects of the Southwest light rail transit project; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. **SOUTHWEST LIGHT RAIL TRANSIT PROJECT REVIEW OR EVALUATION.**

(a) The legislative auditor must conduct a special review, program evaluation, or a combination of the two, of the Southwest light rail transit project. The legislative auditor must examine the primary reasons for delays and cost increases in the project, whether the Metropolitan Council properly managed the project's schedule and costs, and whether there was sufficient Metropolitan Council scrutiny of the route decisions and design choices that have subsequently required costly changes to project plans. The legislative auditor must determine the issues to include in any special review or program evaluation. As part of a special review or program evaluation, the legislature encourages the legislative auditor to:

(1) evaluate whether current practices on project cost estimating, contracting, negotiations, management processes, and hiring result in cost overruns or cause schedule delays;

(2) evaluate whether the Metropolitan Council's posting, interviewing, and hiring process for internal staff resulted in qualified and competent project management personnel;

(3) evaluate whether the current practices on reviewing change orders, determining fair pricing, and establishing credits for lump-sum bid prices are reasonable and appropriate;

(4) identify all changes to the project schedule and evaluate whether the changes were reasonable, appropriate, and impact the project completion date;

(5) evaluate whether current practices on requiring, monitoring, and assuring quality of construction and materials is sufficient;

(6) evaluate whether the methodology used by the Metropolitan Council to calculate the requests for additional public funding for the project is reasonable, appropriate, and aligned with standard engineering practice;

(7) evaluate whether the use of contingency funds is reasonable and appropriate;

(8) determine the balance in the contingency fund;

(9) determine the balance of available funding currently committed by Hennepin County and other regional partners;

(10) evaluate potential financial impacts on Hennepin County if the Metropolitan Council requests additional funding from the county beyond the existing contingency funding;

(11) determine the revised total project budget and analyze the level of financial risk of any further changes to the project;

(12) determine the current overall project timeline and any specific deadlines or benchmark dates, identify any currently proposed schedule changes, and determine whether project changes are on a critical path;

(13) evaluate whether current penalties for missed deadlines or benchmarks are appropriate and, where applicable, if they have been imposed for previously missed deadlines or benchmarks;

(14) make recommendations on how the Metropolitan Council and Hennepin County can best avoid additional cost overruns, minimize delays, manage risks, assure sufficient construction quality, effectively address further changes, and increase public transparency about the current cost and schedule for the project's completion;

(15) review the January 2022 settlement between the Metropolitan Council and the project's prime construction contractor and evaluate whether the settlement was necessary and appropriate;

(16) evaluate whether the Metropolitan Council, vendors, and contractors are adhering to established safety standards, practices, and protocols in construction, emergency response, operations, and maintenance; and

(17) perform a cost-benefit analysis of the project.

(b) The identity of an individual and the statement provided by the individual to the legislative auditor pursuant to this section are private data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12.

(c) The Metropolitan Council must not require any vendor or contractor to notify the council of any requests or inquiries received by the vendor or contractor from the legislative auditor pursuant to this section. The Metropolitan Council must not require any vendor or contractor to provide to the council with information the vendor or contractor provided to the legislative auditor pursuant to this section.

(d) The Metropolitan Council must not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee of the council regarding the employee's compensation, terms, conditions, location, or privileges of employment because the employee participated in a special review or program evaluation described to this section. The protections provided under this paragraph are in addition to any remedies or employee protections otherwise provided by law.

(e) The Metropolitan Council must not request or require the reassignment or removal of an employee of a contractor or vendor solely based on that employee's participation in the review described by this section. The Metropolitan Council must not retaliate or take adverse action against a vendor or contractor based solely on fact that an employee of the vendor or contractor participated in a special review or program evaluation described by this section.

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

Sec. 2. **APPROPRIATION.**

\$200,000 in fiscal year 2022 is appropriated from the general fund to the legislative auditor for the purposes of any special review or program evaluation conducted pursuant to section 1, including hiring additional staff or contracting with any necessary third-parties. This is a onetime appropriation and is available until June 30, 2023.

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

Amend the title as follows:

Page 1, line 2, after "review" insert "or program evaluation"

Page 1, line 3, delete everything before "the"

And when so amended the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Amendments adopted. Report adopted.

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 2875:** A bill for an act relating to drivers' licenses; amending eligibility for a veteran designation on drivers' licenses or Minnesota identification cards; amending Minnesota Statutes 2020, section 171.07, subdivision 15.

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

Page 1, line 14, delete "either" and insert "one of the following"

Page 1, line 15, delete "or"

Page 1, after line 18, insert:

"(iii) a member of the National Guard or a reserve component of the United States armed forces, who provides a Veteran Identification Card; or

(iv) a member of the National Guard or a reserve component of the United States armed forces, who provides a Veteran Health Identification Card;"

Page 1, line 19, delete the comma and insert "or"

Page 1, line 20, delete ", or other official release or" and strike "discharge papers"

Page 1, line 21, after "discharge" insert "under honorable conditions"

And when so amended the bill do pass and be re-referred to the Committee on Veterans and Military Affairs Finance and Policy. Amendments adopted. Report adopted.

**Senator Newman from the Committee on Transportation Finance and Policy, to which was referred**

**S.F. No. 2844:** A bill for an act relating to public safety; modifying the crime of fleeing a peace officer in a motor vehicle to add a heightened penalty for fleeing in a culpably negligent manner; amending Minnesota Statutes 2020, sections 171.174; 609.487, subdivision 5, by adding a subdivision; 609B.205.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Judiciary and Public Safety Finance and Policy. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. No. 2853 was read the second time.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

**Senators Koran, Rarick, and Mathews introduced--**

**S.F. No. 3082:** A bill for an act relating to capital investment; appropriating money for improvements to publicly owned infrastructure in the city of Braham.

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

**Senators Koran and Mathews introduced--**

**S.F. No. 3083:** A bill for an act relating to health occupations; modifying provisions governing the practice or provision of physical therapy; amending Minnesota Statutes 2020, sections 148.65, subdivisions 1, 5, 6; 148.706; 148.75; 148.76; repealing Minnesota Statutes 2020, sections 148.65, subdivision 9; 148.77.

