

## NINETY-SIXTH DAY

St. Paul, Minnesota, Saturday, May 16, 2020

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

Prayer was offered by Senator Andrew Mathews.

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

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

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

The President declared a quorum present.

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, B.; Carlson; Clausen; Dahms; Dziedzic; Eaton; Franzen; Frentz; Hall; Laine; Latz; Newman; Newton; Rest; Senjem; Torres Ray; and Wiklund.

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.

May 5, 2020

The Honorable Jeremy R. Miller  
President of the Senate

Dear Senator Miller:

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

**BOARD OF THE ARTS**

Anthony Gardner, 808 - 12th Ave. N., Saint Cloud, in the county of Stearns, effective May 6, 2020, for a term expiring on January 1, 2024.

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

Sincerely,  
Tim Walz, Governor

**REPORTS OF COMMITTEES**

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

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

**H.F. No. 4206** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
4206	4130				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 4206 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 4206; and insert the language after the enacting clause of S.F. No. 4130, the second engrossment; further, delete the title of H.F. No. 4206; and insert the title of S.F. No. 4130, the second engrossment.

And when so amended H.F. No. 4206 will be identical to S.F. No. 4130, and further recommends that H.F. No. 4206 be given its second reading and substituted for S.F. No. 4130, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

**H.F. No. 1842** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.      S.F. No.  
1842            2084

**CONSENT CALENDAR**

H.F. No.      S.F. No.

**CALENDAR**

H.F. No.      S.F. No.

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 4206 and 1842 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Latz and Dzedzic introduced--**

**S.F. No. 4624:** A bill for an act relating to public safety; authorizing Department of Public Safety to accept grant funding; expanding access to information for law enforcement hiring; providing for juvenile risk assessments; amending Minnesota Statutes 2018, sections 260B.176, by adding a subdivision; 626.87, subdivisions 2, 3, 5.

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

**Senators Tomassoni, Pratt, and Howe introduced--**

**S.F. No. 4625:** A bill for an act relating to unemployment insurance; modifying eligibility for secondary students during COVID-19 pandemic.

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

**Senators Cwodzinski, Wiger, and Kent introduced--**

**S.F. No. 4626:** A bill for an act relating to education; providing for compensation for school employees during distance learning periods during the 2019-2020 school year due to COVID-19.

Referred to the Committee on E-12 Finance and Policy.

**Senators Abeler and Hoffman introduced--**

**S.F. No. 4627:** A bill for an act relating to human services; requiring a COVID-19 response impact assessment.

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

**Senator Eaton introduced--**

**S.F. No. 4628:** A bill for an act relating to labor relations; modifying public labor relations; amending Minnesota Statutes 2018, sections 13.43, subdivision 6; 179A.03, subdivisions 14, 19; 179A.06, by adding a subdivision; 179A.07, by adding subdivisions; 572B.17.

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

**MOTIONS AND RESOLUTIONS**

Senator Osmek moved that the names of Senators Goggin and Housley be added as co-authors to S.F. No. 2084. The motion prevailed.

Senator Tomassoni moved that the name of Senator Wiger be added as a co-author to S.F. No. 4464. The motion prevailed.

Senator Benson moved that the name of Senator Koran be added as a co-author to S.F. No. 4500. The motion prevailed.

Senator Simonson moved that the name of Senator Pratt be added as a co-author to S.F. No. 4538. The motion prevailed.

Senator Pappas moved that the name of Senator Torres Ray be added as a co-author to S.F. No. 4619. The motion prevailed.

**Senators Franzen, Tomassoni, Housley, Wiger, and Dziejczak introduced --**

**Senate Resolution No. 234:** A Senate resolution congratulating Willard "Ike" Ikola on his extraordinary hockey career and impact on the community.

Referred to the Committee on Rules and Administration.

**Senator Jensen introduced --**

**Senate Concurrent Resolution No. 8:** A Senate concurrent resolution relating to Minnesota's peacetime emergency; terminating the peacetime emergency pursuant to the authority granted under Minnesota Statutes, section 12.31, subdivision 2, paragraph (b).

Referred to the Committee on Rules and Administration.

**Senators Gazelka and Kent introduced --**

**Senate Resolution No. 235:** A Senate resolution relating to conduct of Senate business during the interim between Sessions.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The powers, duties, and procedures set forth in this resolution apply during the interim between the adjournment sine die of the 91st Legislature, 2020 Session, and the convening of the 92nd Legislature, 2021 Session.

The Committee on Rules and Administration may, from time to time, assign to the various committees and subcommittees of the Senate, in the interim, matters brought to its attention by any member of the Senate for study and investigation. The standing committees and subcommittees may study and investigate all subjects that come within their usual jurisdiction, as provided by Minnesota Statutes, Section 3.921. A committee shall carry on its work by subcommittee or by committee action as the committee from time to time determines. Any study undertaken by any of the standing committees, or any subcommittee thereof, shall be coordinated to the greatest extent possible with other standing committees or subcommittees of the Senate and House of Representatives, and may, if the committee or subcommittee so determines, be carried on jointly with another committee or subcommittee of the Senate or House of Representatives.

The Subcommittee on Committees of the Committee on Rules and Administration shall appoint persons as necessary to fill any vacancies that may occur in committees, commissions, and other bodies whose members are to be appointed by the Senate authorized by rule, statute, resolution, or otherwise. The Subcommittee on Committees may appoint members of the Senate to assist in the work of any committee.

The Committee on Rules and Administration shall establish positions, set compensation and benefits, appoint employees, and authorize expense reimbursement as it deems proper to carry out the work of the Senate.

The Committee on Rules and Administration may authorize members of the Senate and personnel employed by the Senate to travel and to attend courses of instruction or conferences for the purpose of improving and making more efficient Senate operation and may reimburse these persons for the costs thereof out of monies appropriated to the Senate.

All members of activated standing committees or subcommittees of the Senate, and staff, shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties during the interim in the manner provided by law. Payment shall be made by the Secretary of the Senate out of monies appropriated to the Senate for the standing committees. The Committee on Rules and Administration shall determine the amount and manner of reimbursement for living and other expenses of each member of the Senate incurred in the performance of Senate duties when the Legislature is not in regular session.

The Secretary of the Senate shall continue to perform his duties during the interim. During the interim, but not including time which may be spent in any special session, the Secretary of the Senate shall be paid for services rendered the Senate at the rate established for his position for the 2020 regular session, unless otherwise directed by the Committee on Rules and Administration, plus travel and subsistence expense incurred incidental to his Senate duties, including salary and travel expense incurred in attending meetings of the National Conference of State Legislatures.

Should a vacancy occur in the position of Secretary of the Senate, by resignation or other causes, the Committee on Rules and Administration shall appoint an acting Secretary of the Senate who shall serve in that capacity during the remainder of the interim under the provisions herein specified.

The Secretary of the Senate is authorized to employ after the close of the session the employees necessary to finish the business of the Senate at the salaries paid under the rules of the Senate for the 2020 regular session. The Secretary of the Senate is authorized to employ the necessary employees to prepare for the 2021 session at the salaries in effect at that time.

The Secretary of the Senate shall classify as eligible for benefits under Minnesota Statutes, Sections 3.095 and 43A.24, those Senate employees heretofore or hereafter certified as eligible for benefits by the Committee on Rules and Administration.

The Secretary of the Senate, as authorized and directed by the Committee on Rules and Administration, shall furnish each member of the Senate with postage and supplies, and upon proper verification of the expenses incurred, shall reimburse each member for expenses as authorized from time to time by the Committee on Rules and Administration.

The Secretary of the Senate shall correct and approve the Journal of the Senate for those days that have not been corrected and approved by the Senate, and shall correct printing errors found in the Journal of the Senate for the 91st Legislature. The Secretary of the Senate may include in the Senate Journal proceedings of the last day, appointments by the Subcommittee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and other matters of record received on or after adjournment sine die.

The Secretary of the Senate may pay election and litigation costs as authorized by the Committee on Rules and Administration.

The Secretary of the Senate, with the approval of the Committee on Rules and Administration, shall secure bids and enter into contracts for the printing of the bills and binding of the permanent Senate Journal, shall secure bids and enter into contracts for remodeling, improvement and furnishing of Senate office space, conference rooms and the Senate Chamber and shall purchase all supplies, equipment and other goods and services necessary to carry out the work of the Senate. Any contracts in excess of \$10,000 shall be approved by the Chair of the Committee on Rules and Administration and another member designated by the chair.

The Secretary of the Senate shall draw warrants from the legislative expense fund in payment of the accounts herein referred to.

All Senate records, including committee books, are subject to the direction of the Committee on Rules and Administration.

The Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate shall be reserved for use by the Senate and its standing committees only and shall not be released or used for any other purpose except upon authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration, or the Chair thereof.

The commissioner of administration shall continue to provide parking space through the Secretary of the Senate for members and staff of the Minnesota State Senate. The Secretary of the Senate may deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise

of the parking privilege herein defined in conformity with the practice of the Department of Administration.

Senator Gazelka moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Sparks, Torres Ray, and Wiklund.

The motion prevailed. So the resolution was adopted.

#### **Senators Gazelka and Kent introduced --**

**Senate Concurrent Resolution No. 9:** A Senate concurrent resolution relating to the delivery of bills to the Governor after final adjournment.

WHEREAS, the Minnesota Constitution, Article IV, Section 23, authorizes the presentation to the Governor after sine die adjournment of bills that passed in the last three days of the Session; NOW, THEREFORE,

BE IT RESOLVED, by the Senate of the State of Minnesota, the House of Representatives concurring, that upon adjournment sine die of the 91st regular session of the Legislature, bills must be presented to the Governor as follows:

(a) The Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor before adjournment sine die, and each of those officers shall continue in their designated capacity during the three days following the date of final adjournment.

(b) The Chief Clerk of the House of Representatives and the Secretary of the Senate, in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration, shall carefully enroll each bill and present it to the Governor in the same manner as each bill is enrolled and presented to the Governor before adjournment of the Legislature sine die.

(c) The Revisor of Statutes shall continue to assist in all of the functions relating to enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that the assistance was rendered before adjournment of the Legislature sine die.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to deliver copies of this resolution to the Governor and the Secretary of State.

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Ruud moved that S.F. No. 3358 be taken from the table. The motion prevailed.

**S.F. No. 3358:** A bill for an act relating to employment; providing for the minimum age for safe amusement ride operation; amending Minnesota Statutes 2018, sections 181A.04, by adding a subdivision; 184B.021; 184B.03, subdivisions 1, 2.

### CONCURRENCE AND REPASSAGE

Senator Ruud moved that the Senate concur in the amendments by the House to S.F. No. 3358 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 3358 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	



Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Sparks, Torres Ray, and Wiklund.

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that H.F. No. 2682 be taken from the table and given a second reading. The motion prevailed.

**H.F. No. 2682:** A bill for an act relating to legacy; appropriating money from outdoor heritage fund; appropriating money for Medal of Honor memorial; extending and modifying previous appropriations from legacy funds; amending Minnesota Statutes 2018, section 97A.056, subdivision 5; Laws 2017, chapter 91, article 1, section 2, subdivision 3; article 4, section 2, subdivision 2; Laws 2019, First Special Session chapter 2, article 1, section 2, subdivision 5; article 4, section 2, subdivisions 2, 8; Laws 2019, First Special Session chapter 10, article 1, section 24, subdivision 2.

H.F. No. 2682 was read the second time.

Senator Gazelka moved that H.F. No. 2682 be laid on the table. The motion prevailed.

Senator Gazelka moved that H.F. No. 4500 be taken from the table and given a second reading. The motion prevailed.

**H.F. No. 4500:** A bill for an act relating to state government; providing COVID-19 grant extensions; requiring a report.

H.F. No. 4500 was read the second time.

Senator Gazelka moved that H.F. No. 4500 be laid on the table. The motion prevailed.

Senator Gazelka moved that H.F. No. 4597 be taken from the table and given a second reading. The motion prevailed.

**H.F. No. 4597:** A bill for an act relating to horse racing; modifying certain revenue and reimbursement provisions; granting certain discretion to the commission for operation of a card club; amending Minnesota Statutes 2018, section 240.30, subdivisions 5, 9; Minnesota Statutes 2019 Supplement, sections 240.13, subdivision 5; 240.131, subdivision 7.

H.F. No. 4597 was read the second time.

Senator Gazelka moved that H.F. No. 4597 be laid on the table. The motion prevailed.

Senator Gazelka moved that H.F. No. 4415 be taken from the table. The motion prevailed.

Senator Gazelka moved that H.F. No. 4601 be taken from the table. The motion prevailed.

**SPECIAL ORDERS**

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

S.F. No. 4499, H.F. Nos. 4415, 4601, and S.F. No. 15.

**SPECIAL ORDER**

**S.F. No. 4499:** A bill for an act relating to state government; modifying the availability of certain appropriations; modifying and repealing agency authority and reporting requirements; modifying effluent limitation requirements; modifying definition of pipeline for certain purposes; requiring analyses; requiring modifications of certain plans; modifying conditions on water appropriations and wells; repealing authority of the Pollution Control Agency related to automobile emissions; modifying fees for dry cleaners; modifying the metropolitan landfill abatement fund; prohibiting certain antler point restrictions; regulating wake surfing on waters of the state; modifying application of stormwater rules; increasing soil and water conservation district supervisor compensation; modifying definition of all-terrain vehicle; removing prohibition on transporting unregistered snowmobiles; establishing certified salt applicator program; modifying provisions related to certifiable fish diseases and list of species susceptible to viral hemorrhagic septicemia; modifying review and approval of local regulation in Mississippi River Corridor Critical Area; modifying requirements for exchanging wild rice leases; modifying reporting requirement on school trust lands; modifying provisions for certain invasive species permits; modifying state park provisions; providing for special use permits; modifying muzzleloader provisions; providing for regulation of possessing, propagating, and selling snakes, lizards, and salamanders; modifying provisions for game and fish licenses after convictions; modifying hunting and fishing provisions; modifying date of Lake Superior Management Plan; prohibiting import of cervidae carcasses; establishing Minnesota River Basin water quality and storage program; permanently allowing portable stands in certain wildlife management areas; modifying provisions for conveying state land interests; adding to and deleting from state parks and recreation areas; authorizing sales of certain surplus state lands; amending Minnesota Statutes 2018, sections 14.05, by adding a subdivision; 17.4982, subdivisions 6, 8, 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 84.63; 84.82, subdivisions 1a, 7a; 84.92, subdivision 8; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2, 6, by adding a subdivision; 85.053, subdivision 2; 86B.005, by adding subdivisions; 86B.315, subdivision 1, by adding subdivisions; 92.502; 97A.015, subdivision 51; 97A.137, subdivision 5; 97A.401, subdivision 1, by adding a subdivision; 97A.421, subdivision 1, by adding a subdivision; 97A.505, subdivision 3b; 97B.031, subdivision 1; 97B.036; 97B.311; 97C.005, subdivision 3; 97C.342, subdivision 2; 97C.515, subdivision 2; 97C.805, subdivision 2; 97C.836; 103A.212; 103C.315, subdivision 4; 103G.271, subdivision 7, by adding a subdivision; 103G.287, subdivisions 4, 5; 103G.289; 115.03, subdivision 1; 115.455; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115B.49, by adding a subdivision; 116.03, subdivision 2b; 116.07, subdivisions 2, 4d; 116G.07, by adding a subdivision; 116G.15, by adding a subdivision; 216G.01, subdivision 3; 473.844, subdivision 1a; Minnesota Statutes 2019 Supplement, sections 84.027, subdivision 18; 85.054, subdivision 1; 85.47; 97A.505, subdivision 8; 97B.086; Laws 2016, chapter 154, section 16; Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 10; article 3, section 109; proposing coding for new law in Minnesota Statutes, chapters 103F; 116; repealing Minnesota

Statutes 2018, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19; 115B.49, subdivisions 4, 4b; Laws 2013, chapter 121, section 53; Minnesota Rules, part 6232.0350.

Senator Ingebrigtsen moved to amend S.F. No. 4499 as follows:

Page 2, after line 11, insert:

## "ARTICLE 1

### ENVIRONMENT AND NATURAL RESOURCES POLICY"

Page 58, after line 19, insert:

#### **"Sec. 85. PROTECTION OF SOLID WASTE MANAGEMENT TAX EXEMPTIONS; RECYCLABLE MATERIALS AND SOURCE-SEPARATED COMPOSTABLE MATERIALS.**

Subdivision 1. **Exclusion of facility data.** When determining whether a facility meets recyclable material thresholds or conditions under Minnesota Statutes, section 297H.06, subdivision 2, clause (5) or (6), or source-separated compostable material thresholds or conditions under Minnesota Statutes, section 297H.06, subdivision 2, clause (7), the commissioner of revenue and the commissioner of the Pollution Control Agency, as applicable, may exclude some or all facility data to account for COVID-19-related operational changes from the issuance date of Emergency Executive Order 20-01, or a related emergency executive order issued pursuant to Minnesota Statutes, section 12.21 or 12.31, until 60 days after the order is terminated or rescinded.

Subd. 2. **Materials delivered to a disposal or resource recovery facility.** Recyclable materials otherwise exempt from tax under Minnesota Statutes, section 297H.06, subdivision 2, clauses (2), (6), and (7), and as provided in subdivision 1, do not lose that exemption due to delivery of the materials to a disposal facility or resource recovery facility for reasons related to COVID-19 if authorized by the commissioner of the Pollution Control Agency under Minnesota Statutes, section 115A.95, subdivision 2. The relief provided by this subdivision ends when the commissioner of the Pollution Control Agency identifies persons willing to accept the recyclable materials or 60 days after Emergency Executive Order 20-01, or a related emergency executive order issued pursuant to Minnesota Statutes, section 12.21 or 12.31, is terminated or rescinded, whichever is earlier. As used in this subdivision, "disposal facility" has the meaning provided in Minnesota Statutes, section 115A.03, subdivision 10, "recyclable materials" has the meaning provided in Minnesota Statutes, section 115A.03, subdivision 25a, and "resource recovery facility" has the meaning provided in Minnesota Statutes, section 115A.03, subdivision 28.

**EFFECTIVE DATE.** Subdivision 1 is effective the day following final enactment. Subdivision 2 is effective for recyclable materials delivered to a disposal facility or resource recovery facility after April 1, 2020."

Page 59, after line 6, insert:

**"ARTICLE 2****ENVIRONMENT AND NATURAL RESOURCES TRUST FUND****Section 1. APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the environment and natural resources trust fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**  
**2020**                      **2021**

**Sec. 2. MINNESOTA RESOURCES****Subdivision 1. Total**

<b><u>Appropriation</u></b>	<b><u>\$</u></b>	<b><u>2,768,000</u></b>	<b><u>\$</u></b>	<b><u>61,387,000</u></b>
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The amounts that may be spent for each purpose are specified in the following subdivisions. Appropriations in the second year are available for three years beginning July 1, 2020, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first year does not cancel and is available for the second year or until the end of the appropriation.