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

**Senator Senjem introduced--**

**S.F. No. 3084:** A bill for an act relating to capital investment; appropriating money for a grant program for regional behavioral health crisis facilities in selected communities; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Senjem introduced--**

**S.F. No. 3085:** A bill for an act relating to human services; appropriating money for a grant to Headway Emotional Health Services.

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

**Senators Howe, Jasinski, Dornink, Draheim, and Duckworth introduced--**

**S.F. No. 3086:** A bill for an act relating to transportation; modifying allocation of state general sales tax revenue related to motor vehicle repair and replacement parts; dedicating sales tax revenue to small cities assistance account and town road account; amending Minnesota Statutes 2020, section 297A.94.

Referred to the Committee on Transportation Finance and Policy.

**Senator Bigham introduced--**

**S.F. No. 3087:** A bill for an act relating to state government; modifying various provisions governing or administered by the secretary of state; amending Minnesota Statutes 2020, sections 5B.02; 5B.05; 5B.10, subdivision 1; 13.045, subdivisions 1, 2, 3, 4a.

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

**Senator Bigham introduced--**

**S.F. No. 3088:** A bill for an act relating to human rights; removing certain sections in the human rights act that allow for discrimination based on sexual orientation; amending Minnesota Statutes 2020, section 363A.21, subdivision 1; repealing Minnesota Statutes 2020, sections 363A.20, subdivision 3; 363A.27.

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

**Senator Bigham introduced--**

**S.F. No. 3089:** A bill for an act relating to health care; modifying the time period in which a patient in the medical cannabis program must resubmit a qualifying medical condition certification; amending Minnesota Statutes 2021 Supplement, sections 152.27, subdivision 3; 152.28, subdivision 1.

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

**Senators Bigham and Rest introduced--**

**S.F. No. 3090:** A bill for an act relating to taxation; individual income and corporate franchise; conforming to the federal exclusion from gross income of restaurant revitalization grants; amending Minnesota Statutes 2021 Supplement, section 290.0111, subdivision 5.

Referred to the Committee on Taxes.



**Senators Koran, Nelson, and Draheim introduced--**

**S.F. No. 3091:** A bill for an act relating to human services; increasing reimbursement rates for adult mental health services; increasing reimbursement rates for child therapeutic services and supports; amending Minnesota Statutes 2020, sections 256B.0623, by adding a subdivision; 256B.0943, by adding a subdivision.

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

**Senator Tomassoni introduced--**

**S.F. No. 3092:** A bill for an act relating to capital investment; appropriating money for University of Minnesota capital projects; requiring a report; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni and Rarick introduced--**

**S.F. No. 3093:** A bill for an act relating to higher education; providing for certain policy changes to student financial aid, institutional licensure provisions, and institutional grant programs; amending Minnesota Statutes 2020, sections 136A.121, subdivision 18; 136A.1701, subdivision 11; 136A.833; Minnesota Statutes 2021 Supplement, section 136A.91, subdivisions 1, 2; repealing Minnesota Rules, part 4880.2500.

Referred to the Committee on Higher Education Finance and Policy.

**Senator Fateh introduced--**

**S.F. No. 3094:** A bill for an act relating to education; prohibiting malicious and sadistic conduct involving race, religion, sexual harassment, sexual orientation, and sexual exploitation; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education Finance and Policy.

**Senator Fateh introduced--**

**S.F. No. 3095:** A bill for an act relating to crime; prohibiting the dissemination of personal information about a child; amending Minnesota Statutes 2021 Supplement, section 609.5151.

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

**Senators Johnson, Weber, Dahms, Goggin, and Frentz introduced--**

**S.F. No. 3096:** A bill for an act relating to agriculture; appropriating money for the Ag Innovation Campus.

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

**Senator Housley introduced--**

**S.F. No. 3097:** A bill for an act relating to economic development; appropriating money for a grant to the Neighborhood Development Center.

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

**Senator Housley introduced--**

**S.F. No. 3098:** A bill for an act relating to capital investment; appropriating money for phase 2 of the Avivo regional treatment, career, and employment center campus in Hennepin County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Eichorn introduced--**

**S.F. No. 3099:** A bill for an act relating to capital investment; appropriating money to Independent School District No. 318, Grand Rapids, for facilities improvements.

Referred to the Committee on Education Finance and Policy.

**Senator Eichorn introduced--**

**S.F. No. 3100:** A bill for an act relating to capital investment; appropriating money for facility improvements in Independent School District No. 318, Grand Rapids; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 3101:** A bill for an act relating to capital investment; appropriating money for capital improvements to water and sewer infrastructure in the city of Floodwood; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni and Bakk introduced--**

**S.F. No. 3102:** A bill for an act relating to capital investment; appropriating money for capital improvements for water, sewer, and road infrastructure in the city of Virginia; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni and Rarick introduced--**

**S.F. No. 3103:** A bill for an act relating to data practices; modifying certain higher education provisions; amending Minnesota Statutes 2020, sections 136A.121, subdivision 18; 136A.1701, subdivision 11.

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

**Senator Mathews introduced--**

**S.F. No. 3104:** A bill for an act relating to motor vehicles; establishing "Choose Life" special license plates; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation Finance and Policy.

**Senators Anderson and Rarick introduced--**

**S.F. No. 3105:** A bill for an act relating to public safety; prohibiting dismissal of certain criminal charges before a competency determination; proposing coding for new law in Minnesota Statutes, chapter 611.

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

**Senator Anderson introduced--**

**S.F. No. 3106:** A bill for an act relating to public safety; establishing the crime of organized retail theft; proposing coding for new law in Minnesota Statutes, chapter 609.

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

**Senators Duckworth, Chamberlain, Clausen, Coleman, and Eichorn introduced--**

**S.F. No. 3107:** A bill for an act relating to education; increasing maximum earnings for school board members employed by a school district; amending Minnesota Statutes 2020, section 123B.195.

Referred to the Committee on Education Finance and Policy.

**Senator Duckworth introduced--**

**S.F. No. 3108:** A bill for an act relating to education finance; creating the transportation options program to address the negative impacts of COVID-19 on pupil transportation; appropriating money.

Referred to the Committee on Education Finance and Policy.

**Senators Hawj, Pappas, Kunesh, and Murphy introduced--**

**S.F. No. 3109:** A bill for an act relating to capital investment; appropriating money for improvements on the Metropolitan State University campus; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Eichorn, Ruud, and Bakk introduced--**

**S.F. No. 3110:** A bill for an act relating to transportation; amending a forest products special permit; making technical changes; amending Minnesota Statutes 2020, section 169.8261.