**Subd. 2. Definition**

"Trust fund" means the Minnesota environment and natural resources trust fund established under the Minnesota Constitution, article XI, section 14.

**Subd. 3. Foundational Natural Resource Data and Information**

	<b><u>-0-</u></b>		<b><u>8,593,000</u></b>
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**(a) Geologic Atlases for Water Resource Management**

\$2,000,000 the second year is from the trust fund to the Board of Regents of the

University of Minnesota, Minnesota Geological Survey, to continue producing county geologic atlases to inform management of surface water and groundwater resources. This appropriation is to complete Part A, which focuses on the properties and distribution of earth materials to define aquifer boundaries and the connection of aquifers to the land surface and surface water resources.

**(b) Expanding Minnesota Ecological Monitoring Network**

\$800,000 the second year is from the trust fund to the commissioner of natural resources to improve conservation and management of Minnesota's native forests, wetlands, and grasslands by expanding the partially established long-term Ecological Monitoring Network that will provide critical knowledge of how ecosystem dynamics and conditions change through time.

**(c) County Groundwater Atlas**

\$1,125,000 the second year is from the trust fund to the commissioner of natural resources to continue producing county geologic atlases to inform management of surface water and groundwater resources for drinking water and other purposes. This appropriation is for Part B, to characterize the potential water yields of aquifers and the aquifers' sensitivity to contamination.

**(d) Foundational Hydrology Data for Wetland Protection and Restoration**

\$400,000 the second year is from the trust fund to the commissioner of natural resources to improve wetland protection, management, and restoration in Minnesota by completing the partially established long-term Wetland Hydrology Monitoring Network that will provide critical knowledge of wetland hydrology dynamics. This appropriation is available until June 30, 2024, by which time

the project must be completed and final products delivered.

**(e) Voyageurs Wolf Project - Phase II**

\$575,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to study summertime wolf predation on deer, moose, and other species in the Voyageurs region to inform management of wildlife. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(f) Expanding Restoration and Promoting Awareness of Native Mussels**

\$489,000 the second year is from the trust fund to the Minnesota Zoological Garden to promote mussel conservation by rearing juvenile mussels for reintroduction, researching methods to improve growth and survival in captivity, and encouraging public action to benefit water quality. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(g) Improving Pollinator Conservation by Revealing Habitat Needs**

\$500,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to use citizen scientists and novel analyses to determine the nesting and overwintering needs of wild bees to allow more specific protection and enhancement of pollinator habitat across the state.

**(h) Bee Minnesota - Protect Our Native Bumblebees**

\$650,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to protect native bee health by investigating the potential to mitigate against pathogens that may be transmissible between honey and wild bees and by promoting best practices to

beekeepers and the public. This appropriation is subject to Minnesota Statutes, section 116P.10.

**(i) Bobcat and Fisher Habitat Use and Interactions**

\$400,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Natural Resources Research Institute in Duluth to identify potential solutions to reverse the fisher population decline through better understanding of habitat, diet, and activity patterns of bobcats and fishers.

**(j) Healthy Prairies III: Restoring Minnesota Prairie Plant Diversity**

\$500,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to improve Minnesota prairie resiliency by increasing locally sourced seed availability and diversity, evaluating use of beneficial microbes in prairie restorations, and assessing adaptation and adaptive capacity of prairie plant populations.

**(k) Freshwater Sponges and AIS: Engaging Citizen Scientists**

\$400,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota, Crookston, to use citizen scientists to study the geographic distribution, taxonomic diversity, and antifouling potential of freshwater sponges against aquatic invasive species.

**(l) Do Beavers Buffer Against Droughts and Floods?**

\$168,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Voyageurs National Park to analyze existing data sets to determine the role of beaver populations and beaver ponds in buffering the region against droughts and floods.

**(m) Enhancing Bat Recovery by Optimizing Artificial Roost Structures**

\$190,000 the second year is from the trust fund to the commissioner of natural resources to improve the survival of bats by identifying characteristics of successful artificial bat roost structures and optimizing the structures for bat use and reproduction. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(n) Tools for Supporting Healthy Ecosystems and Pollinators**

\$198,000 the second year is from the trust fund to the commissioner of natural resources to create a pollination companion guide to the Department of Natural Resources' *Field Guides to the Native Plant Communities of Minnesota* for conservation practitioners to better integrate plant-pollinator interactions into natural resource planning and decision making.

**(o) Conserving Black Terns and Forster's Terns in Minnesota**

\$198,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Natural Resources Research Institute in Duluth to assess the distribution and breeding status of black tern and Forster's tern and to make conservation and restoration recommendations to improve the suitability of habitat for these two bird species in Minnesota.

**Subd. 4. Water Resources**

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3,653,000

**(a) Unprecedented Change Threatens Minnesota's Pristine Lakes**

\$600,000 the second year is from the trust fund to the Science Museum of Minnesota to determine how, when, and why lakes in pristine areas of the state without obvious



nutrient loading are experiencing algal blooms.

**(b) Managing Highly Saline Waste from Municipal Water Treatment**

\$250,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to develop a cost- and energy-efficient method of managing the concentrated saline waste from a municipal water treatment plant to increase the feasibility of using reverse osmosis for centralized water softening and sulfate removal. This appropriation is subject to Minnesota Statutes, section 116P.10.

**(c) Technology for Energy-Generating On-site Industrial Wastewater Treatment**

\$450,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to improve water quality and generate cost savings by developing off the shelf technology that treats industrial wastewater on-site and turns pollutants into hydrogen and methane for energy. This appropriation is subject to Minnesota Statutes, section 116P.10.

**(d) Microplastics: Transporters of Contaminants in Minnesota Waters**

\$425,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to study how several types of common microplastics transport contaminants of concern in Minnesota waters.

**(e) Developing Strategies to Manage PFAS in Land-Applied Biosolids**

\$1,000,000 the second year is from the trust fund to the commissioner of the Pollution Control Agency to help municipal wastewater plants, landfills, and compost facilities protect human health and the environment by developing strategies to

manage per- and polyfluoroalkyl substances (PFAS) in land-applied biosolids.

**(f) Quantifying New Urban Precipitation and Water Reality**

\$500,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to better guide storm water management by evaluating the groundwater and surface water interactions contributing to high water tables and damage to home basements and underground infrastructure in urban areas.

**(g) Innovative Solution for Protecting Minnesota from PFAS Contamination**

\$250,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Dem-Con Companies to demonstrate a new technology for protecting the state's drinking water and natural resources by eliminating per- and polyfluoroalkyl substances (PFAS) from point source discharges. This appropriation is subject to Minnesota Statutes, section 116P.10, related to royalties, copyrights, patents, and sale of products and assets.

**(h) Expanding Protection of Minnesota Water through Industrial Conservation**

\$178,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Minnesota technical assistance program in partnership with the Minnesota Rural Water Association to provide technical assistance to businesses to decrease industrial and commercial water use in communities at risk for inadequate groundwater supply or quality.

**Subd. 5. Technical Assistance, Outreach, and Environmental Education**

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2,738,000

**(a) Statewide Environmental Education via Public Television Outdoor Series**

\$300,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Pioneer Public Television to produce approximately 25 new episodes of a statewide outdoor public television series designed to inspire Minnesotans to connect with the outdoors and restore and protect the environment.

**(b) Minnesota Freshwater Quest: Environmental Education on State Waterways**

\$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Wilderness Inquiry for approximately 10,000 underserved Minnesota youth to explore and improve local waterways using the place-based and hands-on "Minnesota Freshwater Quest" environmental education program.

**(c) Teach Science: Schools as STEM Living Laboratories**

\$250,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Climate Generation: A Will Steger Legacy to prepare students for the challenges and careers of the future by connecting new science standards, renewable energy, and STEM opportunities in teacher trainings, classroom demonstrations, and program support across the state.

**(d) Mentoring Next Generation of Conservation Professionals**

\$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Minnesota Valley National Wildlife Refuge Trust, Inc., to provide paid internships and apprenticeships for diverse young people to learn about careers in the conservation field from United States Fish and Wildlife Service professionals while working at the Minnesota Valley National Wildlife Refuge and Wetland Management District.

**(e) Jay C. Hormel Nature Center Supplemental Teaching Staff**

\$225,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Austin to expand the Jay C. Hormel Nature Center environmental education program beyond the city of Austin to students in southeastern Minnesota for three years.

**(f) 375 Underserved Youth Learn Minnesota Ecosystems by Canoe**

\$375,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the YMCA of the Greater Twin Cities to connect approximately 375 underserved and diverse teens from urban areas and first-ring suburbs to environmental sciences in the natural world through canoeing and learning expeditions with experienced outdoor education counselors. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(g) YES! Students Take on Water Quality Challenge - Phase II**

\$199,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Prairie Woods Environmental Learning Center to mobilize local watershed stewardship efforts in approximately 20 communities through student-driven action projects.

**(h) Engaging Minnesotans with Phenology: Radio, Podcasts, Citizen Science**

\$198,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Northern Community Radio, Inc., in partnership with the Board of Regents of the University of Minnesota to build the next generation of conservationists using phenology, radio broadcasts, podcasts,

and an online, interactive map interface to inspire teachers, students, and the public to get outside and experience nature.

**(i) Driving Conservation Behavior for Native Mussels and Water Quality**

\$191,000 the second year is from the trust fund to the Minnesota Zoological Garden to develop research-supported strategies to engage the public in specific conservation behaviors to improve water quality and native mussel health across the state.

**Subd. 6. Aquatic and Terrestrial Invasive Species**

-0-

10,425,000

**(a) Minnesota Invasive Terrestrial Plants and Pests Center (MITPPC) - Phase V**

\$5,000,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to support the Minnesota Invasive Terrestrial Plants and Pests Center to fund approximately 15 new, high-priority research projects that will lead to better management of invasive plants, pathogens, and pests on Minnesota's natural and agricultural lands. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2025, by which time the project must be completed and final products delivered.

**(b) Protect Community Forests by Managing Ash for Emerald Ash Borer**

\$3,500,000 the second year is from the trust fund to the commissioner of natural resources to reduce emerald ash borer by providing surveys, assessments, trainings, assistance, and grants for communities to manage emerald ash borer, plant a diversity of trees, and engage citizens in community forestry activities. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(c) Biological Control of White-Nose Syndrome in Bats - Phase III**

\$440,000 the second year is from the trust fund to the commissioner of natural resources to continue assessing and developing a biocontrol agent for white-nose syndrome in bats.

**(d) Applying New Tools and Techniques Against Invasive Carp**

\$478,000 the second year is from the trust fund to the commissioner of natural resources to apply new monitoring, outreach, and removal techniques and to continue work with commercial anglers to protect Minnesota waters from invasive carp.

**(e) Emerald Ash Borer and Black Ash: Maintaining Forests and Benefits**

\$700,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to use ongoing experiments to determine statewide long-term emerald ash borer impacts on water, vegetation, and wildlife; to determine optimal replacement species and practices for forest diversification; and to develop criteria for prioritizing mitigation activities. This appropriation is available until June 30, 2025, by which time the project must be completed and final products delivered.

**(f) Testing Effectiveness of Aquatic Invasive Species Removal Methods**

\$110,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Natural Resources Research Institute in Duluth to test how well boat-cleaning methods work, to provide the Department of Natural Resources with a risk assessment, and to provide recommendations for improving boat-launch cleaning stations to prevent the spread of aquatic invasive species.

**(g) Invasive *Didymosphenia* Threatens North Shore Streams**

\$197,000 the second year is from the trust fund to the Science Museum of Minnesota to evaluate the recent spread, origin, cause, and economic and ecological threat of didymo formation in North Shore streams and Lake Superior to inform management and outreach.

**Subd. 7. Air Quality and Renewable Energy**

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573,000

**(a) Storing Renewable Energy in Flow Battery for Grid Use**

\$250,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota, on behalf of the Morris campus, to analyze the potential of adding a flow battery and solar energy generation to the University of Minnesota Morris's existing renewable-energy-intensive microgrid.

**(b) Eco-Friendly Plastics from Cloquet Pulp-Mill Lignin**

\$193,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to reduce environmental pollution from plastics by creating eco-friendly replacements using lignin from the pulp mill in Cloquet, Minnesota. This appropriation is subject to Minnesota Statutes, section 116P.10.

**(c) Diverting Unsold Food from Landfills and Reducing Greenhouse Gases**

\$130,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Second Harvest Heartland to prevent food from going to landfills and reduce greenhouse gas emissions by helping businesses donate unsold prepared food to food shelves.

**Subd. 8. Methods to Protect or Restore Land, Water, and Habitat**

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4,219,000

**(a) Pollinator Central: Habitat Improvement with Citizen Monitoring**

\$750,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Great River Greening to restore and enhance approximately 400 acres of pollinator habitat on traditional and nontraditional sites such as roadsides and turf grass from Hastings to St. Cloud to benefit pollinators and build knowledge by engaging approximately 100 citizens in monitoring the impact of habitat improvements. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(b) Pollinator and Beneficial Insect Strategic Habitat Program**

\$750,000 the second year is from the trust fund to the Board of Water and Soil Resources for building a new initiative to strategically restore and enhance approximately 1,000 acres of diverse native habitat to benefit multiple insects through grants, cost-share, and outreach. Notwithstanding subdivision 14, paragraph (e), restorations and enhancements may take place on land enrolled in Conservation Reserve Program and Reinvest in Minnesota easement programs. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(c) Lignin-Coated Fertilizers for Phosphate Control**

\$250,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Natural Resources Research Institute in Duluth to test a new, natural, slow-release fertilizer coating made from processed wood to decrease phosphorus runoff from farmland while also storing carbon in soils. This



appropriation is subject to Minnesota Statutes, section 116P.10.

**(d) Implementing Hemp Crop Rotation to Improve Water Quality**

\$700,000 the second year is from the trust fund to the Minnesota State Colleges and Universities System for Central Lakes College to evaluate how hemp crops reduce nitrogen contamination of surface water and groundwater in conventional crop rotations and demonstrate the environmental and economic benefits of hemp production. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(e) Developing Cover-Crop Systems for Sugar Beet Production**

\$300,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to develop agronomic guidelines to support growers adopting cover-crop practices in sugar beet production in west-central and northwest Minnesota.

**(f) Native Eastern Larch Beetle Decimating Minnesota's Tamarack Forests**

\$398,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to understand conditions triggering eastern larch beetle outbreaks and develop management techniques to protect tamarack forests from this native insect. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(g) Habitat Associations of Mississippi Bottomland Forest Marsh Birds**

\$275,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the National Audubon Society, Minnesota office, to evaluate habitat

associations of bottomland forest birds in response to restoration actions to better target restoration efforts for wildlife. This appropriation is available until June 30, 2024, by which time the project must be completed and final products delivered.

**(h) Peatland Restoration in the Lost River State Forest**

\$135,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Roseau River Watershed District to collect physical attribute data from drained peatlands, incorporate the data into a decision matrix, and generate a report detailing peatland restoration potential throughout the Lost River State Forest.

**(i) Prescribed Burning for Brushland-Dependent Species - Phase II**

\$147,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to compare the effects of spring, summer, and fall burns on birds and vegetation and to provide guidelines for maintaining healthy brushland habitat for a diversity of wildlife and plant species.

**(j) Pollinator Habitat Creation Along Urban Mississippi River**

\$129,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Friends of the Mississippi River to remove invasive plants and replace them with high-value native species at three urban sites along the Mississippi River to improve habitat for pollinators and other wildlife. This appropriation is available until June 30, 2025, by which time the project must be completed and final products delivered.

**(k) Increase Golden Shiner Production to Protect Aquatic Communities**

\$188,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Minnesota Sea Grant in Duluth to identify and demonstrate best methods for in-state production of golden shiners to address angler demand while reducing the risk of introducing and spreading invasive species and to communicate findings through reports, manuals, and workshops. Production of shiners in this project must not take place in wetlands.

**(l) Restoring Turf to Native Pollinator Gardens Across Metro**

\$197,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Wilderness in the City to transition turf to native gardens for pollinator habitat, establish long-term volunteer stewardship networks, and help connect diverse populations with nature throughout the metropolitan regional park system. A letter of commitment from the respective regional park implementing agency must be provided before money from this appropriation is spent at a regional park within the agency's jurisdiction.

**Subd. 9. Land Acquisition, Habitat, and Recreation**

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29,551,000

**(a) DNR Scientific and Natural Areas**

\$3,000,000 the second year is from the trust fund to the commissioner of natural resources for the scientific and natural area (SNA) program to restore, improve, and enhance wildlife habitat on SNAs; increase public involvement and outreach; and strategically acquire high-quality lands that meet criteria for SNAs under Minnesota Statutes, section 86A.05, from willing sellers.

**(b) Private Native Prairie Conservation through Native Prairie Bank**

\$2,000,000 the second year is from the trust fund to the commissioner of natural resources to provide technical stewardship assistance to private landowners, restore and enhance native prairie protected by easements in the native prairie bank, and acquire easements for the native prairie bank in accordance with Minnesota Statutes, section 84.96, including preparing initial baseline property assessments. Up to \$60,000 of this appropriation may be deposited in the natural resources conservation easement stewardship account, created in Minnesota Statutes, section 84.69, proportional to the number of easement acres acquired.

**(c) Minnesota State Parks and State Trails Inholdings**

\$3,500,000 the second year is from the trust fund to the commissioner of natural resources to acquire high-priority inholdings from willing sellers within the legislatively authorized boundaries of state parks, recreation areas, and trails to protect Minnesota's natural heritage, enhance outdoor recreation, and promote tourism.

**(d) Grants for Local Parks, Trails, and Natural Areas**

\$2,400,000 the second year is from the trust fund to the commissioner of natural resources to solicit, rank, and fund competitive matching grants for local parks, trail connections, and natural and scenic areas under Minnesota Statutes, section 85.019. This appropriation is for local nature-based recreation, connections to regional and state natural areas, and recreation facilities and may not be used for athletic facilities such as sport fields, courts, and playgrounds.

**(e) Mississippi River Aquatic Habitat Restoration and Mussel Reintroduction**

\$1,800,000 the second year is from the trust fund. Of this amount, \$1,549,000 is to the commissioner of natural resources for an agreement with the Minneapolis Park and

Recreation Board and \$251,000 is to the commissioner of natural resources to restore lost habitat and reintroduce mussels in the Mississippi River above St. Anthony Falls. This work includes creating habitat and species restoration plans, implementing the restoration plans, and monitoring effectiveness of the restoration for multiple years after implementation. This appropriation is available until June 30, 2026, by which time the project must be completed and final products delivered.

**(f) Minnesota Hunter Walking Trails: Public Land Recreational Access**

\$300,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Ruffed Grouse Society to improve Minnesota's hunter walking trail system by restoring or upgrading trailheads and trails, developing new walking trails, and compiling enhanced maps for use by managers and the public.

**(g) Turning Back to Rivers: Environmental and Recreational Protection**

\$1,000,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with The Trust for Public Land to help local communities acquire priority land along the Mississippi, St. Croix, and Minnesota Rivers and their tributaries to protect natural resources, provide buffers for flooding, and improve access for recreation.

**(h) Metropolitan Regional Parks System Land Acquisition - Phase VI**

\$1,000,000 the first year is from the trust fund to the Metropolitan Council for grants to acquire land within the approved park boundaries of the metropolitan regional park system. This appropriation must be matched by at least 40 percent of nonstate money.

**(i) Minnesota State Trails Development**

\$994,000 the second year is from the trust fund to the commissioner of natural resources to expand high-priority recreational opportunities on Minnesota's state trails by rehabilitating, improving, and enhancing existing state trails. The high-priority trail bridges to be rehabilitated or replaced under this appropriation include, but are not limited to, those on the Taconite, Great River Ridge, and C. J. Ramstad/Northshore State Trails.

**(j) Elm Creek Restoration - Phase IV**

\$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Champlin to conduct habitat and stream restoration of approximately 0.7 miles of Elm Creek shoreline above Mill Pond Lake and through the Elm Creek Protection Area.

**(k) Superior Hiking Trail as Environmental Showcase**

\$450,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Superior Hiking Trail Association to rebuild damaged and dangerous segments and create a new trail segment of the Superior Hiking Trail to minimize environmental impacts, make the trail safer for users, and make the trail more resilient for future use and conditions.

**(l) Upper St. Anthony Falls Enhancements**

\$2,800,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Friends of the Lock and Dam in partnership with the city of Minneapolis to design and install green infrastructure, public access, and habitat restorations on riverfront land at Upper St. Anthony Falls for water protection, recreation, and environmental education purposes. Of this amount, up to \$600,000 is for planning, design, and engagement. No funds from this appropriation may be spent until Congress directs the U.S. Army Corps

of Engineers to convey an interest in the Upper St. Anthony Falls property to the city of Minneapolis for use as a visitor center. After this congressional act is signed into law, up to \$100,000 of the planning, design, and engagement funds may be spent. The remaining planning, design, and engagement funds may be spent after a binding agreement has been secured to acquire the land or access and use rights to the land for at least 25 years. Any remaining balance of the appropriation may be spent on installing enhancements after the Upper St. Anthony Falls land has been acquired by the city of Minneapolis.

**(m) Whiskey Creek and Mississippi River Water Quality, Habitat, and Recreation**

\$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Mississippi Headwaters Board to acquire and transfer approximately 13 acres of land to the city of Baxter for future construction of water quality, habitat, and recreational improvements to protect the Mississippi River.

**(n) Perham to Pelican Rapids Regional Trail (West Segment)**

\$2,600,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Otter Tail County to construct the west segment of the 32-mile Perham to Pelican Rapids Regional Trail that will connect the city of Pelican Rapids to Maplewood State Park.

**(o) Crow Wing County Community Natural Area Acquisition**

\$400,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Crow Wing County to acquire approximately 65 acres of land adjacent to the historic fire tower property to allow for diverse recreational opportunities while protecting wildlife habitat and

preventing forest fragmentation. Any revenue generated from selling products or assets developed or acquired with this appropriation must be repaid to the trust fund unless a plan is approved for reinvestment of income in the project as provided under Minnesota Statutes, section 116P.10.

**(p) Rocori Trail - Phase III**

\$1,200,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Rocori Trail Construction Board to design and construct Phase III of the Rocori Trail along the old Burlington Northern Santa Fe rail corridor between the cities of Cold Spring and Rockville.

**(q) Mesabi Trail: New Trail and Additional Funding**

\$1,000,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the St. Louis and Lake Counties Regional Railroad Authority for constructing the Mesabi Trail beginning at the intersection of County Road 20 and Minnesota State Highway 135 and terminating at 1st Avenue North and 1st Street North in the city of Biwabik in St. Louis County. This appropriation may not be spent until all Mesabi Trail projects funded with trust fund appropriations before fiscal year 2020, with the exception of the project funded under Laws 2017, chapter 96, section 2, subdivision 9, paragraph (g), are completed.

**(r) Ranier Safe Harbor and Transient Dock on Rainy Lake**

\$762,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Ranier to construct a dock that accommodates boats 26 feet or longer with the goal of increasing public access for boat recreation on Rainy Lake. Any revenue generated from selling products or assets developed or acquired with



this appropriation must be repaid to the trust fund unless a plan is approved for reinvestment of income in the project as provided under Minnesota Statutes, section 116P.10.

**(s) Crane Lake Voyageurs National Park Campground and Visitor Center**

\$3,100,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the town of Crane Lake to design and construct a new campground and to plan and preliminarily prepare a site for constructing a new Voyageurs National Park visitor center on land acquired for these purposes in Crane Lake. Any revenue generated from selling products or assets developed or acquired with this appropriation must be repaid to the trust fund unless a plan is approved for reinvestment of income in the project as provided under Minnesota Statutes, section 116P.10.

**(t) Chippewa County Acquisition, Recreation, and Education**

\$160,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Chippewa County to acquire wetland and floodplain forest and abandoned gravel pits along the Minnesota River to provide water filtration, education, and recreational opportunities.

**(u) Sportsmen's Training and Developmental Learning Center**

\$85,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Forest Zone Trappers Association to complete a site evaluation and master plan for the Sportsmen's Training and Developmental Learning Center near Hibbing. Any revenue generated from selling products or assets developed or acquired with this appropriation must be repaid to the trust fund unless a plan

is approved for reinvestment of income in the project as provided under Minnesota Statutes, section 116P.10.

**Subd. 10. Contract Agreement**

**Reimbursement**

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135,000

\$135,000 the second year is from the trust fund to the commissioner of natural resources, at the direction of the Legislative-Citizen Commission on Minnesota Resources, for expenses incurred for preparing and administering contracts for the agreements specified in this section. The commissioner must provide documentation to the Legislative-Citizen Commission on Minnesota Resources on the expenditure of these funds.

**Subd. 11. Miscellaneous Projects.**

2,768,000

1,500,000

**(a) McMahon Lake Flood Hazard Mitigation**

\$600,000 the first year is from the trust fund to the commissioner of natural resources for the state share of a flood hazard mitigation grant to Scott County for publicly owned capital improvements to prevent or alleviate flood damage on McMahon Lake under Minnesota Statutes, section 103F.161.

**(b) South Bend Township Flood Control**

\$14,000 the first year is from the trust fund to the commissioner of natural resources for a grant to Blue Earth County to study flood control and storm water management options for South Bend Township.

**(c) Madelia Floodplain Improvement Assessment**

\$105,000 the first year is from the trust fund to the commissioner of natural resources for a grant to the city of Madelia for surveying, modeling, and designing floodplain improvements along the Watonwan River. The city must submit a copy of the study to the commissioner of natural resources and to the Federal Emergency Management Agency for possible incorporation into the

Watonswan County digital flood insurance rate maps.

**(d) Cannon River Flood Study**

\$500,000 the first year is from the trust fund to the commissioner of natural resources for a grant to the city of Waterville for a flood study of the Cannon River dam system. The study must include data collection and calibration, structure, surveying, HEC-HMS model development and calibration, HEC-RAS model generation, and modeling alternative mitigation options.

**(e) Waterville Flood Warning Gauge**

\$13,000 the first year is from the trust fund to the commissioner of natural resources for a grant to the city of Waterville to purchase and install a flood warning gauge on the Cannon River. The city must work with the commissioner to integrate the gauge with the state's enhanced flood forecast warning system.

**(f) Mora Lake High Water Mitigation**

\$200,000 the first year and \$1,500,000 the second year are from the trust fund to the commissioner of natural resources for a grant to the city of Mora for measures to mitigate high water in Mora Lake, including installing intake and outlet structures and replacing the associated sanitary sewer and road. This appropriation is available until the project is completed or abandoned, subject to Minnesota Statutes, section 16A.642. This appropriation does not require a nonstate match.

**(g) Private Well Testing**

\$300,000 the first year is from the trust fund to the commissioner of health for testing well water in private wells. The commissioner shall develop a program to determine the contaminant levels in drinking water from private wells. The program shall be on a voluntary, pilot program basis. Using the

appropriated funds, the commissioner shall work with private well owners and other interested parties to facilitate and promote the availability of well water testing. The commissioner shall develop recommendations in consultation with certified water treatment professionals for a statewide private well water testing and contamination mitigation rebate program and submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy by December 31, 2020.

**(h) Minnesota River Valley Watch Program**

\$50,000 the first year is from the trust fund to the commissioner of natural resources for a grant to the Friends of the Minnesota Valley to continue and expand the existing water quality and watershed monitoring river watch activities in schools in the Minnesota River Valley. This appropriation is available until June 30, 2022.

**(i) USDA Forest Service Land Exchanges**

\$400,000 the first year is from the trust fund to the commissioner of natural resources for the school trust lands director to initiate the Boundary Waters Canoe Area Wilderness land exchanges with the United States Department of Agriculture Forest Service and the private forest land alternative with a nonprofit partner. The school trust lands director may use this appropriation for project costs, including but not limited to environmental assessments, valuation expenses, legal fees, closing costs, and transactional staff costs. The commissioner must reimburse the permanent school fund the amount spent under this appropriation and the appropriation in Laws 2017, chapter 93, article 1, section 9, paragraph (b), as amended by Laws 2019, First Special Session chapter 4, article 1, section 12, from the revenue received from the sale of timber

permits on lands acquired in the exchange.  
This appropriation is available until June 30,  
2022.

**(j) Farmstead Ring Levees in Red River Watershed**

\$125,000 the first year is from the trust fund  
to the commissioner of natural resources for  
grants to assist in the construction of flood  
protection rural and farmstead ring levees in  
the Red River watershed. Grants may not  
exceed 50 percent of the cost of the projects.

**(k) Historic Bruce Mine State Park and Mesabi Trailhead**

\$350,000 the first year is from the trust fund  
to the commissioner of natural resources for  
a grant to the St. Louis and Lake Counties  
Regional Railroad Authority to engineer,  
design, renovate, and construct the Historic  
Bruce Mine Park and Mesabi Trailhead and  
access in the city of Chisholm.

**(l) Adopt-a-Dumpster Program**

\$111,000 the first year is from the trust fund  
to the commissioner of natural resources for  
the chronic wasting disease adopt-a-dumpster  
program established under Laws 2019, First  
Special Session chapter 4, article 1, section  
3, subdivision 6, paragraph (c).

**Subd. 12. Availability of Appropriations**

Money appropriated in this section may not  
be spent on activities unless they are directly  
related to and necessary for a specific  
appropriation and are specified in the work  
plan approved by the Legislative-Citizen  
Commission on Minnesota Resources.  
Money appropriated in this section must not  
be spent on indirect costs or other  
institutional overhead charges that are not  
directly related to and necessary for a specific  
appropriation. Costs that are directly related  
to and necessary for an appropriation,  
including financial services, human  
resources, information services, rent, and  
utilities, are eligible only if the costs can be

clearly justified and individually documented specific to the appropriation's purpose and would not be generated by the recipient but for receipt of the appropriation. No broad allocations for costs in either dollars or percentages are allowed. Unless otherwise provided, the amounts in this section are available until June 30, 2023, when projects must be completed and final products delivered. For acquisition of real property, the appropriations in this section are available for an additional fiscal year if a binding contract for acquisition of the real property is entered into before the expiration date of the appropriation. If a project receives a federal grant, the time period of the appropriation is extended to equal the federal grant period.

**Subd. 13. Data Availability Requirements**

Data collected by the projects funded under this section must conform to guidelines and standards adopted by MN.IT Services. Spatial data must also conform to additional guidelines and standards designed to support data coordination and distribution that have been published by the Minnesota Geospatial Information Office. Descriptions of spatial data must be prepared as specified in the state's geographic metadata guideline and must be submitted to the Minnesota Geospatial Information Office. All data must be accessible and free to the public unless made private under the Data Practices Act, Minnesota Statutes, chapter 13. To the extent practicable, summary data and results of projects funded under this section should be readily accessible on the Internet and identified as having received funding from the environment and natural resources trust fund.

**Subd. 14. Project Requirements**

(a) As a condition of accepting an appropriation under this section, an agency or entity receiving an appropriation or a party

to an agreement from an appropriation must comply with paragraphs (b) to (l) and Minnesota Statutes, chapter 116P, and must submit a work plan and annual or semiannual progress reports in the form determined by the Legislative-Citizen Commission on Minnesota Resources for any project funded in whole or in part with funds from the appropriation. Modifications to the approved work plan and budget expenditures must be made through the amendment process established by the Legislative-Citizen Commission on Minnesota Resources.

(b) A recipient of money appropriated in this section that conducts a restoration using funds appropriated in this section must use native plant species according to the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines and include an appropriate diversity of native species selected to provide habitat for pollinators throughout the growing season as required under Minnesota Statutes, section 84.973.

(c) For all restorations conducted with money appropriated under this section, a recipient must prepare an ecological restoration and management plan that, to the degree practicable, is consistent with the highest-quality conservation and ecological goals for the restoration site. Consideration should be given to soil, geology, topography, and other relevant factors that would provide the best chance for long-term success and durability of the restoration project. The plan must include the proposed timetable for implementing the restoration, including site preparation, establishment of diverse plant species, maintenance, and additional enhancement to establish the restoration; identify long-term maintenance and management needs of the restoration and how the maintenance, management, and enhancement will be financed; and take advantage of the best-available science and

include innovative techniques to achieve the best restoration.

(d) An entity receiving an appropriation in this section for restoration activities must provide an initial restoration evaluation at the completion of the appropriation and an evaluation three years after the completion of the expenditure. Restorations must be evaluated relative to the stated goals and standards in the restoration plan, current science, and, when applicable, the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. The evaluation must determine whether the restorations are meeting planned goals, identify any problems with implementing the restorations, and, if necessary, give recommendations on improving restorations. The evaluation must be focused on improving future restorations.

(e) All restoration and enhancement projects funded with money appropriated in this section must be on land permanently protected by a conservation easement or public ownership.

(f) A recipient of money from an appropriation under this section must give consideration to contracting with Conservation Corps Minnesota for contract restoration and enhancement services.

(g) All conservation easements acquired with money appropriated under this section must:

(1) be permanent;

(2) specify the parties to an easement in the easement;

(3) specify all of the provisions of an agreement that are permanent;

(4) be sent to the Legislative-Citizen Commission on Minnesota Resources in an electronic format at least ten business days before closing;



(5) include a long-term monitoring and enforcement plan and funding for monitoring and enforcing the easement agreement; and

(6) include requirements in the easement document to protect the quantity and quality of groundwater and surface water through specific activities such as keeping water on the landscape, reducing nutrient and contaminant loading, and not permitting artificial hydrological modifications.

(h) For any acquisition of lands or interest in lands, a recipient of money appropriated under this section must not agree to pay more than 100 percent of the appraised value for a parcel of land using this money to complete the purchase, in part or in whole, except that up to ten percent above the appraised value may be allowed to complete the purchase, in part or in whole, using this money if permission is received in advance of the purchase from the Legislative-Citizen Commission on Minnesota Resources.

(i) For any acquisition of land or interest in land, a recipient of money appropriated under this section must give priority to high-quality natural resources or conservation lands that provide natural buffers to water resources.

(j) For new lands acquired with money appropriated under this section, a recipient must prepare an ecological restoration and management plan in compliance with paragraph (c), including sufficient funding for implementation unless the work plan addresses why a portion of the money is not necessary to achieve a high-quality restoration.

(k) To ensure public accountability for using public funds, a recipient of money appropriated under this section must, within 60 days of the transaction, provide to the Legislative-Citizen Commission on Minnesota Resources documentation of the selection process used to identify parcels

acquired and provide documentation of all related transaction costs, including but not limited to appraisals, legal fees, recording fees, commissions, other similar costs, and donations. This information must be provided for all parties involved in the transaction. The recipient must also report to the Legislative-Citizen Commission on Minnesota Resources any difference between the acquisition amount paid to the seller and the state-certified or state-reviewed appraisal, if a state-certified or state-reviewed appraisal was conducted.

(l) A recipient of an appropriation from the trust fund under this section must acknowledge financial support from the environment and natural resources trust fund in project publications, signage, and other public communications and outreach related to work completed using the appropriation. Acknowledgment may occur, as appropriate, through use of the trust fund logo or inclusion of language attributing support from the trust fund. Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must satisfy all reporting and other requirements incumbent upon constitutionally dedicated funding recipients as provided in Minnesota Statutes, section 3.303, subdivision 10, and chapter 116P.

**Subd. 15. Payment Conditions and Capital-Equipment Expenditures**

(a) All agreements, grants, or contracts referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 2020, or the date the work plan is approved, whichever is later, are eligible for reimbursement unless otherwise provided in this section. Periodic payments must be made upon receiving documentation that the deliverable items articulated in the approved

work plan have been achieved, including partial achievements as evidenced by approved progress reports. Reasonable amounts may be advanced to projects to accommodate cash-flow needs or match federal money. The advances must be approved as part of the work plan. No expenditures for capital equipment are allowed unless expressly authorized in the project work plan.

(b) Single-source contracts as specified in the approved work plan are allowed.

#### **Subd. 16. Purchasing Recycled and Recyclable Materials**

A political subdivision, public or private corporation, or other entity that receives an appropriation under this section must use the appropriation in compliance with Minnesota Statutes, section 16C.0725, regarding purchasing recycled, repairable, and durable materials and Minnesota Statutes, section 16C.073, regarding purchasing and using paper stock and printing.

#### **Subd. 17. Energy Conservation and Sustainable Building Guidelines**

A recipient to whom an appropriation is made under this section for a capital improvement project must ensure that the project complies with the applicable energy conservation and sustainable building guidelines and standards contained in law, including Minnesota Statutes, sections 16B.325, 216C.19, and 216C.20, and rules adopted under those sections. The recipient may use the energy planning, advocacy, and State Energy Office units of the Department of Commerce to obtain information and technical assistance on energy conservation and alternative-energy development relating to planning and constructing the capital improvement project.

**Subd. 18. Accessibility**

Structural and nonstructural facilities must meet the design standards in the Americans with Disabilities Act (ADA) accessibility guidelines.