Referred to the Committee on Transportation Finance and Policy.

**Senators Abeler, Nelson, Hoffman, Klein, and Murphy introduced--**

**S.F. No. 3111:** A bill for an act relating to health; modifying and expanding medical assistance coverage of tobacco and nicotine cessation treatment; amending Minnesota Statutes 2020, sections 256B.0625, by adding a subdivision; 256L.03, subdivision 5; Minnesota Statutes 2021 Supplement, section 256B.0631, subdivision 1, as amended.

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

**Senator Pappas introduced--**

**S.F. No. 3112:** A bill for an act relating to public safety; establishing a task force on the statewide response to substance abuse; requiring reports; appropriating money.

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

**Senator Weber introduced--**

**S.F. No. 3113:** A bill for an act relating to waters; appropriating money for groundwater storage and recovery.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Rarick and Bakk introduced--**

**S.F. No. 3114:** A bill for an act relating to capital investment; appropriating money for improvements on the Lake Superior College campus; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Rarick introduced--**

**S.F. No. 3115:** A bill for an act relating to human services; directing the commissioner to make recommendations for paperwork reduction relating to child protection cases.

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

**Senator Wiger introduced--**

**S.F. No. 3116:** A bill for an act relating to environment; modifying water appropriation allocation priorities; amending Minnesota Statutes 2020, sections 103G.261; 103G.291, subdivision 1.

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

**Senators Wiger and Eaton introduced--**

**S.F. No. 3117:** A bill for an act relating to health; appropriating money for a voluntary well water testing program.

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

**Senators Wiger and Eaton introduced--**

**S.F. No. 3118:** A bill for an act relating to health; appropriating money to the commissioner of health to test for and remediate the presence of lead in drinking water at certain facilities; appropriating money to the state auditor for upgrades to its infrastructure stress transparency tool.

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

**Senators Weber, Wiger, and Eaton introduced--**

**S.F. No. 3119:** A bill for an act relating to environment; facilitating use of artificial aquifer recharge where appropriate; appropriating money for groundwater storage and recovery; amending Minnesota Statutes 2020, section 103A.204.

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

**Senator Utke introduced--**

**S.F. No. 3120:** A bill for an act relating to human services; modifying children's residential treatment; modifying psychiatric residential treatment facility requirements; modifying qualified residential treatment program requirements; directing the commissioner of human services to provide a report on psychiatric residential treatment facility reimbursement; appropriating money; amending Minnesota Statutes 2020, sections 245.4882, by adding a subdivision; 256B.0941, by adding a subdivision; 260C.007, subdivision 26d; Minnesota Statutes 2021 Supplement, sections 2451.04, by adding a subdivision; 260C.704.

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

**Senator Clausen introduced--**

**S.F. No. 3121:** A bill for an act relating to transportation; appropriating money for railway and highway safety improvements for pedestrian and bicycle trails in Dakota County.

Referred to the Committee on Transportation Finance and Policy.

**Senator Tomassoni introduced--**

**S.F. No. 3122:** A bill for an act relating to state lands; eliminating sunset for authority to sell leased lakeshore lots in St. Louis County; repealing Laws 2012, chapter 236, section 28, subdivision 9, as amended.

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

**Senator Newman introduced--**

**S.F. No. 3123:** A bill for an act relating to transportation; modifying selection process procedures for Corridors of Commerce projects; amending Minnesota Statutes 2020, section 161.088, subdivisions 1, 4; Minnesota Statutes 2021 Supplement, section 161.088, subdivision 5.

Referred to the Committee on Transportation Finance and Policy.

**Senators Chamberlain, Draheim, Pratt, Eichorn, and Goggin introduced--**

**S.F. No. 3124:** A bill for an act relating to capital investment; requiring the commissioner of management and budget to defease certain outstanding bonds; appropriating money; repealing Minnesota Statutes 2020, sections 16A.97; 16A.98; 16A.99.

Referred to the Committee on Finance.

**Senator Newman introduced--**

**S.F. No. 3125:** A bill for an act relating to local taxes; authorizing the city of Henderson to impose a local sales and use tax.

Referred to the Committee on Taxes.

**Senator Ingebrigtsen introduced--**

**S.F. No. 3126:** A bill for an act relating to capital investment; appropriating money for the Fergus Falls Riverfront Corridor project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Eichorn, Ingebrigtsen, Bakk, Tomassoni, and Koran introduced--**

**S.F. No. 3127:** A bill for an act relating to state government; requiring relocation of Minnesota Pollution Control Agency headquarters; amending Minnesota Statutes 2020, section 116.02, by adding a subdivision.

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

**Senators Hoffman and Abeler introduced--**

**S.F. No. 3128:** A bill for an act relating to human services; modifying background study requirements for out-of-home respite provided to minors in unlicensed settings; modifying the definition of unit of service for the purposes of individualized home supports with training; permitting additional time-limited extensions of cosigned leases in community-living settings; authorizing market rates for disability waiver respite services; amending Minnesota Statutes 2020, sections 245C.04, subdivision 1; 256B.49, subdivision 23; 256B.4914, subdivisions 2, 3, 7, 8, 9, 10; Minnesota Statutes 2021 Supplement, sections 245C.05, subdivision 5; 256B.4914, subdivisions 5, 6; proposing coding for new law in Minnesota Statutes, chapter 245D.

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

**Senators Abeler and Hoffman introduced--**

**S.F. No. 3129:** A bill for an act relating to state government; designating the state fossil; proposing coding for new law in Minnesota Statutes, chapter 1.

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

**Senators Kunesh, Port, and Isaacson introduced--**

**S.F. No. 3130:** A bill for an act relating to education; providing for equal access to school athletic teams and facilities; amending Minnesota Statutes 2020, section 126C.10, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education Finance and Policy.

**Senator Abeler introduced--**

**S.F. No. 3131:** A bill for an act relating to insurance; clarifying exclusions for certain types of claims handling from civil liability; amending Minnesota Statutes 2020, section 604.18, subdivision 1.