**Subd. 19. Carryforward; Extension**

(a) The availability of the appropriations for the following projects is extended to June 30, 2021:

(1) Laws 2017, chapter 96, section 2, subdivision 7, paragraph (e), Geotargeted Distributed Clean Energy Initiative;

(2) Laws 2017, chapter 96, section 2, subdivision 8, paragraph (a), Optimizing the Nutrition of Roadside Plants for Pollinators;

(3) Laws 2017, chapter 96, section 2, subdivision 8, paragraph (f), Prescribed-Fire Management for Roadside Prairies;

(4) Laws 2017, chapter 96, section 2, subdivision 8, paragraph (h), Mississippi and Vermillion Rivers Restoration of Prairie, Savanna, and Forest Habitat - Phase X;

(5) Laws 2017, chapter 96, section 2, subdivision 9, paragraph (e), Native Prairie Stewardship and Prairie Bank Easement Acquisition, as amended by Laws 2019, First Special Session chapter 4, article 2, section 4;

(6) Laws 2018, chapter 214, article 4, section 2, subdivision 5, paragraph (j), Expanding the State's Reuse Economy to Conserve Natural Resources; and

(7) Laws 2018, chapter 214, article 4, section 2, subdivision 6, paragraph (b), Palmer Amaranth Detection and Eradication Continuation.

(b) The availability of the appropriations for the following projects is extended to June 30, 2022:

(1) Laws 2017, chapter 96, section 2, subdivision 8, paragraph (k), Conservation Reserve Enhancement Program (CREP) Outreach and Implementation; and

(2) Laws 2017, chapter 96, section 2, subdivision 9, paragraph (h), Tower Trailhead Boat Landing and Habitat Improvement - Phase II.

(c) The availability of the appropriations for the following projects is extended to June 30, 2023:

(1) Laws 2018, chapter 214, article 4, section 2, subdivision 10, Emerging Issues Account; and

(2) Laws 2019, First Special Session chapter 4, article 2, section 2, subdivision 8, paragraph (f), Lawns to Legumes.

(d) The availability of the appropriation under Laws 2018, chapter 214, article 4, section 2, subdivision 4, paragraph (l), Lake Agnes Treatment, is extended to June 30, 2024.

**Subd. 20. Cancellation**

The appropriation in Laws 2019, First Special Session chapter 4, article 2, section 2, subdivision 8, paragraph (c), Sauk River Dam Removal and Rock Rapids Replacement, is canceled.

Sec. 3. Laws 2016, chapter 186, section 2, subdivision 9, as amended by Laws 2018, chapter 214, article 4, section 6, is amended to read:

**Subd. 9. Land Acquisition, Habitat, and Recreation** -0- 8,793,000

**(a) Scientific and Natural Area Restoration**

\$1,386,000 the second year is from the trust fund to the commissioner of natural resources to restore and improve approximately 750

acres of scientific and natural areas. A list of proposed restorations must be provided as part of the required work plan. This appropriation is available until June 30, 2019, by which time the project must be completed and final products delivered.

**(b) Minnesota Point Pine Forest Scientific and Natural Area Acquisition**

\$500,000 the second year is from the trust fund to the commissioner of natural resources in cooperation with the Duluth Airport Authority to acquire approximately ten acres as an addition to the designated Minnesota Point Pine Forest Scientific and Natural Area located along the shores of Lake Superior in Duluth. Any balance remaining in the appropriation not needed for the acquisition is available to the commissioner for a grant to the Duluth Airport Authority to use to protect the Minnesota Point Pine Forest Scientific and Natural Area by relocating an airport runway. The appropriation is available until June 30, 2021.

**(c) Conservation Easements in Avon Hills - Phase III**

\$1,300,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Saint John's University in cooperation with Minnesota Land Trust to secure permanent conservation easements on approximately 500 acres of high-quality habitat in Stearns County, prepare conservation management plans, and provide public outreach. A list of proposed easement acquisitions must be provided as part of the required work plan. An entity that acquires a conservation easement with appropriations from the trust fund must have a long-term stewardship plan for the easement and a fund established for monitoring and enforcing the agreement. Funding for the long-term monitoring and enforcement fund must come from nonstate sources for easements acquired with this appropriation. The state may

enforce requirements in the conservation easements on land acquired with this appropriation and the conservation easement document must state this authority and explicitly include requirements for water quality and quantity protection. This appropriation is available until June 30, 2019, by which time the project must be completed and final products delivered.

**(d) Lincoln Pipestone Rural Water System Acquisition for Wellhead Protection**

\$1,500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Lincoln Pipestone Rural Water to acquire and restore lands designated under an approved wellhead protection plan. Lands acquired with this appropriation must be from willing sellers and be identified by the Department of Health as targeted vulnerable lands for wellhead protection. Lands must be restored to permanent vegetative cover, but may be used for recreation and renewable energy if adequate protection of the drinking water aquifer is provided. A list of proposed acquisitions must be provided as part of the required work plan. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. Income derived from the lands acquired with funds appropriated under this paragraph is exempt from Minnesota Statutes, section 116P.10, if used for additional wellhead protection as provided under this paragraph until adequate wellhead protection has been achieved, as determined by the commissioner of health. Any income earned after that must be returned to the environment and natural resources trust fund. This appropriation is available until June 30, 2019, by which time the project must be completed and final products delivered.

**(e) Mesabi Trail Segment from Highway 135 to Town of Embarrass**

\$1,200,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the St. Louis and Lake Counties Regional Railroad Authority for engineering and construction of segments of the Mesabi Trail, totaling approximately six miles between Highway 135 and the town of Embarrass. This appropriation is available until June 30, 2019, by which time the project must be completed and final products delivered.

**(f) Tower Historic Harbor Trail Connections**

\$679,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Tower to construct recreational trails along the harbor in Tower and to connect to the Mesabi Trail. This appropriation is available until June 30, 2019, by which time the project must be completed and final products delivered.

**(g) Otter Tail River Recreational Trail Acquisition**

\$600,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Fergus Falls to acquire land along the Otter Tail River for a recreational trail and park. This appropriation is contingent on at least a 40 percent match of nonstate money. Prior to the acquisition, a phase 1 environmental assessment must be completed and the city must not accept any liability for previous contamination of lands acquired with this appropriation.

Sec. 4. Laws 2017, chapter 96, section 2, subdivision 9, as amended by Laws 2019, First Special Session chapter 4, article 2, section 4, is amended to read:

**Subd. 9. Land Acquisition,  
Habitat, and Recreation**

999,000

13,533,000

-0-

**(a) Metropolitan Regional Parks System Land  
Acquisition**

\$1,500,000 the first year is from the trust fund to the Metropolitan Council for grants to acquire approximately 70 acres of land



within the approved park boundaries of the metropolitan regional park system. This appropriation may not be used to purchase habitable residential structures. A list of proposed fee title acquisitions must be provided as part of the required work plan. This appropriation must be matched by at least 40 percent of nonstate money that must be committed by December 31, 2017. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**(b) Scientific and Natural Areas Acquisition and Restoration, Citizen Science, and Engagement**

\$2,500,000 the first year is from the trust fund to the commissioner of natural resources to acquire land with high-quality native plant communities and rare features to be established as scientific and natural areas as provided in Minnesota Statutes, section 86A.05, subdivision 5, restore and improve scientific and natural areas, and provide technical assistance and outreach, including site steward events. At least one-third of the appropriation must be spent on restoration activities. A list of proposed acquisitions and restorations must be provided as part of the required work plan. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. When feasible, consideration must be given to accommodate trails on lands acquired. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**(c) Minnesota State Parks and State Trails Land Acquisition**

\$1,500,000 the first year is from the trust fund to the commissioner of natural resources to acquire approximately 373 acres from willing sellers for authorized state trails and critical parcels within the statutory

boundaries of state parks. State park land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. A list of proposed acquisitions must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**(d) Minnesota State Trails Acquisition, Development, and Enhancement**

\$999,000 in fiscal year 2017 and \$39,000 the first year are from the trust fund to the commissioner of natural resources for state trail acquisition, development, and enhancement in southern Minnesota. A proposed list of trail projects on authorized state trails must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**(e) Native Prairie Stewardship and Prairie Bank Easement Acquisition**

\$2,675,000 the first year is from the trust fund to the commissioner of natural resources to acquire native prairie bank easements in accordance with Minnesota Statutes, section 84.96, on approximately 250 acres, prepare baseline property assessments, restore and enhance native prairie sites, and provide technical assistance to landowners. Of this amount, up to \$132,000 may be deposited in a conservation easement stewardship account. Deposits into the conservation easement stewardship account must be made upon closing on conservation easements or at a time otherwise approved in the work plan. A list of proposed easement acquisitions must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time

the project must be completed and final products delivered.

**(f) Leech Lake Acquisition**

\$1,500,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Leech Lake Band of Ojibwe to acquire approximately 45 acres, including 0.67 miles of shoreline of high-quality aquatic and wildlife habitat at the historic meeting place between Henry Schoolcraft and the Anishinabe people. The land must be open to public use including hunting and fishing. The band must provide a commitment that land will not be put in a federal trust through the Bureau of Indian Affairs.

**(g) Mesabi Trail Development**

\$2,269,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the St. Louis and Lake Counties Regional Railroad Authority for engineering and constructing segments of the Mesabi Trail. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**(h) Tower Trailhead Boat Landing and Habitat Improvement - Phase II**

\$600,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the city of Tower to construct a trailhead, trail connection to the Mesabi Trail, and boat landing and to restore vegetative habitat on city-owned property. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**(i) Land Acquisition for Voyageurs National Park Crane Lake Visitors Center**

\$950,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the town of Crane Lake, in partnership with Voyageurs National Park and the Department of Natural Resources, to acquire approximately 30 acres to be used for a visitor center and campground. Income generated by the campground may be used to support the facility.

**EFFECTIVE DATE.** This section is effective retroactively from July 1, 2017.

Sec. 5. Laws 2018, chapter 214, article 4, section 2, subdivision 6, is amended to read:

Subd. 6. **Aquatic and Terrestrial Invasive Species** -0- 5,760,000

**(a) Minnesota Invasive Terrestrial Plants and Pests Center - Phase 4**

\$3,500,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for high-priority research at the Invasive Terrestrial Plants and Pests Center to protect Minnesota's natural and agricultural resources from terrestrial invasive plants, pathogens, and pests as identified through the center's strategic prioritization process. This appropriation is available until June 30, 2023, by which time the project must be completed and final products delivered.

**(b) Palmer Amaranth Detection and Eradication Continuation**

\$431,000 the second year is from the trust fund to the commissioner of agriculture to continue to monitor, ground survey, and control Palmer amaranth and other prohibited eradicate species of noxious weeds primarily in ~~conservation plantings~~ natural areas and to develop and implement aerial-survey methods to prevent infestation and protect prairies, other natural areas, and agricultural crops.

**(c) Evaluate Control Methods for Invasive Hybrid Cattails**

\$131,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Voyageurs National Park to evaluate the effectiveness of mechanical harvesting and managing muskrat populations to remove exotic hybrid cattails and restore fish and wildlife habitat in Minnesota wetlands. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

**(d) Developing RNA Interference to Control Zebra Mussels**

\$500,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the United States Geological Survey to develop a genetic control tool that exploits the natural process of RNA silencing to specifically target and effectively control zebra mussels without affecting other species or causing other nontarget effects. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

**(e) Install and Evaluate an Invasive Carp Deterrent for Mississippi River Locks and Dams**

\$998,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota in cooperation with the United States Army Corps of Engineers and the United States Fish and Wildlife Service to install, evaluate, and optimize a system in Mississippi River locks and dams to deter passage of invasive carp without negatively impacting native fish and to evaluate the ability of predator fish in the pools above the locks and dams to consume young carp. The project must conduct a cost comparison of equipment purchase versus lease options and choose the most effective option. This appropriation is available until June 30, 2021, by which time the project

must be completed and final products delivered.

**(f) Determining Risk of Toxic Alga in Minnesota Lakes**

\$200,000 the second year is from the trust fund to the Science Museum of Minnesota for the St. Croix Watershed Research Station to determine the historical distribution, abundance, and toxicity of the invasive blue-green alga, *Cylindrospermopsis raciborskii*, in about 20 lakes across Minnesota and inform managers and the public about the alga's spread and health risks. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

**Sec. 6. EXTENSION OF AVAILABILITY FOR CERTAIN APPROPRIATIONS.**

(a) The availability of any appropriation or grant of money from the environment and natural resources trust fund that would otherwise cancel, lapse, or expire on June 30, 2020, is extended to June 30, 2021, if the recipient or grantee does both of the following:

(1) by June 30, 2020, notifies the Legislative-Citizen Commission on Minnesota Resources in the manner specified by the commission that the recipient or grantee intends to avail itself of the extension available under this section; and

(2) modifies the applicable work plan where required by Minnesota Statutes, section 116P.05, subdivision 2, in accordance with the work plan amendment procedures adopted under that section.

(b) The commission must notify the commissioner of management and budget and the commissioner of natural resources of any extension granted under this section."

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

Amend the title as follows:

Page 1, line 26, after the second semicolon, insert "providing for certain solid waste management tax exemptions; appropriating money from the environment and natural resources trust fund;"

The motion prevailed. So the amendment was adopted.

Senator Bigham moved to amend S.F. No. 4499 as follows:

Page 9, after line 25, insert:

"Sec. 15. [325E.048] NONWOVEN PERSONAL CARE DISPOSABLE PRODUCTS.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "advertised" means represented by statement, word, design, device, sound, or any combination thereof in print, electronic, or broadcast media;

(2) "competent and reliable evidence" means tests, analyses, research, studies, or other evidence that is based on the expertise of professionals in the relevant area and has been conducted and evaluated in an objective manner by qualified persons using procedures that are generally accepted in the profession to yield accurate and reliable results and that substantially replicate the physical conditions of the environment in which the nonwoven disposable product will likely be disposed;

(3) "flushable, septic safe, or sewer safe" means a nonwoven disposable product that meets the tests for flushability established by the Federal Trade Commission in Docket No. C-4556 for nonmisleading representations regarding the flushability of nonwoven disposable products or that complies with the most recent INDA (Association of the Nonwoven Fabrics Industry) code of practice for product labeling that has been approved by the commissioner of the Pollution Control Agency;

(4) "label" means representations made by statement, word, picture, design, or emblem on the primary and secondary packaging of a nonwoven disposable product;

(5) "nonwoven disposable product" means a product constructed from nonwoven sheet products that:

(i) the manufacturer has designed or marketed for or that are commonly used in a bathroom setting or for toileting purposes; and

(ii) during normal use could become contaminated with feces, menses, urine, and germs typically associated with these wastes; and

(6) "tests for flushability" means competent and reliable scientific evidence that is of sufficient quantity and quality to substantiate that nonwoven disposable product disperses in a sufficiently short amount of time after flushing to avoid clogging or other operational problems in household and municipal sewage lines, septic systems, and other standard wastewater equipment.

Subd. 2. **Prohibition.** No nonwoven disposable product for sale in the state may be advertised, packaged, or labeled as flushable, septic safe, or sewer safe unless it meets the definition set forth in subdivision 1, clause (3).

Subd. 3. **Labeling requirement.** A nonwoven disposable product for sale in the state must meet the most recent INDA (Association of the Nonwoven Fabrics Industry) code of practice for product labeling that has been approved by the commissioner of the Pollution Control Agency.

Subd. 4. **Penalty; enforcement.** (a) A manufacturer that violates this section is subject to a civil penalty of \$100 for each prepackaged salable unit offered for sale, up to a maximum of \$5,000, and may be enjoined from those violations.

(b) The attorney general may bring an action in the name of the state in a court of competent jurisdiction for recovery of civil penalties under paragraph (a). The attorney general may accept an assurance of discontinuance of acts in violation of subdivision 2 or 3 in the manner provided in section 8.31, subdivision 2b.

Subd. 5. **Exceptions.** (a) Nothing in this section applies to:

(1) television or radio broadcasting stations or a publisher of a newspaper, magazine, or other form of printed or electronic advertising that broadcasts, publishes, or prints an advertisement that features a nonwoven disposable product packaged or labeled as flushable, septic safe, or sewer safe; or

(2) wholesalers or retailers that distribute or sell but do not package or label a nonwoven disposable product that is advertised, packaged, or labeled as flushable, septic safe, or sewer safe.

(b) A manufacturer in possession of nonwoven disposable products on January 1, 2021, that do not meet the labeling standards of this section may exhaust existing stock through distribution or sale to wholesalers or retailers.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Osmek questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Bakk moved to amend S.F. No. 4499 as follows:

Page 51, after line 17, insert:

"Sec. 78. **LAKE VERMILION-SOUDAN UNDERGROUND MINE STATE PARK; SECONDARY UNIT DESIGNATION.**

The commissioner of natural resources must manage the area within the statutory boundary of Lake Vermilion-Soudan Underground Mine State Park that is located south of State Highway 169 as a secondary unit within the state park, as authorized in Minnesota Statutes, section 86A.08. The secondary unit is designated a state recreation area and must be managed in a manner consistent with Minnesota Statutes, section 86A.05, subdivision 3. In addition to other activities authorized in Lake Vermilion-Soudan Underground Mine State Park, in the secondary unit, the commissioner must permit ingress and egress on designated routes by off-highway vehicles, as defined in Minnesota Statutes, section 84.771, into campgrounds and overnight facilities developed south of State Highway 169."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.



Senator Isaacson moved to amend S.F. No. 4499 as follows:

Page 15, delete sections 28 and 29

Page 16, delete sections 30 to 32

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 28 and nays 38, as follows:

Those who voted in the affirmative were:

Bigham	Dibble	Hawj	Latz	Rest
Carlson	Dziedzic	Hayden	Little	Torres Ray
Champion	Eaton	Isaacson	Marty	Wiger
Clausen	Eken	Kent	Newton	Wiklund
Cohen	Franzen	Klein	Pappas	
Cwodzinski	Frentz	Laine	Pratt	

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Nelson	Simonson
Anderson, B.	Gazelka	Johnson	Newman	Sparks
Anderson, P.	Goggin	Kiffmeyer	Osmek	Tomassoni
Bakk	Hall	Koran	Rarick	Utke
Benson	Hoffman	Lang	Relph	Weber
Chamberlain	Housley	Limmer	Rosen	Westrom
Dahms	Howe	Mathews	Ruud	
Draheim	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Benson cast the negative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; and Senjem.

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

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

Senator Dibble moved to amend S.F. No. 4499 as follows:

Page 34, delete section 60

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 26 and nays 41, as follows:

Those who voted in the affirmative were:

Bigham	Dibble	Hayden	Little	Wiger
Carlson	Dziedzic	Isaacson	Marty	Wiklund
Champion	Eaton	Kent	Newton	
Clausen	Franzen	Klein	Pappas	
Cohen	Frentz	Laine	Rest	
Cwodzinski	Hawj	Latz	Torres Ray	

Pursuant to Rule 40, Senator Hayden cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Eken	Jensen	Newman	Sparks
Anderson, B.	Gazelka	Johnson	Osmek	Tomassoni
Anderson, P.	Goggin	Kiffmeyer	Pratt	Utke
Bakk	Hall	Koran	Rarick	Weber
Benson	Hoffman	Lang	Relph	Westrom
Chamberlain	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Draheim	Ingebrigtsen	Miller	Senjem	
Eichorn	Jasinski	Nelson	Simonson	

Pursuant to Rule 40, Senator Benson cast the negative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; and Senjem.

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

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

Senator Dibble moved to amend S.F. No. 4499 as follows:

Page 39, delete section 66

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 30 and nays 36, as follows:

Those who voted in the affirmative were:

Bakk	Cwodzinski	Hawj	Laine	Rest
Bigham	Dibble	Hayden	Latz	Simonson
Carlson	Dziedzic	Hoffman	Little	Tomassoni
Champion	Eaton	Isaacson	Marty	Torres Ray
Clausen	Franzen	Kent	Newton	Wiger
Cohen	Frentz	Klein	Pappas	Wiklund

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Eken	Johnson	Newman	Sparks
Anderson, B.	Gazelka	Kiffmeyer	Osmek	Utke
Anderson, P.	Goggin	Koran	Pratt	Weber
Benson	Hall	Lang	Rarick	Westrom
Chamberlain	Housley	Limmer	Relph	
Dahms	Howe	Mathews	Rosen	
Draheim	Ingebrigtsen	Miller	Ruud	
Eichorn	Jasinski	Nelson	Senjem	

Pursuant to Rule 40, Senator Benson cast the negative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; and Senjem.

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

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

Senator Dibble moved to amend S.F. No. 4499 as follows:

Page 51, delete section 78

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hayden	Little	Tomassoni
Bigham	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pappas	Wiklund
Clausen	Franzen	Klein	Rest	
Cohen	Frentz	Laine	Simonson	
Cwodzinski	Hawj	Latz	Sparks	

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Sparks, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Draheim	Howe	Koran	Newman
Anderson, B.	Eichorn	Ingebrigtsen	Lang	Osmek
Anderson, P.	Gazelka	Jasinski	Limmer	Pratt
Benson	Goggin	Jensen	Mathews	Rarick
Chamberlain	Hall	Johnson	Miller	Relph
Dahms	Housley	Kiffmeyer	Nelson	Rosen

Ruud

Senjem

Utke

Weber

Westrom

Pursuant to Rule 40, Senator Benson cast the negative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Jensen; Newman; Rosen; and Senjem.

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

S.F. No. 4499 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 41 and nays 26, as follows:

Those who voted in the affirmative were:

Abeler	Eken	Jensen	Newman	Sparks
Anderson, B.	Gazelka	Johnson	Osmek	Tomassoni
Anderson, P.	Goggin	Kiffmeyer	Pratt	Utke
Bakk	Hall	Koran	Rarick	Weber
Benson	Hoffman	Lang	Relph	Westrom
Chamberlain	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Draheim	Ingebrigtsen	Miller	Senjem	
Eichorn	Jasinski	Nelson	Simonson	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Koran; Newman; and Senjem.

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

Those who voted in the negative were:

Bigham	Dibble	Hayden	Little	Wiger
Carlson	Dziedzic	Isaacson	Marty	Wiklund
Champion	Eaton	Kent	Newton	
Clausen	Franzen	Klein	Pappas	
Cohen	Frentz	Laine	Rest	
Cwodzinski	Hawj	Latz	Torres Ray	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Laine, Latz, Newton, Rest, Torres Ray, and Wiklund.

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

## RECESS

Senator Benson 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.

**SPECIAL ORDER**

**H.F. No. 4415:** A bill for an act relating to education; providing for compensation for school employees during distance learning periods during the 2019-2020 school year due to COVID-19; making exceptions for probationary teachers and truancy during the 2019-2020 school year due to COVID-19; making formula adjustments for school aid and revenue calculations and providing for fund transfers due to COVID-19; granting emergency powers to the commissioner of education and Professional Educator Licensing and Standards Board due to COVID-19; requiring a report; amending Minnesota Statutes 2018, section 134.355, subdivision 8; Laws 2019, First Special Session chapter 11, article 2, section 33, subdivisions 2, 4; article 8, section 13, subdivision 6; article 10, section 8, subdivision 1.

Senator Nelson moved to amend H.F. No. 4415 as follows:

Delete everything after the enacting clause and insert:

**"ARTICLE 1****GENERAL EDUCATION**

Section 1. Minnesota Statutes 2019 Supplement, section 124D.68, subdivision 2, is amended to read:

Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation incentives program, if the pupil:

(1) performs substantially below the performance level for pupils of the same age in a locally determined achievement test;

(2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

(3) is pregnant or is a parent;

(4) has been assessed as chemically dependent;

(5) has been excluded or expelled according to sections 121A.40 to 121A.56;

(6) has been referred by a school district for enrollment in an eligible program or a program pursuant to section 124D.69;

(7) is a victim of physical or sexual abuse;

(8) has experienced mental health problems;

(9) has experienced homelessness sometime within six months before requesting a transfer to an eligible program;

(10) speaks English as a second language or is an English learner;

(11) has withdrawn from school or has been chronically truant; or

(12) is being treated in a hospital in the seven-county metropolitan area for cancer or other life threatening illness or is the sibling of an eligible pupil who is being currently treated, and resides with the pupil's family at least 60 miles beyond the outside boundary of the seven-county metropolitan area.

(b) ~~For fiscal years 2020 and 2021,~~ A pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and not yet 22 years of age, and is an English learner with an interrupted formal education according to section 124D.59, subdivision 2a, is eligible to participate in the graduation incentives program under section 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision 10, and is funded in the same manner as other pupils under this section.

**EFFECTIVE DATE.** This section is effective July 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 126C.10, subdivision 3, is amended to read:

Subd. 3. **Compensatory education revenue.** (a) The compensatory education revenue for each building in the district equals the formula allowance minus \$839 times the compensation revenue pupil units computed according to section 126C.05, subdivision 3. A district's compensatory revenue equals the sum of its compensatory revenue for each building in the district and the amounts designated under Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid to the district and must be allocated according to section 126C.15, subdivision 2.

(b) When the district contracting with an alternative program under section 124D.69 changes prior to the start of a school year, the compensatory revenue generated by pupils attending the program shall be paid to the district contracting with the alternative program for the current school year, and shall not be paid to the district contracting with the alternative program for the prior school year.

(c) When the fiscal agent district for an area learning center changes prior to the start of a school year, the compensatory revenue shall be paid to the fiscal agent district for the current school year, and shall not be paid to the fiscal agent district for the prior school year.

~~(d) Of the amount of revenue under this subdivision, 1.7 percent for fiscal year 2018, 3.5 percent for fiscal year 2019, and for fiscal year 2020 and later, 3.5 percent plus the percentage change in the formula allowance from fiscal year 2019, must be used for extended time activities under subdivision 2a, paragraph (c).~~

**EFFECTIVE DATE.** This section is effective for fiscal year 2021 and later.

## ARTICLE 2

### SCHOOL CLOSURES DUE TO COVID-19

Section 1. **TRUANCY.**

Notwithstanding Minnesota Statutes, section 260A.02, subdivision 3, a student's absence, without valid excuse, beginning March 1, 2020, and through the end of the distance learning period or June 30, 2020, for school districts and charter schools that operate on an approved flexible learning year calendar, does not bring the student within the definition of a continuing truant.

**EFFECTIVE DATE.** This section is effective the day following final enactment and expires June 30, 2020.

**Sec. 2. PROBATIONARY TEACHERS.**

For the 2019-2020 school year only, for purposes of Minnesota Statutes, sections 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision 2, paragraph (d), the minimum number of days of teacher service that a probationary teacher must complete equals the difference between 120 days and the number of scheduled instructional days that were canceled for COVID-19-related reasons.

**EFFECTIVE DATE.** This section is effective the day following final enactment and expires June 30, 2020.

**Sec. 3. INSTRUCTION TO COMMISSIONER; FEDERAL EDUCATION STABILIZATION FUND APPLICATION.**

In applying for education stabilization fund grants authorized under the federal Coronavirus Aid, Relief, and Economic Security Act, the Department of Education must prioritize distribution and expenditure of funds that enable a school to comply with Executive Order 20-19 and any future executive order on kindergarten through grade 12 education that relates to the infectious disease known as COVID-19, as well as the corresponding Department of Education guidance related to the COVID-19 pandemic, including employee compensation.

**EFFECTIVE DATE.** This section is effective the day following final enactment and expires June 30, 2020.

### ARTICLE 3

#### FORMULA ADJUSTMENTS

Section 1. Minnesota Statutes 2018, section 134.355, subdivision 8, is amended to read:

Subd. 8. **Eligibility.** (a) A regional public library system may apply for regional library telecommunications aid on behalf of itself and member public libraries.

(b) The aid must be used for connections and other eligible non-voice-related e-rate program category one services. Aid may be used for e-rate program category two services as identified in the Federal Communication Commission's eligible services list for the current and preceding four funding years, or to improve Internet access and access to technology with items that are not e-rated, including but not limited to digital or online resources, if sufficient funds remain once category one needs are met in each funding year.

(c) To be eligible, a regional public library system must be officially designated by the commissioner of education as a regional public library system as defined in section 134.34, subdivision 3, and each of its participating cities and counties must meet local support levels defined in section 134.34, subdivision 1. A public library building that receives aid under this section must be open a minimum of 20 hours per week. Exceptions to the minimum open hours requirement may be granted by the Department of Education on request of the regional public library system for the following circumstances: short-term closing for emergency maintenance and repairs following a natural disaster; in response to exceptional economic circumstances; building repair or maintenance that requires public services areas to be closed; or to adjust hours of public service to respond to documented seasonal use patterns.

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

Sec. 2. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2, is amended to read:

Subd. 2. **Achievement and integration aid.** For achievement and integration aid under Minnesota Statutes, section 124D.862:

	<del>80,424,000</del>		
\$	<u>77,247,000</u>	.....	2020
	<del>83,256,000</del>		
\$	<u>81,233,000</u>	.....	2021

The 2020 appropriation includes \$7,058,000 for 2019 and ~~\$73,366,000~~ \$70,189,000 for 2020.

The 2021 appropriation includes ~~\$8,151,000~~ \$7,763,000 for 2020 and ~~\$75,105,000~~ \$73,470,000 for 2021.

Sec. 3. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 17, is amended to read:

Subd. 17. **Statewide testing and reporting system.** (a) For the statewide testing and reporting system under Minnesota Statutes, section 120B.30:

	<del>10,892,000</del>		
\$	<u>10,712,000</u>	.....	2020
\$	10,892,000	.....	2021

(b) Any balance in the first year does not cancel but is available in the second year.

(c) \$180,000 of the initial fiscal year 2020 appropriation is canceled to the general fund on June 30, 2020.

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

Sec. 4. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 6, is amended to read:



Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

	<del>3,639,000</del>		
\$	<u>3,608,000</u>	.....	2020
	<del>3,625,000</del>		
\$	<u>3,608,000</u>	.....	2021

(b) The 2020 appropriation includes \$363,000 for 2019 and ~~\$3,276,000~~ \$3,248,000 for 2020.

(c) The 2021 appropriation includes ~~\$364,000~~ \$360,000 for 2020 and ~~\$3,261,000~~ \$3,248,000 for 2021.

Sec. 5. Laws 2019, First Special Session chapter 11, article 10, section 8, subdivision 1, is amended to read:

Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board for the fiscal years designated:

\$	2,744,000	.....	2020
	<del>2,719,000</del>		
\$	<u>2,768,000</u>	.....	2021

(b) Any balance in the first year does not cancel but is available in the second year.

(c) This appropriation includes funds for information technology project services and support subject to Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into an interagency agreement and will be paid to the Office of MN.IT Services by the Professional Educator Licensing and Standards Board under the mechanism specified in that agreement.

(d) The base for fiscal year 2022 and later is \$2,719,000.

(e) Of the amount appropriated in fiscal year 2021, \$49,000 is for IT costs related to modifying the teacher licensure system to issue and renew conditional teacher licenses.

Sec. 6. **SCHOOL AID FORMULAS ADJUSTED.**

Subdivision 1. **Special education.** Notwithstanding any law to the contrary, fiscal year 2020 expenditures for employees and contracted services that would have been eligible for state special education aid under Minnesota Statutes, section 125A.76, and for special education tuition billing under Minnesota Statutes, sections 125A.11 and 127A.47, in the absence of school closures or learning plan modifications due to COVID-19 must be included as eligible expenditures for the calculation of state special education aid and special education tuition billing.

Subd. 2. **School meals.** (a) Notwithstanding any law to the contrary, for school meals served beginning on or after March 16, 2020, the commissioner of education may adjust the appropriations remaining under Laws 2019, First Special Session chapter 11, article 7, section 1, subdivisions 2, 3, and 4, as specified in paragraph (b).

(b) On June 30, 2020, the commissioner must subtract the amount actually paid to participants for the 2019-2020 school year under Laws 2019, First Special Session chapter 11, article 7, section 1, subdivisions 2, 3, and 4, through March 15, 2020, from the total appropriations for each program. The commissioner must then allocate the remaining funds under each appropriation to participants in the summer food service program on a per meal basis for meals served on or after March 16, 2020, and before July 1, 2020.

Subd. 3. **Career and technical aid.** Notwithstanding any law to the contrary, for fiscal years 2020 and 2021, the commissioner of education may recalculate career and technical revenue for school districts, cooperative units, and charter schools to ensure that the total statewide career and technical revenue does not fall below the amount estimated for fiscal years 2020 and 2021 based on the February 2020 forecast. For expenses incurred on or after March 18, 2020, the commissioner may recalculate school district, cooperative unit, and charter school amounts based on any other mechanism that allows for the full amount of this appropriation to be equitably paid to school districts, cooperative units, and charter schools. These amounts must be prorated at the end of each fiscal year if career and technical revenue were to exceed the February 2020 forecast estimate of this revenue for these fiscal years.

Subd. 4. **Nonpublic pupil transportation aid.** Notwithstanding any law to the contrary, the commissioner of education may adjust the fiscal year 2020 pupil transportation expenditures used to determine nonpublic pupil transportation aid for fiscal year 2022 based on any mechanism that allows for the full amount of the state total fiscal year 2020 expenditure estimated in the February 2020 forecast to be equitably allocated among school districts.

Subd. 5. **Interdistrict desegregation or integration transportation grants.** Notwithstanding any law to the contrary, the commissioner of education may adjust the fiscal year 2020 pupil transportation expenditures used to determine interdistrict desegregation and integration aid for fiscal year 2021 based on any mechanism that allows for the full amount of the state total fiscal year 2020 expenditure estimated in the February 2020 forecast to be equitably allocated among school districts.

Subd. 6. **Adult basic education aid.** Notwithstanding any law to the contrary, for the 2020-2021 school year only, the commissioner of education may recalculate adult basic education aid to ensure that the total aid does not fall below the amount estimated for the 2020-2021 school year based on the February 2020 forecast. The commissioner may recalculate contract hourly rates or otherwise adjust the formula based on any mechanism that allows for the full amount of this appropriation to be equitably paid to aid recipients. These amounts must be prorated at the end of the fiscal year if adult basic education aid were to exceed the February 2020 forecast estimate of this aid.

Subd. 7. **School employees; ensuring state revenue.** Notwithstanding any law to the contrary, for purposes of state aid formulas under subdivisions 1 and 3, the commissioner of education may include in any counts and costs of essential personnel the services provided by individuals who were essential personnel prior to March 13, 2020, for the purpose of ensuring state aid payments to school districts, cooperative units, and charter schools are consistent with the February 2020 forecast.

Subd. 8. **Literacy incentive aid.** Notwithstanding Minnesota Statutes, section 124D.98, for purposes of calculating proficiency aid and growth aid for fiscal years 2021, 2022, and 2023 only, tests administered during the 2019-2020 school year must be excluded from the three-year average

proficiency percentage and from the three-year average growth percentage. The commissioner may adjust the dollar amounts for proficiency aid and growth aid for fiscal years 2021, 2022, and 2023 only, to ensure that the total statewide literacy incentive aid amount does not fall below the amount estimated for these fiscal years based on the February 2020 forecast.

Subd. 9. **School-age care revenue.** Notwithstanding Minnesota Statutes, section 124D.22, for fiscal years 2020 and 2021 only, for spending on or after March 18, 2020, each district's school-age care revenue continues at its approved amounts and program funds may be spent consistent with the process and limitations of section 8.

Subd. 10. **Early childhood screening revenue.** Notwithstanding any law to the contrary, for fiscal years 2020 and 2021 only, the commissioner of education must calculate each school district's early childhood screening revenue under Minnesota Statutes, section 121A.19, using the formula amounts set in statute for each age group and the 2018-2019 school year counts of children screened for each age group.

Subd. 11. **Achievement and integration revenue.** Notwithstanding Minnesota Statutes, section 124D.861 or 124D.862, or any other law to the contrary, for fiscal year 2020 only, a school district that has not spent the full approved amount of its achievement and integration revenue may carry the unspent portion of that revenue forward into fiscal year 2021.

Subd. 12. **Report.** The commissioner of education must notify school districts and charter schools of these formula changes as soon as practicable. The commissioner must issue a report by January 15, 2021, to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over kindergarten through grade 12 education describing the formula changes and the distributional impact on school districts and charter schools.

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

Sec. 7. **ACCOUNTING.**

Notwithstanding any law to the contrary, services paid under section 6, including expenses recorded in the food service fund, may be charged to the same Uniform Financial Accounting and Reporting Standards codes to which the service is otherwise charged for an instructional day.

**EFFECTIVE DATE.** This section is effective the day following final enactment and is retroactive from the beginning of the 2019-2020 school year. This section expires June 30, 2020.

Sec. 8. **FUND TRANSFERS; FISCAL YEARS 2020 AND 2021 ONLY.**

Subdivision 1. **Fund and account transfers allowed.** Notwithstanding Minnesota Statutes, section 123B.80, subdivision 3, for fiscal years 2020 and 2021 only, a school district, charter school, or cooperative unit may transfer any funds not already assigned to or encumbered by staff salary and benefits, or otherwise encumbered by federal law, from any accounts or operating fund to the undesignated balance in any other operating fund.

Subd. 2. **No aid or levy effect.** A fund or account transfer is allowed under this section if the transfer does not increase state aid obligations to the district or school, or result in additional property

tax authority for the district. A fund or account transfer is limited to the operating funds and accounts of a school district, charter school, or cooperative unit.