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

**Senators Kunesh, Wiger, López Franzen, Hawj, and Torres Ray introduced--**

**S.F. No. 3132:** A bill for an act relating to education; strengthening the Increase Teachers of Color Act; seeking to increase the percentage of teachers of color and American Indian teachers in Minnesota; amending the world's best workforce requirements; requiring reports; appropriating

money; amending Minnesota Statutes 2020, sections 120B.11, subdivisions 1, 2, 3; 121A.031, subdivision 6; 122A.183, subdivision 1; 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 5; 122A.41, subdivision 2; 122A.635; 123B.147, subdivision 3; 124D.861, subdivision 2; Minnesota Statutes 2021 Supplement, section 122A.70; Laws 2021, First Special Session chapter 13, article 3, sections 7, subdivisions 4, 6; 8, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 124D.

Referred to the Committee on Education Finance and Policy.

**Senators Kiffmeyer, Howe, and Newman introduced--**

**S.F. No. 3133:** A bill for an act relating to transportation; amending requirements relating to pavement life-cycle cost analyses; amending Minnesota Statutes 2020, section 174.185.

Referred to the Committee on Transportation Finance and Policy.

**Senator Clausen introduced--**

**S.F. No. 3134:** A bill for an act relating to capital investment; appropriating money for a driver training facility at Dakota County Technical College.

Referred to the Committee on Higher Education Finance and Policy.

**Senators Rest and Hoffman introduced--**

**S.F. No. 3135:** A bill for an act relating to taxation; individual income; modifying the subtraction for taxable Social Security benefits; amending Minnesota Statutes 2020, section 290.0132, subdivision 26.

Referred to the Committee on Taxes.

**Senators Benson, Kiffmeyer, Mathews, and Abeler introduced--**

**S.F. No. 3136:** A bill for an act relating to human services; modifying exceptions to payments made by counties for cost of care; amending Minnesota Statutes 2020, section 246.54, subdivision 2.

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

**Senator Duckworth introduced--**

**S.F. No. 3137:** A bill for an act relating to transportation; allowing installation and fee collection for electric vehicle charging stations at interstate rest areas; amending Minnesota Statutes 2020, section 160.08, subdivision 7.

Referred to the Committee on Transportation Finance and Policy.



**Senator Coleman introduced--**

**S.F. No. 3138:** A bill for an act relating to utilities; requiring certain excavation notice system performance reporting; amending Minnesota Statutes 2020, section 216D.03, by adding a subdivision.

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

**Senator Coleman introduced--**

**S.F. No. 3139:** A bill for an act relating to motor vehicles; modifying various provisions governing driver and vehicle services, including authorizing the use of school buses to respond to an emergency or disaster, adding conditions for denial of a motor vehicle dealer license application, clarifying requirements for certain veterans' license plates, and defining Internet service as a home utility service for purposes of providing proof of residence for a driver's license; amending Minnesota Statutes 2020, sections 168.1235, subdivision 1; 168.1253, subdivision 3; 168.27, subdivision 11; 168A.11, subdivision 3; 221.025; Minnesota Statutes 2021 Supplement, section 171.0605, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation Finance and Policy.

**Senator Senjem introduced--**

**S.F. No. 3140:** A bill for an act relating to capital investment; appropriating money for grants for emergency shelter facilities.

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

**Senators Anderson, Lang, Koran, Westrom, and Howe introduced--**

**S.F. No. 3141:** A bill for an act relating to elections; establishing a procedure for the chair of either of the state's two largest major political parties to request a forensic audit of a state primary or state general election; proposing coding for new law in Minnesota Statutes, chapter 204C.

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

**Senators Howe and Abeler introduced--**

**S.F. No. 3142:** A bill for an act relating to public safety; authorizing non-in-person permit to carry renewals; amending Minnesota Statutes 2020, section 624.714, subdivision 3.

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

**Senators Utke and Hoffman introduced--**

**S.F. No. 3143:** A bill for an act relating to human services; appropriating money for emergency services grants.

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

**Senators Port, Dzedzic, and Rest introduced--**

**S.F. No. 3144:** A bill for an act relating to housing; prohibiting an eviction for nonpayment of rent when an application for rental assistance for the tenant is pending; amending Minnesota Statutes 2020, section 504B.291.

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

**Senators Dzedzic, Rest, and Port introduced--**

**S.F. No. 3145:** A bill for an act relating to housing; prohibiting the court from requiring bond or security prior to adjudication of a housing matter; amending Minnesota Statutes 2020, sections 504B.285, subdivision 5; 504B.335.

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

**Senators Dzedzic, Rest, and Port introduced--**

**S.F. No. 3146:** A bill for an act relating to civil law; requiring court notice to persons holding liens in tenant remedy actions; amending attorney fee award limitations and lien priority in tenant remedy actions; repealing certain requirements in tenant remedy actions for appointment of administrators; amending Minnesota Statutes 2020, sections 504B.401, by adding a subdivision; 504B.425; 504B.445, subdivisions 3, 4, by adding a subdivision; repealing Minnesota Statutes 2020, section 504B.445, subdivision 8.

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

**Senators Dzedzic, Rest, and Port introduced--**

**S.F. No. 3147:** A bill for an act relating to housing; creating various grant programs to fund municipal housing projects and initiatives; creating an excise tax imposed on the sale of residential property when the buyer is a corporate entity; authorizing housing and redevelopment authorities and economic development authorities to impose a mortgage registry and deed taxes; authorizing housing infrastructure bonds to finance affordable housing to low-income households; authorizing the issuance of additional housing infrastructure bonds; adding workforce housing as an eligible project for housing and redevelopment authorities; creating standards and procedures for municipal relocation assistance programs; modifying regulations on revenue derived from tax increments in tax increment financing districts; appropriating money; authorizing the sale and issuance of bonds; amending Minnesota Statutes 2020, sections 462A.37, subdivision 2, by adding a subdivision; 469.002, subdivision 12, by adding a subdivision; Minnesota Statutes 2021 Supplement, sections 462A.37, subdivision 5; 469.1763, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 116J; 426; 462A; 471; proposing coding for new law as Minnesota Statutes, chapter 287A.

Referred to the Committee on Housing Finance and Policy.