Subd. 3. **Board approval required; reporting; audit trail.** A fund or account transfer under this section for fiscal year 2020 is effective June 30, 2020, and a fund or account transfer under this section for fiscal year 2021 is effective June 30, 2021. The school board must approve any fund or account transfer before the reporting deadline for the respective fiscal year. A school district, charter school, or cooperative unit must maintain accounting records for the purposes of this section that are sufficient to document both the specific funds transferred and use of those funds. The accounting records are subject to auditor review. Any execution of flexibility must not interfere with or jeopardize funding per federal requirements. Any transfer must not interfere with the equitable delivery of distance learning or social distancing models.

Subd. 4. **Commissioner's guidance.** The commissioner must prepare and post to the department's website a document providing guidance on the process for approval of fund and account balance transfers authorized under this section.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies retroactively from March 18, 2020.

**Sec. 9. REVENUE RESTRICTIONS; FISCAL YEARS 2020 AND 2021 ONLY.**

Notwithstanding Minnesota Statutes, section 124D.19, subdivision 12, for fiscal years 2020 and 2021 only, for spending occurring on or after March 18, 2020, after-school enrichment revenue under Minnesota Statutes, section 124D.20, subdivision 4a, may be spent consistent with the process and limitations of section 8.

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

**Sec. 10. CASH FLOW ADJUSTMENT; FISCAL YEAR 2021 ONLY.**

Notwithstanding any law to the contrary, for fiscal year 2021 only, a school district unable to make a required payment from its debt service fund because of a delay in receipt of its anticipated property tax proceeds may apply for modified cash flow payments under Minnesota Statutes, section 127A.45. The school district must apply in the form and manner specified by the commissioner of education and the commissioner must adjust the state aid cash flow payments accordingly.

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

## ARTICLE 4

### STATE AGENCY COVID-19 EMERGENCY POWERS

**Section 1. COMMISSIONER OF EDUCATION AND PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD COVID-19 EMERGENCY POWERS.**

(a) Notwithstanding Minnesota Statutes, section 120B.30, for the 2019-2020 school year only, the commissioner of education is granted authority to waive the state requirements on statewide assessments, including requirements allowing students to take a college entrance exam in school

on a regular school day. The commissioner must waive any state accountability and reporting requirements linked to the statewide assessments.

(b) Notwithstanding Minnesota Statutes, section 122A.183, Minnesota Rules, part 8710.0313, or any other law to the contrary, the Professional Educator Licensing and Standards Board must issue a one-year conditional Tier 3 license to an applicant that is otherwise qualified under Minnesota Statutes, section 122A.183, but was unable to complete a required licensure exam under Minnesota Statutes, section 122A.185, because of a COVID-19-related disruption. As a condition of renewing the Tier 3 license, the applicant must pass the required licensure exams under Minnesota Statutes, section 122A.185. The term of the renewed Tier 3 license under this section must be two years. The board must waive the licensure renewal fee.

(c) Notwithstanding any law to the contrary, the Professional Educator Licensing and Standards Board must extend by six months any calendar year 2020 deadline for completion of license renewal requirements for licenses under their jurisdiction.

**EFFECTIVE DATE.** Paragraph (a) expires June 30, 2020. Paragraph (b) expires October 31, 2020.

## Sec. 2. **REPORTING; RIGHT OF ACTION.**

(a) A court must not construe anything in this article as creating a right of action for a student, parent, teacher license applicant, or any other individual or entity to enforce any provisions of this article.

(b) By December 15, 2020, the Professional Educator Licensing and Standards Board must report on all conditional licenses issued under section 1, paragraph (b), to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over kindergarten through grade 12 education.

## ARTICLE 5

### MISCELLANEOUS CORRECTIONS

#### Section 1. **[120B.126] CONSTRUCTION AND SKILLED TRADES COUNSELING.**

The commissioner of education must collaborate with the commissioner of labor and industry to incorporate construction and skilled trades into career counseling services for middle and high school aged students. Career advisement should identify high-growth, in-demand skilled trades and include information on various career paths and associated jobs, the salary profiles of those jobs, and the credentials and other training desired by employers for those jobs.

Sec. 2. Minnesota Statutes 2019 Supplement, section 126C.17, subdivision 2, is amended to read:

Subd. 2. **Referendum allowance limit.** (a) Notwithstanding subdivision 1, for fiscal year 2021 and later, a district's referendum allowance must not exceed the greater of:

(1) the product of the annual inflationary increase as calculated under paragraph (b), and \$2,079.50, minus \$300;

(2) the product of the annual inflationary increase as calculated under paragraph (b), and ~~the sum of the referendum revenue allowance limit the district would have received for fiscal year 2015~~ 2021 under Minnesota Statutes ~~2012~~ 2018, section 126C.17, subdivision ~~4~~ 2, paragraph (a), clause ~~(2)~~, ~~based on elections held before July 1, 2013, and the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c), based on elections held before July 1, 2013, divided by the district's adjusted pupil units for fiscal year 2015,~~ minus \$300;

(3) for a newly reorganized district created on July 1, 2020, the referendum revenue authority for each reorganizing district in the year preceding reorganization divided by its adjusted pupil units for the year preceding reorganization, minus \$300; or

(4) for a newly reorganized district created after July 1, ~~2021~~ 2020, the referendum revenue authority for each reorganizing district in the year preceding reorganization divided by its adjusted pupil units for the year preceding reorganization.

(b) For purposes of this subdivision, for fiscal year 2022 and later, "inflationary increase" means one plus the percentage change in the Consumer Price Index for urban consumers, as prepared by the United States Bureau of Labor Statistics, for the current fiscal year to fiscal year 2021.

**EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2021 and later.

Sec. 3. Minnesota Statutes 2018, section 126C.17, subdivision 7b, is amended to read:

Subd. 7b. **Referendum aid guarantee.** (a) Notwithstanding subdivision 7, the sum of a district's referendum equalization aid and local optional aid under section 126C.10, subdivision 2e, for fiscal year 2015 must not be less than the sum of the referendum equalization aid the district would have received for fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 7, and the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c).

(b) Notwithstanding subdivision 7, the sum of referendum equalization aid and local optional aid under section 126C.10, subdivision 2e, for fiscal year 2016 and later, for a district qualifying for additional aid under paragraph (a) for fiscal year 2015, must not be less than the product of (1) the sum of the district's referendum equalization aid and local optional aid under section 126C.10, subdivision 2e, for fiscal year 2015, times (2) the lesser of one or the ratio of the sum of the district's referendum revenue and local optional revenue for that school year to the sum of the district's referendum revenue and local optional revenue for fiscal year 2015, times (3) the lesser of one or the ratio of the district's referendum market value used for fiscal year 2015 referendum equalization calculations to the district's referendum market value used for that year's referendum equalization calculations.

**EFFECTIVE DATE.** This section is effective for fiscal year 2016 and later.

Sec. 4. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2, is amended to read:

Subd. 2. **Department.** (a) For the Department of Education:

\$	29,196,000	.....	2020
\$	24,911,000	.....	2021

Of these amounts:

- (1) \$319,000 each year is for the Board of School Administrators;
- (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;
- (3) \$250,000 each year is for the School Finance Division to enhance financial data analysis;
- (4) \$720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;
- (5) \$123,000 each year is for a dyslexia specialist;
- (6) \$4,700,000 in fiscal year 2020 only is for legal fees and costs associated with litigation; and
- (7) \$400,000 in fiscal year 2020 and \$480,000 in fiscal year 2021 and later are for the Department of Education's mainframe update.

(b) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C. office.

(c) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated.

(d) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanism specified in that agreement.

(e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is \$24,591,000. The base for fiscal year 2023 is \$24,611,000. The base for fiscal year 2024 is \$24,629,000.

Sec. 5. Laws 2019, First Special Session chapter 11, article 10, section 6, is amended to read:

**Sec. 6. APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

(a) The sums indicated in this section are appropriated from the general fund to the Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

\$	13,746,000	.....	2020
\$	13,787,000	.....	2021

(b) Any balance in the first year does not cancel but is available in the second year.

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2022 is \$13,794,000 and the base for fiscal year 2023 is \$13,801,000. The base for fiscal year 2024 is \$13,807,000.

Sec. 6. Laws 2019, First Special Session chapter 11, article 10, section 7, is amended to read:

**Sec. 7. APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

(a) The sums in this section are appropriated from the general fund to the Perpich Center for Arts Education for the fiscal years designated:

\$	7,292,000	.....	2020
\$	7,283,000	.....	2021

(b) Any balance in the first year does not cancel but is available in the second year.

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (c), the base for fiscal year 2022 is \$7,288,000. The base for fiscal year 2023 is \$7,294,000. The base for fiscal year 2024 is \$7,299,000.

(d) Of the amount appropriated in fiscal year 2020, \$80,000 is for severance payments related to the closure of the Crosswinds school and is available until June 30, 2021.

**ARTICLE 6**

**FORECAST ADJUSTMENTS**

**A. GENERAL EDUCATION**

Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 2, is amended to read:

Subd. 2. **General education aid.** For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

	<del>7,383,162,000</del>		
\$	<u>7,347,424,000</u>	.....	2020
	<del>7,566,309,000</del>		
\$	<u>7,509,639,000</u>	.....	2021

The 2020 appropriation includes \$700,383,000 for 2019 and ~~\$6,682,779,000~~ \$6,647,041,000 for 2020.

The 2021 appropriation includes ~~\$715,184,000~~ \$711,885,000 for 2020 and ~~\$6,851,125,000~~ \$6,797,754,000 for 2021.

Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 3, is amended to read:



Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

	<del>24,000</del>		
\$	<u>19,000</u>	.....	2020
	<del>26,000</del>		
\$	<u>20,000</u>	.....	2021

Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4, is amended to read:

Subd. 4. **Abatement aid.** For abatement aid under Minnesota Statutes, section 127A.49:

	<del>2,897,000</del>		
\$	<u>1,770,000</u>	.....	2020
	<del>2,971,000</del>		
\$	<u>2,827,000</u>	.....	2021

The 2020 appropriation includes \$274,000 for 2019 and ~~\$2,623,000~~ \$1,496,000 for 2020.

The 2021 appropriation includes ~~\$291,000~~ \$166,000 for 2020 and ~~\$2,680,000~~ \$2,661,000 for 2021.

Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6, is amended to read:

Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

	<del>18,083,000</del>		
\$	<u>17,925,000</u>	.....	2020
	<del>18,670,000</del>		
\$	<u>18,917,000</u>	.....	2021

The 2020 appropriation includes \$1,806,000 for 2019 and ~~\$16,277,000~~ \$16,119,000 for 2020.

The 2021 appropriation includes ~~\$1,808,000~~ \$1,790,000 for 2020 and ~~\$16,862,000~~ \$17,127,000 for 2021.

Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7, is amended to read:

Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid under Minnesota Statutes, section 123B.92, subdivision 9:

	<del>19,478,000</del>		
\$	<u>19,168,000</u>	.....	2020
	<del>19,728,000</del>		
\$	<u>20,100,000</u>	.....	2021

The 2020 appropriation includes \$1,961,000 for 2019 and ~~\$17,517,000~~ \$17,207,000 for 2020.

The 2021 appropriation includes ~~\$1,946,000~~ \$1,911,000 for 2020 and ~~\$17,782,000~~ \$18,189,000 for 2021.

Sec. 6. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9, is amended to read:

Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

	<del>3,751,000</del>		
\$	<u>3,857,000</u>	.....	2020
	<del>3,321,000</del>		
\$	<u>3,433,000</u>	.....	2021

The 2020 appropriation includes \$422,000 for 2019 and ~~\$3,329,000~~ \$3,435,000 for 2020.

The 2021 appropriation includes ~~\$369,000~~ \$378,000 for 2020 and ~~\$2,952,000~~ \$3,055,000 for 2021.

## B. EDUCATION EXCELLENCE

Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3, is amended to read:

Subd. 3. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

	<del>13,874,000</del>		
\$	<u>14,231,000</u>	.....	2020
	<del>14,589,000</del>		
\$	<u>14,962,000</u>	.....	2021

Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 4, is amended to read:

Subd. 4. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes, section 124D.98:

	<del>45,304,000</del>		
\$	<u>44,985,000</u>	.....	2020
	<del>45,442,000</del>		
\$	<u>44,658,000</u>	.....	2021

The 2020 appropriation includes \$4,582,000 for 2019 and ~~\$40,722,000~~ \$40,403,000 for 2020.

The 2021 appropriation includes ~~\$4,524,000~~ \$4,489,000 for 2020 and ~~\$40,918,000~~ \$40,169,000 for 2021.

Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5, is amended to read:

Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

	<del>3,275,000</del>		
\$	<u>2,766,000</u>	.....	2020
	<del>3,763,000</del>		
\$	<u>3,106,000</u>	.....	2021

The 2020 appropriation includes \$299,000 for 2019 and ~~\$2,976,000~~ \$2,467,000 for 2020.

The 2021 appropriation includes ~~\$330,000~~ \$274,000 for 2020 and ~~\$3,433,000~~ \$2,832,000 for 2021.

Sec. 10. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6, is amended to read:

Subd. 6. **American Indian education aid.** For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

	<del>9,515,000</del>		
\$	<u>10,113,000</u>	.....	2020
	<del>9,673,000</del>		
\$	<u>10,696,000</u>	.....	2021

The 2020 appropriation includes \$960,000 for 2019 and ~~\$8,555,000~~ \$9,153,000 for 2020.

The 2021 appropriation includes ~~\$950,000~~ \$1,016,000 for 2020 and ~~\$8,723,000~~ \$9,680,000 for 2021.

Sec. 11. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 16, is amended to read:

Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

	<del>85,450,000</del>		
\$	<u>83,214,000</u>	.....	2020
	<del>91,064,000</del>		
\$	<u>88,454,000</u>	.....	2021

The 2020 appropriation includes \$8,021,000 for 2019 and ~~\$77,429,000~~ \$75,193,000 for 2020.

The 2021 appropriation includes ~~\$8,603,000~~ \$8,354,000 for 2020 and ~~\$82,461,000~~ \$80,100,000 for 2021.

**C. TEACHERS**

Sec. 12. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3, is amended to read:

Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

	<del>89,211,000</del>		
\$	<u>89,166,000</u>	.....	2020
	<del>88,853,000</del>		
\$	<u>88,851,000</u>	.....	2021

(b) The 2020 appropriation includes \$8,974,000 for 2019 and ~~\$80,237,000~~ \$80,192,000 for 2020.

(c) The 2021 appropriation includes ~~\$8,915,000~~ \$8,887,000 for 2020 and ~~\$79,938,000~~ \$79,964,000 for 2021.

**D. SPECIAL EDUCATION**

Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2, is amended to read:

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

	<del>1,619,065,000</del>		
\$	<u>1,600,889,000</u>	.....	2020
	<del>1,773,125,000</del>		
\$	<u>1,747,701,000</u>	.....	2021

The 2020 appropriation includes \$184,363,000 for 2019 and ~~\$1,434,702,000~~ \$1,416,526,000 for 2020.

The 2021 appropriation includes ~~\$201,964,000~~ \$199,406,000 for 2020 and ~~\$1,571,161,000~~ \$1,548,295,000 for 2021.

Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3, is amended to read:

Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes, section 125A.75, subdivision 3, for children with disabilities placed in residential facilities within the district boundaries for whom no district of residence can be determined:

	<del>1,382,000</del>		
\$	<u>1,109,000</u>	.....	2020
	<del>1,564,000</del>		
\$	<u>1,267,000</u>	.....	2021

If the appropriation for either year is insufficient, the appropriation for the other year is available.

Sec. 15. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4, is amended to read:

Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based services under Minnesota Statutes, section 125A.75, subdivision 1:

	<del>422,000</del>		
\$	<u>445,000</u>	.....	2020
	<del>442,000</del>		
\$	<u>467,000</u>	.....	2021

The 2020 appropriation includes \$40,000 for 2019 and ~~\$382,000~~ \$405,000 for 2020.

The 2021 appropriation includes ~~\$42,000~~ \$44,000 for 2020 and ~~\$400,000~~ \$423,000 for 2021.

Sec. 16. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5, is amended to read:

Subd. 5. **Court-placed special education revenue.** For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

	<del>31,000</del>		
\$	<u>-0-</u>	.....	2020
	<del>32,000</del>		
\$	<u>23,000</u>	.....	2021

**E. FACILITIES, FUND TRANSFERS, AND ACCOUNTING**

Sec. 17. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2, is amended to read:

Subd. 2. **Debt service equalization aid.** For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

\$	20,684,000	.....	2020
	<del>20,363,000</del>		
\$	<u>25,398,000</u>	.....	2021

The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

The 2021 appropriation includes \$2,043,000 for 2020 and ~~\$18,320,000~~ \$23,355,000 for 2021.

Sec. 18. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3, is amended to read:

Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

	<del>105,315,000</del>		
\$	<u>104,690,000</u>	.....	2020
	<del>108,042,000</del>		
\$	<u>107,820,000</u>	.....	2021

The 2020 appropriation includes \$10,464,000 for 2019 and ~~\$94,851,000~~ \$94,226,000 for 2020.

The 2021 appropriation includes ~~\$10,539,000~~ \$10,412,000 for 2020 and ~~\$97,503,000~~ \$97,408,000 for 2021.

Sec. 19. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 6, is amended to read:

Subd. 6. **Maximum effort loan aid.** For aid payments to schools under Minnesota Statutes, section 477A.09:-

\$	3,291,000	.....	2020
	<del>3,291,000</del>		
\$	<u>3,265,000</u>	.....	2021

The base for fiscal year 2022 is ~~\$3,291,000~~ \$3,265,000 and the base for fiscal year 2023 is \$0.

#### F. NUTRITION AND LIBRARIES

Sec. 20. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2, is amended to read:

Subd. 2. **School lunch.** For school lunch aid under Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

	<del>16,306,000</del>		
\$	<u>16,245,000</u>	.....	2020
	<del>16,575,000</del>		
\$	<u>16,514,000</u>	.....	2021

Sec. 21. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3, is amended to read:

Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota Statutes, section 124D.1158:

	<del>11,310,000</del>		
\$	<u>11,428,000</u>	.....	2020
	<del>11,771,000</del>		
\$	<u>11,846,000</u>	.....	2021

Sec. 22. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4, is amended to read:

Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes, section 124D.118:

	<del>691,000</del>		
\$	<u>658,000</u>	.....	2020
	<del>691,000</del>		
\$	<u>658,000</u>	.....	2021

### G. EARLY CHILDHOOD

Sec. 23. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5, is amended to read:

Subd. 5. **Early childhood family education aid.** (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

	<del>32,176,000</del>		
\$	<u>32,151,000</u>	.....	2020
	<del>33,531,000</del>		
\$	<u>33,540,000</u>	.....	2021

(b) The 2020 appropriation includes \$3,098,000 for 2019 and ~~\$29,078,000~~ \$29,053,000 for 2020.