**Senator Pratt introduced--**

**S.F. No. 3148:** A bill for an act relating to transportation; making various policy changes, including to bikeways, public transit grant rules, funding county and city streets, the municipal screening board, Indian employment preference, insurance requirements for small unmanned aircraft systems, legislative route turnbacks, and the Board of Architecture; amending Minnesota Statutes 2020, sections 160.266, by adding a subdivision; 161.115, by adding a subdivision; 162.07, subdivision 2; 162.13, subdivisions 2, 3; Minnesota Statutes 2021 Supplement, sections 360.55, subdivision 9; 360.59, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Rules, part 8835.0350, subpart 2.

Referred to the Committee on Transportation Finance and Policy.

**Senators Johnson, Benson, Lang, Osmek, and Dornink introduced--**

**S.F. No. 3149:** A bill for an act relating to public safety; establishing the crime of carjacking; making conforming changes; amending Minnesota Statutes 2020, sections 145A.061, subdivision 3; 146A.08, subdivision 1; 245C.15, subdivision 2; 260B.171, subdivision 3; 299A.296, subdivision 2; 299C.105, subdivision 1; 609.341, subdivision 22; 609.52, subdivision 3; 609.631, subdivision 4; 609.632, subdivision 4; 609.821, subdivision 3; 611A.031; 624.712, subdivision 5; Minnesota Statutes 2021 Supplement, sections 245C.15, subdivisions 1, 4a; 245C.24, subdivision 3; 253B.02, subdivision 4e; 253D.02, subdivision 8; 299C.67, subdivision 2; 609.1095, subdivision 1; 609.531, subdivision 1; 611A.036, subdivision 7; 611A.08, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 609.

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

**Senators Johnson, Nelson, Weber, Benson, and Osmek introduced--**

**S.F. No. 3150:** A bill for an act relating to public safety; requiring electronic monitoring as a condition of pretrial release for certain offenders; amending Minnesota Statutes 2020, section 629.53.

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

**Senators Newman, Benson, Pratt, Osmek, and Dornink introduced--**

**S.F. No. 3151:** A bill for an act relating to public safety; establishing the crime of fleeing in a motor vehicle and failing to obey certain traffic laws; amending Minnesota Statutes 2020, section 609.487, by adding a subdivision.

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

**Senator Howe introduced--**

**S.F. No. 3152:** A bill for an act relating to public safety; amending the Minnesota Personal Protection Act; creating lifetime permits to carry handguns; reducing the application fee for permits to carry; amending Minnesota Statutes 2020, section 624.714, subdivisions 2a, 3, 7, 14.

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

**Senator Kiffmeyer introduced--**

**S.F. No. 3153:** A bill for an act relating to corrections; authorizing the removal of the ombudsperson only for just cause; amending Minnesota Statutes 2020, section 241.90.

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

**Senator Dibble introduced--**

**S.F. No. 3154:** A bill for an act relating to health care; authorizing pharmacists to prescribe, dispense, and administer drugs to prevent the acquisition of human immunodeficiency virus; authorizing pharmacists to order, conduct, and interpret laboratory tests necessary for therapy that uses drugs to prevent the acquisition of human immunodeficiency virus; amending Minnesota Statutes 2020, sections 151.01, subdivisions 23, 27; 151.37, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

**Senator Dibble introduced--**

**S.F. No. 3155:** A bill for an act relating to human services; authorizing grants for nonprofits serving homeless youth in Minnesota; appropriating money.

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

**Senator Dibble introduced--**

**S.F. No. 3156:** A bill for an act relating to public safety; providing for a grant to the Minnesota federated humane societies; requiring reports; appropriating money.

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

**MOTIONS AND RESOLUTIONS**

Senator Rarick moved that the name of Senator Murphy be added as a co-author to S.F. No. 182. The motion prevailed.

Senator Draheim moved that the name of Senator Eichorn be added as a co-author to S.F. No. 662. The motion prevailed.

Senator Housley moved that the name of Senator Carlson be added as a co-author to S.F. No. 1077. The motion prevailed.

Senator Westrom moved that the name of Senator Eken be added as a co-author to S.F. No. 1225. The motion prevailed.

Senator Housley moved that the name of Senator Kunesh be added as a co-author to S.F. No. 1282. The motion prevailed.

Senator Rarick moved that the name of Senator Putnam be added as a co-author to S.F. No. 1307. The motion prevailed.

Senator Dibble moved that the name of Senator Latz be added as a co-author to S.F. No. 1513. The motion prevailed.

Senator Marty moved that the names of Senators McEwen and Fateh be added as co-authors to S.F. No. 2010. The motion prevailed.

Senator Howe moved that the name of Senator Senjem be added as a co-author to S.F. No. 2131. The motion prevailed.

Senator Duckworth moved that the names of Senators Rosen and Dahms be added as co-authors to S.F. No. 2587. The motion prevailed.

Senator Howe moved that the name of Senator Miller be added as a co-author to S.F. No. 2634. The motion prevailed.

Senator Draheim moved that the name of Senator Nelson be added as a co-author to S.F. No. 2665. The motion prevailed.

Senator Limmer moved that the name of Senator Nelson be added as a co-author to S.F. No. 2672. The motion prevailed.

Senator Osmek moved that the name of Senator Dziedzic be added as a co-author to S.F. No. 2764. The motion prevailed.

Senator Draheim moved that the name of Senator Duckworth be added as a co-author to S.F. No. 2779. The motion prevailed.

Senator Rarick moved that the name of Senator Benson be added as a co-author to S.F. No. 2856. The motion prevailed.

Senator Dornink moved that the names of Senators Hoffman and Duckworth be added as co-authors to S.F. No. 2861. The motion prevailed.

Senator Housley moved that the name of Senator Nelson be added as a co-author to S.F. No. 2865. The motion prevailed.

Senator Newton moved that the name of Senator Eken be added as a co-author to S.F. No. 2879. The motion prevailed.

Senator Kunesh moved that the name of Senator Pappas be added as a co-author to S.F. No. 2881. The motion prevailed.

Senator Goggin moved that the name of Senator Duckworth be added as a co-author to S.F. No. 2888. The motion prevailed.

Senator Tomassoni moved that the name of Senator Rarick be added as a co-author to S.F. No. 2905. The motion prevailed.

Senator Isaacson moved that the name of Senator McEwen be added as a co-author to S.F. No. 2955. The motion prevailed.

Senator Dziejcz moved that the name of Senator Clausen be added as a co-author to S.F. No. 2982. The motion prevailed.

Senator López Franzen moved that the name of Senator Marty be added as a co-author to S.F. No. 2989. The motion prevailed.

Senator Pratt moved that the name of Senator Latz be added as a co-author to S.F. No. 2991. The motion prevailed.

Senator Putnam moved that the name of Senator Pappas be added as a co-author to S.F. No. 3001. The motion prevailed.

Senator Goggin moved that the names of Senators Senjem, Osmek, Duckworth, and Jasinski be added as co-authors to S.F. No. 3003. The motion prevailed.

Senator Cwodzinski moved that the name of Senator Clausen be added as a co-author to S.F. No. 3004. The motion prevailed.

Senator Murphy moved that the names of Senators López Franzen, McEwen, Marty, and Port be added as co-authors to S.F. No. 3027. The motion prevailed.

Senator Murphy moved that the names of Senators Clausen and Hawj be added as co-authors to S.F. No. 3028. The motion prevailed.

Senator Koran moved that the name of Senator Mathews be added as a co-author to S.F. No. 3035. The motion prevailed.

Senator Benson moved that the names of Senators Ruud and Duckworth be added as co-authors to S.F. No. 3040. The motion prevailed.

Senator Eaton moved that the name of Senator Marty be added as a co-author to S.F. No. 3045. The motion prevailed.

Senator Duckworth moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 3048. The motion prevailed.

Senator Cwodzinski moved that the name of Senator Port be added as a co-author to S.F. No. 3052. The motion prevailed.

Senator Dibble moved that the name of Senator Rest be added as a co-author to S.F. No. 3075. The motion prevailed.

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

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of the Consent Calendar.

**CONSENT CALENDAR**

**S.F. No. 2774:** A bill for an act relating to human services; reorganizing provisions governing disability waiver rate setting; requiring a report; amending Minnesota Statutes 2020, section 256B.4914, as amended.

S.F. No. 2774 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Johnson cast the affirmative vote on behalf of the following Senators: Bakk, Ingebrigtsen, Jasinski, and Tomassoni.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Eken, and Port.

So the bill passed and its title was agreed to.

**MOTIONS AND RESOLUTIONS - CONTINUED****SPECIAL ORDERS**

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

S.F. Nos. 2848 and 2677.

**SPECIAL ORDER**

**S.F. No. 2848:** A bill for an act relating to public safety; appropriating money to promote importance of and recruit peace officers and to provide pathway to police reimbursement grants.

Senator Marty moved to amend S.F. No. 2848 as follows:

Page 1, delete section 1

Page 1, line 19, delete "\$1,000,000" and insert "\$2,000,000"

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 42, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, and Port.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Johnson cast the negative vote on behalf of the following Senators: Bakk, Ingebrigtsen, Jasinski, and Tomassoni.

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

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

S.F. No. 2848 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Abeler	Cwodzinski	Goggin	Kiffmeyer	Newman
Anderson	Dahms	Hoffman	Klein	Newton
Bakk	Dornink	Housley	Koran	Osmek
Benson	Draheim	Howe	Lang	Pratt
Bigham	Duckworth	Ingebrigtsen	Limmer	Putnam
Carlson	Eichorn	Isaacson	López Franzen	Rarick
Chamberlain	Eken	Jasinski	Mathews	Rest
Clausen	Frentz	Johnson	Miller	Rosen
Coleman	Gazelka	Johnson Stewart	Nelson	Ruud



Senjem  
Tomassoni

Utke  
Weber

Westrom  
Wiger

Pursuant to Rule 40, Senator Johnson cast the affirmative vote on behalf of the following Senators: Bakk, Ingebrigtsen, Jasinski, Nelson, and Tomassoni..

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

Those who voted in the negative were:

Champion  
Dziedzic  
Eaton

Fateh  
Hawj  
Kent

Kunesh  
Latz  
Marty

McEwen  
Murphy  
Pappas

Port  
Torres Ray  
Wiklund

Pursuant to Rule 40, Senator Hawj cast the negative vote on behalf of the following Senators: Eaton and Port.

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 2677:** A bill for an act relating to unemployment insurance; repaying unemployment insurance trust fund loans; replenishing the unemployment insurance trust fund; freezing the base tax rate for employers; eliminating the additional assessment for calendar years 2022 and 2023; establishing a zero percent special assessment rate for calendar year 2022; eliminating a revenue replacement transfer; appropriating money; repealing Laws 2021, First Special Session chapter 12, article 5, section 3.

Senator Murphy moved to amend S.F. No. 2677 as follows:

Page 2, after line 12, insert:

"Sec. 3. **FRONTLINE WORKER PAYMENTS; PUBLIC PURPOSE.**

This act is intended to provide payments to frontline workers whose work put them at risk of contracting COVID-19 during the peacetime emergency declared by the governor in Executive Order 20-01. The legislature finds that payments under this section specifically, and under the premium pay provisions of the American Rescue Plan Act of 2021 generally, have a public purpose and benefit the people of Minnesota by:

(1) responding to the extraordinary circumstances of the COVID-19 pandemic which resulted in the peacetime emergency; and

(2) compensating workers for working in conditions that, in many cases, exceeded what was originally contemplated in their employment agreement to ensure our state was able to continue functioning during the pandemic.

Sec. 4. **FRONTLINE WORKER PAYMENTS.**

Subdivision 1. **Program established; payments authorized.** To the extent feasible, the commissioner of revenue, in coordination with the commissioners of labor and industry and employment and economic development, must make payments to eligible frontline workers as provided in this section.

Subd. 2. **Frontline sector defined.** "Frontline sector" means the following sectors:

- (1) long-term care and home care;
- (2) health care, excluding physicians;
- (3) emergency responders;
- (4) public health, social service, and regulatory service;
- (5) courts and corrections;
- (6) child care;
- (7) public schools, including charter schools, state schools, and higher education;
- (8) food service, including production, processing, preparation, sale, and delivery;
- (9) retail, including sales, fulfillment, distribution, and delivery;
- (10) temporary shelters and hotels;
- (11) building services, including maintenance, janitorial, and security;
- (12) public transit;
- (13) ground and air transportation services;
- (14) manufacturing; and
- (15) vocational rehabilitation.