(c) The 2021 appropriation includes ~~\$3,230,000~~ \$3,133,000 for 2020 and ~~\$30,301,000~~ \$30,407,000 for 2021.

Sec. 24. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 14, is amended to read:

Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section 124D.135:

\$	521,000	.....	2020
	<del>503,000</del>		
\$	<u>528,000</u>	.....	2021

(b) The 2020 appropriation includes \$54,000 for 2019 and \$467,000 for 2020.

(c) The 2021 appropriation includes \$51,000 for 2020 and ~~\$452,000~~ \$477,000 for 2021.

### H. COMMUNITY EDUCATION AND LIFELONG LEARNING

Sec. 25. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2, is amended to read:

Subd. 2. **Community education aid.** For community education aid under Minnesota Statutes, section 124D.20:

	<del>330,000</del>		
\$	<u>327,000</u>	.....	2020
	<del>257,000</del>		
\$	<u>249,000</u>	.....	2021

The 2020 appropriation includes \$40,000 for 2019 and ~~\$290,000~~ \$287,000 for 2020.

The 2021 appropriation includes ~~\$32,000~~ \$31,000 for 2020 and ~~\$225,000~~ \$218,000 for 2021.

Sec. 26. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 8, is amended to read:

Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

	<del>50,106,000</del>		
\$	<u>50,052,000</u>	.....	2020
	<del>51,620,000</del>		
\$	<u>51,613,000</u>	.....	2021

The 2020 appropriation includes \$4,868,000 for 2019 and ~~\$45,238,000~~ \$45,184,000 for 2020.

The 2021 appropriation includes ~~\$5,026,000~~ \$5,020,000 for 2020 and ~~\$46,594,000~~ \$46,593,000 for 2021."

Delete the title and insert:

"A bill for an act relating to education; providing for school closures and other amendments due to COVID-19; clarifying the calculation of certain school aids formulas due to COVID-19; making forecast adjustments to funding for general education, education excellence, teachers, special education, facilities, fund transfers and accounting, nutrition and libraries, early childhood, and community education and lifelong learning; clarifying the responsibilities for the Department of Education and Department of Labor and Industry for construction and skills trades career counseling services; clarifying the operation referendum calculation; adjusting base appropriations; amending Minnesota Statutes 2018, sections 126C.10, subdivision 3; 126C.17, subdivision 7b; 134.355, subdivision 8; Minnesota Statutes 2019 Supplement, sections 124D.68, subdivision 2; 126C.17, subdivision 2; Laws 2019, First Special Session chapter 11, article 1, section 25, subdivisions 2, 3, 4, 6, 7, 9; article 2, section 33, subdivisions 2, 3, 4, 5, 6, 16, 17; article 3, section 23, subdivision 3; article 4, section 11, subdivisions 2, 3, 4, 5; article 6, section 7, subdivisions 2, 3, 6; article 7, section 1, subdivisions 2, 3, 4; article 8, section 13, subdivisions 5, 6, 14; article 9, section 3, subdivisions 2, 8; article 10, sections 5, subdivision 2; 6; 7; 8, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120B."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

Abeler	Anderson, B.	Anderson, P.	Benson	Chamberlain
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Dahms	Housley	Kiffmeyer	Nelson	Rosen
Draheim	Howe	Koran	Newman	Ruud
Eichorn	Ingebrigtsen	Lang	Osmek	Senjem
Gazelka	Jasinski	Limmer	Pratt	Utke
Goggin	Jensen	Mathews	Rarick	Weber
Hall	Johnson	Miller	Relph	Westrom

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; and Senjem.

Those who voted in the negative were:

Bakk	Dibble	Hayden	Little	Tomassoni
Bigham	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pappas	Wiklund
Clausen	Franzen	Klein	Rest	
Cohen	Frentz	Laine	Simonson	
Cwodzinski	Hawj	Latz	Sparks	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Klein, Laine, Latz, Little, Newton, Rest, Sparks, Torres Ray, and Wiklund.

The motion prevailed. So the amendment was adopted.

Senator Nelson moved to amend the Nelson amendment to H.F. No. 4415, adopted by the Senate May 16, 2020, as follows:

Page 5, line 13, delete "3,608,000" and insert "3,611,000"

The motion prevailed. So the amendment was adopted.

Senator Wiger moved to amend H.F. No. 4415 as follows:

Page 1, after line 12, insert:

## "ARTICLE 1

### GENERAL EDUCATION POLICY

Section 1. Minnesota Statutes 2018, section 123B.52, subdivision 1, is amended to read:

Subdivision 1. **Contracts.** A contract for work or labor, or for the purchase of furniture, fixtures, or other property, except books registered under the copyright laws and information systems software, or for the construction or repair of school houses, the estimated cost or value of which shall exceed that specified in section 471.345, subdivision 3, must not be made by the school board without first advertising for bids or proposals by two weeks' published notice in the official newspaper. This notice must state the time and place of receiving bids and contain a brief description of the subject matter.

Additional publication in the official newspaper or elsewhere may be made as the board shall deem necessary.

After taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids, every such contract for which a call for bids has been issued must be awarded to the lowest responsible bidder, be duly executed in writing, and be otherwise conditioned as required by law. The person to whom the contract is awarded shall give a sufficient bond to the board for its faithful performance. Notwithstanding section 574.26 or any other law to the contrary, on a contract limited to the purchase of a finished tangible product, a board may require, at its discretion, a performance bond of a contractor in the amount the board considers necessary. A record must be kept of all bids, with names of bidders and amount of bids, and with the successful bid indicated thereon. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid must be rejected unless the alteration or erasure is corrected as provided in this section. An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. In the case of identical low bids from two or more bidders, the board may, at its discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. In the case where only a single bid is received, the board may, at its discretion, negotiate a mutually agreeable contract with the bidder so long as the price paid does not exceed the original bid. If no satisfactory bid is received, the board may readvertise. Standard requirement price contracts established for supplies or services to be purchased by the district must be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. Either party to the contract may request that the other party demonstrate such increase or decrease. The term of such contracts must not exceed two years with an option on the part of the district to renew for an additional two years, except as provided in subdivision 3 or 7. Contracts for the purchase of perishable food items, except milk for school lunches and vocational training programs, in any amount may be made by direct negotiation by obtaining two or more written quotations for the purchase or sale, when possible, without advertising for bids or otherwise complying with the requirements of this section or section 471.345, subdivision 3. All quotations obtained shall be kept on file for a period of at least one year after receipt.

Every contract made without compliance with the provisions of this section shall be void. Except in the case of the destruction of buildings or injury thereto, where the public interest would suffer by delay, contracts for repairs may be made without advertising for bids.

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

Sec. 2. Minnesota Statutes 2018, section 123B.52, subdivision 3, is amended to read:

Subd. 3. **Transportation; fuel.** Notwithstanding the provisions of subdivision 1 or section 471.345, a contract for the transportation of school children, or a contract for the purchase of petroleum heating fuel or fuel for vehicles may be made by direct negotiation, by obtaining two or more written quotations for the service when possible, or upon sealed bids. At least 30 days before awarding a directly negotiated contract, the district must, by published notice, request quotations for the service to be provided. All quotations obtained must be kept on file for a period of at least one year after receipt. If a contract is made by direct negotiation, all quotations must be public information. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of subdivision 1 except as otherwise provided in this subdivision. The term of such contracts must not exceed ten years.

Notwithstanding the provisions of subdivision 1 or section 574.26, a performance bond must be required of a contractor on a contract for the transportation of school children only when deemed necessary by and at the discretion of the board. Such a performance bond must be in the amount determined by the board.

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

Sec. 3. Minnesota Statutes 2018, section 126C.17, subdivision 9, is amended to read:

Subd. 9. **Referendum revenue.** (a) The revenue authorized by section 126C.10, subdivision 1, may be increased in the amount approved by the voters of the district at a referendum called for the purpose. The referendum may be called by the board. The referendum must be conducted one or two calendar years before the increased levy authority, if approved, first becomes payable. Only one election to approve an increase may be held in a calendar year. Unless the referendum is conducted by mail under subdivision 11, paragraph (a), the referendum must be held on the first Tuesday after the first Monday in November. The ballot must state the maximum amount of the increased revenue per adjusted pupil unit. The ballot may state a schedule, determined by the board, of increased revenue per adjusted pupil unit that differs from year to year over the number of years for which the increased revenue is authorized or may state that the amount shall increase annually by the rate of inflation. For this purpose, the rate of inflation shall be the annual inflationary increase calculated under subdivision 2, paragraph (b). The ballot may state that existing referendum levy authority is expiring. In this case, the ballot may also compare the proposed levy authority to the existing expiring levy authority, and express the proposed increase as the amount, if any, over the expiring referendum levy authority. The ballot must designate the specific number of years, not to exceed ten, for which the referendum authorization applies. The ballot, including a ballot on the question to revoke or reduce the increased revenue amount under paragraph (c), must abbreviate the term "per adjusted pupil unit" as "per pupil." The notice required under section 275.60 may be modified to read, in cases of renewing existing levies at the same amount per pupil as in the previous year:

"BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING TO EXTEND AN EXISTING PROPERTY TAX REFERENDUM THAT IS SCHEDULED TO EXPIRE."

The ballot may contain a textual portion with the information required in this subdivision and a question stating substantially the following:

"Shall the increase in the revenue proposed by (petition to) the board of ....., School District No. ..., be approved?"

If approved, an amount equal to the approved revenue per adjusted pupil unit times the adjusted pupil units for the school year beginning in the year after the levy is certified shall be authorized for certification for the number of years approved, if applicable, or until revoked or reduced by the voters of the district at a subsequent referendum.

(b) The board must deliver by mail at least 15 days but no more than ~~30~~ 45 days before the day of the referendum to each taxpayer a notice of the referendum and the proposed revenue increase. The board need not mail more than one notice to any taxpayer. For the purpose of giving mailed notice under this subdivision, owners must be those shown to be owners on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of

the county treasurer. Every property owner whose name does not appear on the records of the county auditor or the county treasurer is deemed to have waived this mailed notice unless the owner has requested in writing that the county auditor or county treasurer, as the case may be, include the name on the records for this purpose. The notice must project the anticipated amount of tax increase in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the school district.

The notice for a referendum may state that an existing referendum levy is expiring and project the anticipated amount of increase over the existing referendum levy in the first year, if any, in annual dollars for typical residential homesteads, agricultural homesteads, apartments, and commercial-industrial property within the district.

The notice must include the following statement: "Passage of this referendum will result in an increase in your property taxes." However, in cases of renewing existing levies, the notice may include the following statement: "Passage of this referendum extends an existing operating referendum at the same amount per pupil as in the previous year."

(c) A referendum on the question of revoking or reducing the increased revenue amount authorized pursuant to paragraph (a) may be called by the board. A referendum to revoke or reduce the revenue amount must state the amount per adjusted pupil unit by which the authority is to be reduced. Revenue authority approved by the voters of the district pursuant to paragraph (a) must be available to the school district at least once before it is subject to a referendum on its revocation or reduction for subsequent years. Only one revocation or reduction referendum may be held to revoke or reduce referendum revenue for any specific year and for years thereafter.

(d) The approval of 50 percent plus one of those voting on the question is required to pass a referendum authorized by this subdivision.

(e) At least 15 days before the day of the referendum, the district must submit a copy of the notice required under paragraph (b) to the commissioner and to the county auditor of each county in which the district is located. Within 15 days after the results of the referendum have been certified by the board, or in the case of a recount, the certification of the results of the recount by the canvassing board, the district must notify the commissioner of the results of the referendum.

**EFFECTIVE DATE.** This section is effective July 1, 2020, and applies to referendum notices mailed on or after that date.

## ARTICLE 2

### EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2019 Supplement, section 120B.12, subdivision 2, is amended to read:

Subd. 2. **Identification; report.** (a) Each school district must identify before the end of kindergarten, grade 1, and grade 2 all students who are not reading at grade level. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened, in a locally determined manner, for characteristics of dyslexia.

(b) Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened, in a locally determined manner, for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.

(c) Reading assessments in English, and in the predominant languages of district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The district must use a locally adopted, developmentally appropriate, and culturally responsive assessment and annually report summary assessment results to the commissioner by July 1.

(d) The district also must annually report to the commissioner by July 1 a summary of the district's efforts to screen and identify students ~~with~~

~~(1) who demonstrate characteristics of dyslexia; using screening tools such as those recommended by the department's dyslexia specialist; or~~

~~(2) convergence insufficiency disorder.~~ With respect to students screened or identified under paragraph (a), the report must include:

(1) a summary of the district's efforts to screen for dyslexia;

(2) the number of students screened for that reporting year; and

(3) the number of students demonstrating characteristics of dyslexia for that year.

(e) A student identified under this subdivision must be provided with alternate instruction under section 125A.56, subdivision 1.

**EFFECTIVE DATE.** This section is effective for the 2020-2021 school year and later.

Sec. 2. Minnesota Statutes 2018, section 122A.181, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** (a) The Professional Educator Licensing and Standards Board must issue an initial Tier 1 license for a term of one year. A Tier 1 license may be renewed subject to paragraphs (b) and (c). The board may submit written comments to the district or charter school that requested the renewal regarding the candidate.

(b) The Professional Educator Licensing and Standards Board must renew a Tier 1 license if:

(1) the district or charter school requesting the renewal demonstrates that it has posted the teacher position but was unable to hire an acceptable teacher with a Tier 2, 3, or 4 license for the position;

(2) the teacher holding the Tier 1 license took a content examination in accordance with section 122A.185 and submitted the examination results to the teacher's employing district or charter school within one year of the board approving the request for the initial Tier 1 license; ~~and~~

(3) the teacher holding the Tier 1 license participated in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), within one year of the board approving the request for the initial Tier 1 license; and

(4) the teacher holding the Tier 1 license met the mental illness training renewal requirement under section 122A.187, subdivision 6.

The requirement in clause (2) does not apply to a teacher that teaches a class in a career and technical education or career pathways course of study.

(c) A Tier 1 license must not be renewed more than three times, unless the requesting district or charter school can show good cause for additional renewals. A Tier 1 license issued to teach (1) a class or course in a career and technical education or career pathway course of study or (2) in a shortage area, as defined in section 122A.06, subdivision 6, may be renewed without limitation.

**EFFECTIVE DATE.** This section is effective for licenses issued on or after July 1, 2021.

Sec. 3. Minnesota Statutes 2018, section 122A.182, subdivision 3, is amended to read:

Subd. 3. **Term of license and renewal.** The Professional Educator Licensing and Standards Board must issue an initial Tier 2 license for a term of two years. A Tier 2 license may be renewed three times. Before a Tier 2 license is renewed for the first time, a teacher holding a Tier 2 license must participate in cultural competency training consistent with section 120B.30, subdivision 1, paragraph (q), and mental illness training under section 122A.187, subdivision 6. The board must issue rules setting forth the conditions for additional renewals after the initial license has been renewed three times.

**EFFECTIVE DATE.** This section is effective for licenses issued on or after July 1, 2021.

Sec. 4. Minnesota Statutes 2018, section 122A.187, subdivision 6, is amended to read:

Subd. 6. **Mental illness.** The Professional Educator Licensing and Standards Board must adopt rules that require all licensed teachers renewing a ~~Tier 3 or Tier 4~~ teaching license under sections ~~122A.183 and 122A.181 to 122A.184, respectively,~~ to include in the renewal requirements at least one hour of suicide prevention best practices training in each licensure renewal period based on nationally recognized evidence-based programs and practices, among the continuing education credits required to renew a license under this subdivision, ~~and further preparation, first, in. Initial training must include~~ understanding the key warning signs of early-onset mental illness in children and adolescents, ~~and then,~~ during subsequent licensure renewal periods, ~~preparation may~~ training ~~must~~ include providing a more in-depth understanding of students' mental illness trauma, accommodations for students' mental illness, parents' roles in addressing students' mental illness, Fetal Alcohol Spectrum Disorders, autism, the requirements of section 125A.0942 governing restrictive procedures, and de-escalation methods, among other similar topics.

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

### ARTICLE 3

#### HEALTH AND SAFETY

Section 1. **[120B.238] VAPING AWARENESS AND PREVENTION.**

Subdivision 1. **Title.** This section may be referred to as the "Vaping Awareness and Prevention Act."

Subd. 2. **Definitions.** (a) For purposes of this section, the words defined in this subdivision have the meanings given them.

(b) "Electronic delivery device" has the meaning given in section 609.685, subdivision 1.

(c) "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.

(d) "Public school" means a school district or a charter school.

(e) "Vaping" means using an activated electronic delivery device or heated tobacco product.

Subd. 3. **School instruction requirements.** (a) A public school must provide vaping prevention instruction at least once to students in grades 6 through 8. A public school may use instructional materials based on the Department of Health's e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as a part of a public school's locally developed health standards.

(b) A public school is strongly encouraged to provide evidence-based vaping prevention instruction to students in grades 9 through 12.

(c) A public school is encouraged to use a peer-to-peer education program to provide vaping prevention instruction.

Subd. 4. **Student survey.** The commissioner of education must include questions regarding tobacco use and vaping in the Minnesota student survey.

**EFFECTIVE DATE.** This section is effective for the 2021-2022 school year and later.

Sec. 2. Minnesota Statutes 2018, section 121A.22, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** (a) This section applies only:

(1) when the parent of a pupil requests school personnel to administer drugs or medicine to the pupil; or

(2) when administration is allowed by the individualized education program of a child with a disability.

The request of a parent may be oral or in writing. An oral request must be reduced to writing within two school days, provided that the district may rely on an oral request until a written request is received.

(b) If the administration of a drug or medication described in paragraph (a) requires a school to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance,

the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

Sec. 3. Minnesota Statutes 2018, section 121A.22, is amended by adding a subdivision to read:

Subd. 4a. **Unclaimed drugs or medications.** (a) Each school district must adopt a procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this subdivision. The procedure must ensure that before the transportation of any prescription drug or medication under this subdivision, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. The procedure must provide that transportation of unclaimed or unused prescription drugs or medications occur at least annually, or more frequently as determined by the school district.

(b) If the unclaimed or abandoned prescription drug is not a controlled substance as defined under section 152.01, subdivision 4, or is an over-the-counter medication, the school district may designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or may request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.

(c) If the unclaimed or abandoned prescription drug is a controlled substance as defined in section 152.01, subdivision 4, a school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

## ARTICLE 4

### SPECIAL EDUCATION

Section 1. Minnesota Statutes 2018, section 125A.08, is amended to read:

#### **125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.**

(a) At the beginning of each school year, each school district shall have in effect, for each child with a disability, an individualized education program.