Subd. 3. **Eligible frontline workers.** (a) An individual is eligible to receive a payment under this section if the individual:

- (1) was employed for at least 120 hours in Minnesota in one or more frontline sectors during the time period beginning March 15, 2020, and ending June 30, 2021; and
- (2) for the hours worked under clause (1), was not able to telework due to the nature of the individual's work and worked in close proximity to individuals outside of the individual's household;
- (3) meets the income requirement in paragraph (b); and
- (4) did not collect unemployment insurance benefits for more than 20 weeks on a cumulative basis during the time period beginning March 15, 2020, and ending June 30, 2021.

(b) To qualify for a payment, an individual's adjusted gross income, as defined in section 62 of the Internal Revenue Code, must be less than the following amounts for at least one of the taxable years beginning after December 31, 2019, and before January 1, 2022:

(1) for an individual who was employed in an occupation with direct COVID-19 patient care responsibilities, \$250,000 for a married taxpayer filing a joint return and \$150,000 for all other filers; or

(2) for all other individuals, \$185,000 for a married taxpayer filing a joint return and \$85,000 for all other filers.

**Subd. 4. Application; verification of eligibility.** (a) To qualify for a payment under this section, an individual must apply to the commissioner of labor and industry in the form and manner specified by the commissioner. As part of the application, an individual must certify to the commissioner of labor and industry that the individual meets the eligibility requirements in subdivision 3.

(b) As soon as practicable after final enactment of this act, the commissioner of labor and industry must establish a process for accepting applications for payments under this section and begin accepting applications. The commissioner must not accept an application submitted more than 45 days after opening the application period.

(c) The commissioner of labor and industry must assist applicants in submitting an application under this section, including but not limited to:

(1) establishing a multilingual temporary help line for applicants; and

(2) offering multilingual applications and multilingual instructions.

(d) To the extent possible, the commissioners of revenue, employment and economic development, and labor and industry must verify applicant eligibility for a payment under this section. If the commissioners lack the information to verify an applicant's eligibility in a timely fashion, the commissioner of labor and industry must accept the applicant's self-certification of eligibility in the absence of contrary information.

(e) An applicant for a payment under this section may appeal a denial of eligibility under this subdivision to the commissioner of labor and industry within 15 days of notice of denial. The commissioner of labor and industry's decision on an appeal is final.

(f) The commissioner of labor and industry may contract with a third party to implement part or all of the application process and assistance required under this subdivision.

**Subd. 5. Eligibility; payments.** (a) After the deadline for applications under subdivision 4 has elapsed, the commissioner of revenue must determine the payment amount based on available appropriations and the number of applications received from eligible frontline workers. The payment amount must be the same for each eligible frontline worker, and must not exceed \$1,500.

(b) As soon as practicable, the commissioner of revenue must make payments of the amount determined under paragraph (a) to all eligible frontline workers who applied in accordance with subdivision 4.

(c) If the full appropriation for payments is not expended after the initial round of payments under paragraphs (a) and (b), the commissioner of labor and industry must reopen the application period and allow eligible frontline workers who have not received a payment to apply for a payment. The commissioner of revenue must make payments of \$1,500 for all eligible frontline workers who apply under this paragraph, until the full appropriation is expended.

(d) The commissioner of revenue may contract with a third party to implement part or all of the payment process required under this subdivision.

Subd. 6. **Data practices.** (a) Data collected or created by the commissioner because an individual has sought information about, applied for, been denied, or received a payment under this section are classified as private data on individuals or nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivisions 9 and 12.

(b) Data classified as private data on individuals or nonpublic data, including return information, as defined in Minnesota Statutes, section 270B.01, subdivision 3, may be shared or disclosed between the commissioners of revenue, employment and economic development, and labor and industry, and any third-party vendor contracted with under subdivision 4, to the extent necessary to verify eligibility and administer payments under this section.

Subd. 7. **Notice requirement.** (a) No later than 15 days after the application period is opened under subdivision 4, employers in a frontline sector must provide notice, in a form approved by the commissioner of labor and industry, advising all workers who may be eligible for payments under this section of the assistance potentially available to them and how to apply for benefits. An employer must provide notice using the same means the employer uses to provide other work-related notices to employees.

(b) Notice provided under paragraph (a) must be at least as conspicuous as:

(1) posting a copy of the notice at each work site where workers work and where the notice may be readily observed and reviewed by all workers working at the site; or

(2) providing a paper or electronic copy of the notice to all workers.

(c) The commissioner of labor and industry may exercise the commissioner of labor and industry's authority under Minnesota Statutes, section 177.27, subdivision 7, to enforce the notice requirement in this subdivision.

Subd. 8. **Payments not to be considered income.** (a) For the purposes of this subdivision, "subtraction" has the meaning given in Minnesota Statutes, section 290.0132, subdivision 1, and the rules in that subdivision apply for this subdivision.

(b) The amount of frontline worker payments received under this section is a subtraction.

(c) Frontline worker payments under this section are excluded from income, as defined in Minnesota Statutes, sections 290.0674, subdivision 2a, and 290A.03, subdivision 3, paragraph (b).

(d) Notwithstanding any law to the contrary, payments under this section must not be considered income for purposes of determining eligibility or recertifying eligibility for:

- (1) child care assistance programs under Minnesota Statutes, chapter 119B;
- (2) medical assistance under Minnesota Statutes, chapter 256B;
- (3) general assistance, Minnesota supplemental aid, and food support under Minnesota Statutes, chapter 256D;
- (4) housing support under Minnesota Statutes, chapter 256I;
- (5) Minnesota family investment program and diversionary work program under Minnesota Statutes, chapter 256J; and
- (6) MinnesotaCare under Minnesota Statutes, chapter 256L.

Subd. 9. **Report.** No later than 45 days following the end of the application period under subdivision 4, the commissioners of revenue and labor and industry shall report to the legislative committees with jurisdiction over economic development policy and finance about the program established under this section. The report must include:

- (1) the number of eligible frontline workers who applied, including the number in each sector and county, and the payment each worker received;
- (2) if the initial payment to frontline workers under subdivision 5 was less than \$1,500, the additional appropriation needed to provide an additional payment equal to the difference between \$1,500 and the payment amount under subdivision 5; and
- (3) the number of applications that were denied and the reasons for denial.

Subd. 10. **Procurement.** The commissioners of labor and industry and revenue are exempt from the requirements of Minnesota Statutes, chapters 16A, 16B, 16C, and 16E, and any other state procurement laws and procedures in administering the program under this section.

Subd. 11. **Appropriations.** (a) \$1,000,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of revenue for payments under this section. This is a onetime appropriation.

(b) \$..... in fiscal year 2022 is appropriated from the general fund to the commissioner of revenue to administer the program under this section.

(c) \$..... in fiscal year 2022 is appropriated from the general fund to the commissioner of labor and industry to administer the program under this section and engage in multilingual outreach and public education about the availability of payments under this section.

(d) \$..... in fiscal year 2022 is appropriated from the general fund to the commissioner of labor and industry for a grant to ..... to promote the availability of payments under this section to frontline workers, which may include subcontracts with other community organizations with experience with frontline workers. Up to five percent of the total of any subcontracts may be used for contract administration.

**EFFECTIVE DATE.** (a) Unless otherwise specified, this section is effective the day following final enactment.

(b) Subdivision 8, paragraphs (a), (b), and (c), are effective for taxable years in which a taxpayer received a frontline worker payment. Subdivision 8, paragraph (d), is effective the day following final enactment, except for a program for which federal approval is required, changes affecting the program are effective upon federal approval."

Renumber the sections in sequence and correct the internal references

Senator Kiffmeyer questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Murphy 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 38 and nays 28, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Johnson cast the affirmative vote on behalf of the following Senators: Bakk, Ingebrigtsen, Jasinski, and Tomassoni.

Those who voted in the negative were:

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

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

So the decision of the President was sustained.

Senator McEwen moved to amend S.F. No. 2677 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2020, section 268.052, is amended by adding a subdivision to read:

Subd. 3a. **Appropriation.** The amount required to pay unemployment benefits to eligible applicants that are school employees in positions for which no license is required by the Professional Educator Licensing and Standards Board or the Board of School Administrators is appropriated annually from the general fund to the commissioner of employment and economic development in order to implement section 268.085, subdivision 7, paragraph (b), clause (2).

Sec. 2. Minnesota Statutes 2020, section 268.085, subdivision 7, is amended to read:

**Subd. 7. School employees; between terms denial.** (a) Wage credits from employment with an educational institution or institutions may not be used for unemployment benefit purposes for any week during the period between two successive academic years or terms if:

(1) the applicant had employment for an educational institution or institutions in the prior academic year or term; and

(2) there is a reasonable assurance that the applicant will have employment for an educational institution or institutions in the following academic year or term.

This paragraph applies to a vacation period or holiday recess if the applicant was employed immediately before the vacation period or holiday recess, and there is a reasonable assurance that the applicant will be employed immediately following the vacation period or holiday recess. This paragraph also applies to the period between two regular but not successive terms if there is an agreement for that schedule between the applicant and the educational institution.

This paragraph does not apply if the subsequent employment is substantially less favorable than the employment of the prior academic year or term, or the employment prior to the vacation period or holiday recess.

(b) Paragraph (a) does not apply to:

(1) an applicant who, at the end of the prior academic year or term, had an agreement for a definite period of employment between academic years or terms in other than an instructional, research, or principal administrative capacity and the educational institution or institutions failed to provide that employment; or

(2) an applicant in a position for which no license is required by the Professional Educator Licensing and Standards Board or the Board of School Administrators.

(c) If unemployment benefits are denied to any applicant under paragraph (a) who was employed in the prior academic year or term in other than an instructional, research, or principal administrative capacity and who was not offered an opportunity to perform the employment in the following academic year or term, the applicant is entitled to retroactive unemployment benefits for each week during the period between academic years or terms that the applicant filed a timely continued request for unemployment benefits, but unemployment benefits were denied solely because of paragraph (a).

(d) This subdivision applies to employment with an educational service agency if the applicant performed the services at an educational institution or institutions. "Educational service agency"

means a governmental entity established and operated for the purpose of providing services to one or more educational institutions.

(e) This subdivision applies to employment with Minnesota, a political subdivision, or a nonprofit organization, if the services are provided to or on behalf of an educational institution or institutions.

(f) Paragraph (a) applies beginning the Sunday of the week that there is a reasonable assurance of employment.

(g) Employment and a reasonable assurance with multiple education institutions must be aggregated for purposes of application of this subdivision.

(h) If all of the applicant's employment with any educational institution or institutions during the prior academic year or term consisted of on-call employment, and the applicant has a reasonable assurance of any on-call employment with any educational institution or institutions for the following academic year or term, it is not considered substantially less favorable employment.

(i) A "reasonable assurance" may be written, oral, implied, or established by custom or practice.

(j) An "educational institution" is a school, college, university, or other educational entity operated by Minnesota, a political subdivision or instrumentality thereof, or a nonprofit organization.

(k) An "instructional, research, or principal administrative capacity" does not include an educational assistant."

Page 2, delete section 3 and insert:

"Sec. 5. **REPEALER.**

(a) Laws 2021, First Special Session chapter 12, article 5, section 3, is repealed.

(b) Minnesota Statutes 2020, section 268.085, subdivision 8, is repealed.

**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

Senator Rarick questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator McEwen 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 30, as follows:

Those who voted in the affirmative were:

Abeler

Anderson

Bakk

Benson

Chamberlain



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

Pursuant to Rule 40, Senator Johnson cast the affirmative vote on behalf of the following Senators: Bakk, Ingebrigtsen, Jasinski, and Tomassoni.

Those who voted in the negative were:

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

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

So the decision of the President was sustained.

S.F. No. 2677 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 11, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Johnson cast the affirmative vote on behalf of the following Senators: Bakk, Ingebrigtsen, Jasinski, and Tomassoni.

Pursuant to Rule 40, Senator Hawj cast the affirmative vote on behalf of the following Senators: Carlson, Eaton, Eken, and Isaacson.

Those who voted in the negative were:

Champion	Kunesh	Murphy	Torres Ray
Dziedzic	Marty	Pappas	Wiklund
Fateh	McEwen	Port	

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

So the bill passed and its title was agreed to.

**MEMBERS EXCUSED**

Senator Dibble was excused from the Session of today. Senator Westrom was excused from the Session of today from 11:00 to 11:15 a.m.

**ADJOURNMENT**

Senator Miller moved that the Senate do now adjourn until 11:00 a.m., Thursday, February 17, 2022. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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