(b) As defined in this section, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services which are appropriate to their needs. Where the individualized education program team has determined appropriate goals and objectives based on the student's needs, including the extent to which the student can be included in the least restrictive environment, and where there are essentially equivalent and effective instruction, related services, or assistive technology devices available to meet the student's needs, cost to the district may be among the factors considered by the team in choosing



how to provide the appropriate services, instruction, or devices that are to be made part of the student's individualized education program. The individualized education program team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. Before a school district evaluation team makes a determination of other health disability under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation team must seek written documentation of the student's medically diagnosed chronic or acute health condition signed by a licensed physician or a licensed health care provider acting within the scope of the provider's practice. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individualized education program. The program must address the student's need to develop skills to live and work as independently as possible within the community. The individualized education program team must consider positive behavioral interventions, strategies, and supports that address behavior needs for children. During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. In developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

(c) For all paraprofessionals employed to work in programs whose role in part is to provide direct support to students with disabilities, the school board in each district shall ensure that:

(1) before or beginning at the time of employment, each paraprofessional must develop sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs, especially disability-specific and behavioral needs, of the students with whom the paraprofessional works;

(2) annual training opportunities are required to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities; and

(3) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

(d) A school district may conduct a functional behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of their student.

**EFFECTIVE DATE.** This section applies to functional behavior assessments conducted on or after July, 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 125A.50, subdivision 1, is amended to read:

Subdivision 1. **Commissioner approval.** The commissioner may approve applications from districts initiating or significantly changing a program to provide prevention services as an alternative to special education and other compensatory programs. A district with an approved program may provide instruction and services in a regular education classroom, or an area learning center, to eligible pupils. Pupils eligible to participate in the program are pupils who need additional academic or behavioral support to succeed in the general education environment and who may eventually qualify for special education instruction or related services under sections 125A.03 to 125A.24 and 125A.65 if the intervention services authorized by this section were unavailable. A pupil with a disability as defined under sections 125A.03 to 125A.24 and 125A.65, whose individualized education program team has determined that the pupil does not require special education services in the area of the district's approved program, may participate in the approved program as long as participation does not result in an increase in costs for the program or displace a pupil who does not currently have a disability. Pupils may be provided services during extended school days and throughout the entire year and through the assurance of mastery program under sections 125A.03 to 125A.24 and 125A.65.

**EFFECTIVE DATE.** This section is effective July 1, 2020."

Page 12, after line 16, insert:

**"ARTICLE 8****EARLY CHILDHOOD**

Section 1. Minnesota Statutes 2018, section 120A.20, is amended by adding a subdivision to read:

Subd. 4. **Verification of age for admission to public school.** Public schools may request documentation that verifies a pupil falls within the school's minimum and maximum age requirements for admission to publicly funded prekindergarten, preschool, kindergarten, or grades 1 to 12. Documentation may include a passport, a hospital birth record or physician's certificate, a baptismal or religious certificate, an adoption record, health records, immunization records, immigration records, previously verified school records, early childhood screening records, Minnesota Immunization Information Connection records, or an affidavit from a parent.

Sec. 2. **[121A.425] FULL AND EQUITABLE PARTICIPATION IN PRESCHOOL AND PREKINDERGARTEN.**

Subdivision 1. **Disciplinary dismissals prohibited.** A pupil enrolled in a preschool or prekindergarten program, including a child participating in early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program may not be subject to dismissals under this chapter. Notwithstanding the language in this subdivision, expulsions and exclusions may be used only after resources as outlined in subdivision 2 have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

Subd. 2. **Nonexclusionary discipline.** For purposes of this section, nonexclusionary discipline must include at least one of the following:

(1) collaborating with the pupil's family or guardian, child mental health consultant or provider, education specialist, or other community-based support;

(2) creating a plan, written with the parent or guardian, that details the action and support needed for the pupil to fully participate in a preschool or prekindergarten program; or

(3) providing a referral for needed support services, including parenting education, home visits, other supportive education interventions, or, where appropriate, an evaluation to determine if the pupil is eligible for special education services or section 504 services.

Sec. 3. Minnesota Statutes 2018, section 124D.165, subdivision 3, is amended to read:

Subd. 3. **Administration.** (a) The commissioner shall establish application timelines and determine the schedule for awarding scholarships that meets operational needs of eligible families and programs. The commissioner must give highest priority to applications from children who:

(1) have a parent under age 21 who is pursuing a high school diploma or a course of study for a high school equivalency test;

(2) are in foster care or otherwise in need of protection or services; or

(3) have experienced homelessness in the last 24 months, as defined under the federal McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

The commissioner may prioritize applications on additional factors including family income, geographic location, and whether the child's family is on a waiting list for a publicly funded program providing early education or child care services.

(b) The commissioner shall establish a target for the average scholarship amount per child based on the results of the rate survey conducted under section 119B.02.

(c) A four-star rated program that has children eligible for a scholarship enrolled in or on a waiting list for a program beginning in July, August, or September may notify the commissioner, in the form and manner prescribed by the commissioner, each year of the program's desire to enhance program services or to serve more children than current funding provides. The commissioner may designate a predetermined number of scholarship slots for that program and notify the program of that number. For fiscal year 2018 and later, the statewide amount of funding directly designated by the commissioner must not exceed the funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district or Head Start program qualifying under this paragraph may use its established registration process to enroll scholarship recipients and may verify a scholarship recipient's family income in the same manner as for other program participants.

(d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not been accepted and subsequently enrolled in a rated program within ten months of the awarding of the scholarship, the scholarship cancels and the recipient must reapply in order to be eligible for another scholarship. A child may not be awarded more than one scholarship in a 12-month period.

(e) A child who receives a scholarship who has not completed development screening under sections 121A.16 to 121A.19 must complete that screening within 90 days of first attending an eligible program or within 90 days after the child's third birthday if awarded a scholarship under the age of three.

(f) For fiscal year 2017 and later, a school district or Head Start program enrolling scholarship recipients under paragraph (c) may apply to the commissioner, in the form and manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of the application, the commissioner must pay each program directly for each approved scholarship recipient enrolled under paragraph (c) according to the metered payment system or another schedule established by the commissioner.

Sec. 4. Minnesota Statutes 2018, section 124D.165, subdivision 4, is amended to read:

Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an early learning scholarship, a program must:

(1) participate in the quality rating and improvement system under section 124D.142; and

(2) beginning July 1, ~~2020~~ 2024, have a three- or four-star rating in the quality rating and improvement system.

(b) Any program accepting scholarships must use the revenue to supplement and not supplant federal funding.

~~(c) Notwithstanding paragraph (a), all Minnesota early learning foundation scholarship program pilot sites are eligible to accept an early learning scholarship under this section.~~

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

Sec. 5. Minnesota Statutes 2018, section 125A.30, is amended to read:

**125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

(a) A group of school districts or special education cooperatives, in cooperation with the county and tribal health and human service agencies located in the county or counties in which the districts or cooperatives are located, must establish an Interagency Early Intervention Committee for children with disabilities under age five and their families under this section, and for children with disabilities ages three to 22 consistent with the requirements under sections 125A.023 and 125A.027. Committees must include representatives of local health, education, and county human service agencies, early childhood family education programs, Head Start, parents of young children with disabilities under age 12, child care resource and referral agencies, school readiness programs, current service providers, and agencies that serve families experiencing homelessness, and may also include representatives from other private or public agencies and school nurses. The committee must elect a chair from among its members and must meet at least quarterly.

(b) The committee must develop and implement interagency policies and procedures concerning the following ongoing duties:

(1) develop public awareness systems designed to inform potential recipient families, especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, of available programs and services;

(2) to reduce families' need for future services, and especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, implement interagency child find systems designed to actively seek out, identify, and refer infants and young children with, or at risk of, disabilities, including a child under the age of three who: (i) is the subject of a substantiated case of abuse or neglect or (ii) is identified as directly affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure;

(3) implement a process for assuring that services involve cooperating agencies at all steps leading to individualized programs;

(4) identify the current services and funding being provided within the community for children with disabilities under age five and their families; and

(5) develop a plan for the allocation and expenditure of federal early intervention funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446) and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313).

(c) The local committee shall also participate in needs assessments and program planning activities conducted by local social service, health and education agencies for young children with disabilities and their families."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Nelson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Wiger appealed the decision of the President.

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

The roll was called, and there were yeas 35 and nays 32, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Mathews	Relph
Anderson, B.	Gazelka	Jensen	Miller	Rosen
Anderson, P.	Goggin	Johnson	Nelson	Ruud
Benson	Hall	Kiffmeyer	Newman	Senjem
Chamberlain	Housley	Koran	Osmek	Utke
Dahms	Howe	Lang	Pratt	Weber
Draheim	Ingebrigtsen	Limmer	Rarick	Westrom

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; and Senjem.

Those who voted in the negative were:

Bakk	Dibble	Hayden	Little	Tomassoni
Bigham	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pappas	Wiklund
Clausen	Franzen	Klein	Rest	
Cohen	Frentz	Laine	Simonson	
Cwodzinski	Hawj	Latz	Sparks	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Isaacson, Klein, Laine, Latz, Little, Newton, Rest, Sparks, Torres Ray, and Wiklund.

So the decision of the President was sustained.

H.F. No. 4415 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 66 and nays 1, as follows:

Those who voted in the affirmative were:

Abeler	Anderson, B.	Anderson, P.	Bakk	Benson
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Bigham	Eken	Jasinski	Mathews	Senjem
Carlson	Franzen	Jensen	Miller	Simonson
Chamberlain	Frentz	Johnson	Nelson	Sparks
Champion	Gazelka	Kent	Newman	Tomassoni
Clausen	Goggin	Kiffmeyer	Newton	Utke
Cohen	Hall	Klein	Osmek	Weber
Cwodzinski	Hawj	Koran	Pappas	Westrom
Dahms	Hayden	Laine	Pratt	Wiger
Dibble	Hoffman	Lang	Rarick	Wiklund
Draheim	Housley	Latz	Relph	
Dziedzic	Howe	Limmer	Rest	
Eaton	Ingebrigtsen	Little	Rosen	
Eichorn	Isaacson	Marty	Ruud	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; Rosen; and Senjem.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Isaacson, Klein, Laine, Latz, Little, Newton, Rest, Sparks, and Wiklund.

Those who voted in the negative were:

Torres Ray

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

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

### SPECIAL ORDER

**H.F. No. 4601:** A bill for an act relating to human services; requiring the commissioner of human services to award grants from the opiate epidemic response account.

Senator Koran moved to amend H.F. No. 4601 as follows:

Page 1, line 10, after the period, insert "On July 1, 2020, the commissioner of human services shall determine the amount in the opiate epidemic response fund that is available for distribution under this section. If the amount that is available for distribution is less than \$2,713,000, the commissioner shall reduce amount of the grants in this section by the same proportion to ensure that the amount of grants under this section does not exceed the amount available in the opiate epidemic response fund on July 1, 2020."

The motion prevailed. So the amendment was adopted.

H.F. No. 4601 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Anderson, B.	Anderson, P.	Bakk	Benson
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Bigham	Eken	Jasinski	Mathews	Senjem
Carlson	Franzen	Jensen	Miller	Simonson
Chamberlain	Frentz	Johnson	Nelson	Sparks
Champion	Gazelka	Kent	Newman	Tomassoni
Clausen	Goggin	Kiffmeyer	Newton	Torres Ray
Cohen	Hall	Klein	Osmek	Utke
Cwodziński	Hawj	Koran	Pappas	Weber
Dahms	Hayden	Laine	Pratt	Westrom
Dibble	Hoffman	Lang	Rarick	Wiger
Draheim	Housley	Latz	Relph	Wiklund
Dziedzic	Howe	Limmer	Rest	
Eaton	Ingebrigtsen	Little	Rosen	
Eichorn	Isaacson	Marty	Ruud	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; and Rosen.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Klein, Laine, Latz, Little, Newton, Rest, Sparks, Torres Ray, and Wiklund.

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

### SPECIAL ORDER

**S.F. No. 15:** A bill for an act relating to education; requiring school districts to provide certain access to career options in the military, skilled trades, and manufacturing; amending Minnesota Statutes 2018, section 120B.125.

Senator Howe moved to amend S.F. No. 15 as follows:

Page 3, after line 19, insert:

"Sec. 2. **[120B.237] PATRIOTIC SOCIETY ACCESS TO SCHOOLS.**

**Subdivision 1. Definition.** For purposes of this section, "patriotic society" means any group or organization intended to serve young people under the age of 21 listed in United States Code, title 36, subtitle II, part B, or any of the group's or organization's affiliates.

**Subd. 2. School access.** Upon receiving notice under subdivision 3, a school principal may provide a representative of a patriotic society the opportunity to speak with students during the school day for the purpose of providing information about how the patriotic society supports educational interests and civic involvement. The principal may limit the opportunity to speak at the school to one school day during the school year and no more than 30 minutes of instructional time. A representative of a patriotic society who speaks to students at the school may provide students with written materials about the patriotic society.

**Subd. 3. Notice required.** A patriotic society that intends to speak to students at a school must provide written notice to the school principal at least 60 days prior to the start of the school year. The school principal must provide written approval to the patriotic society that includes the date and time the organization will be allowed to address students."

Amend the title accordingly



Senator Limmer moved to amend the Howe amendment to S.F. No. 15 as follows:

Page 1, line 6, after "B," insert "as of May 16, 2020,"

The motion prevailed. So the amendment was adopted.

Senator Howe withdrew his amendment.

Senator Howe moved to amend S.F. No. 15 as follows:

Page 3, after line 19, insert:

"Sec. 2. IN-PERSON GRADUATION CEREMONIES.

Notwithstanding any law or executive order to the contrary, schools may conduct in-person graduation ceremonies, or hybrid in-person and online ceremonies, for the 2019-2020 school year if they are able to do so while adhering to Minnesota Department of Health guidelines on social distancing.

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

Amend the title accordingly

Senator Wiger questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 15 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 64 and nays 3, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Housley	Limmer	Rosen
Anderson, B.	Draheim	Howe	Little	Ruud
Anderson, P.	Dziedzic	Ingebrigtsen	Marty	Senjem
Bakk	Eichorn	Isaacson	Mathews	Simonson
Benson	Eken	Jasinski	Miller	Sparks
Bigham	Franzen	Jensen	Nelson	Tomassoni
Carlson	Frentz	Johnson	Newman	Torres Ray
Chamberlain	Gazelka	Kent	Newton	Utke
Champion	Goggin	Kiffmeyer	Osmek	Weber
Clausen	Hall	Klein	Pappas	Westrom
Cohen	Hawj	Koran	Pratt	Wiger
Cwodzinski	Hayden	Lang	Rarick	Wiklund
Dahms	Hoffman	Latz	Relph	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Newman; and Rosen.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Franzen, Frentz, Klein, Latz, Little, Newton, Sparks, Torres Ray, and Wiklund.

Those who voted in the negative were:

Eaton                      Laine                      Rest

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Eaton, Laine, and Rest.

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 Orders of Business of Reports of Committees and Second Reading of Senate Bills.

### **REPORTS OF COMMITTEES**

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

**Senator Gazelka from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 4500:** A bill for an act relating to public health; establishing a grant program to advance the development of a serological test for COVID-19; appropriating money.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 4500 and that the report from the Committee on Health and Human Services Finance and Policy, shown in the Journal for May 15, 2020, be amended to read:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Rules and Administration". Amendments adopted. Report adopted.

**Senator Senjem from the Committee on Capital Investment, to which was referred**

**S.F. No. 3463:** A bill for an act relating to capital investment; appropriating money for the safe routes to school grant program; authorizing the sale and issuance of state bonds.

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

Delete everything after the enacting clause and insert:

### **"ARTICLE 1**

### **APPROPRIATIONS**

#### **Section 1. CAPITAL IMPROVEMENT APPROPRIATIONS.**

The sums shown in the column under "Appropriations" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent for public

purposes. Appropriations of bond proceeds must be spent as authorized by the Minnesota Constitution, article XI, section 5, clause (a), to acquire and better public land and buildings and other public improvements of a capital nature, or as authorized by the Minnesota Constitution, article XI, section 5, clauses (b) to (j), or article XIV. Unless otherwise specified, money appropriated in this act:

(1) may be used to pay state agency staff costs that are attributed directly to the capital program or project in accordance with accounting policies adopted by the commissioner of management and budget;

(2) is available until the project is completed or abandoned subject to Minnesota Statutes, section 16A.642;

(3) for activities under Minnesota Statutes, sections 16B.307, 84.946, and 135A.046, should not be used for projects that can be financed within a reasonable time frame under Minnesota Statutes, section 16B.322 or 16C.144; and

(4) is available for a grant to a political subdivision after the commissioner of management and budget determines that an amount sufficient to complete the project as described in this act has been committed to the project, as required by Minnesota Statutes, section 16A.502.

## APPROPRIATIONS

### Sec. 2. UNIVERSITY OF MINNESOTA

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>85,000,000</u>
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To the Board of Regents of the University of Minnesota for the purposes specified in this section.

<u>Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR)</u>		<u>55,800,000</u>
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To be spent in accordance with Minnesota Statutes, section 135A.046.

<u>Subd. 3. Twin Cities - Child Development Building Replacement</u>		<u>29,200,000</u>
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To predesign, design, renovate, expand, furnish, and equip the Institute of Child Development building on the Twin Cities campus. This project includes the demolition and replacement of the 1968 building addition.

#### Subd. 4. University Share

Except for the appropriations for HEAPR, the appropriations in this section are intended to cover approximately two-thirds of the cost

of each project. The remaining costs must be paid from university sources.

**Subd. 5. Unspent Appropriations**

Upon substantial completion of a project authorized in this section and after written notice to the commissioner of management and budget, the Board of Regents must use any money remaining in the appropriation for that project for HEAPR under Minnesota Statutes, section 135A.046. The Board of Regents must report by February 1 of each even-numbered year to the chairs of the house of representatives and senate committees with jurisdiction over capital investment and higher education finance, and to the chairs of the house of representatives Ways and Means Committee and the senate Finance Committee, on how the remaining money has been allocated or spent.

**Sec. 3. MINNESOTA STATE COLLEGES AND UNIVERSITIES**

**Subdivision 1. Total Appropriation**

**\$ 85,000,000**

To the Board of Trustees of the Minnesota State Colleges and Universities for the purposes specified in this section.

**Subd. 2. Higher Education Asset Preservation and Replacement (HEAPR)**

**85,000,000**

To be spent in accordance with Minnesota Statutes, section 135A.046.

**Subd. 3. Debt Service**

The board need not pay debt service on bonds sold to finance HEAPR.

**Sec. 4. MINNESOTA STATE ACADEMIES**

**\$ 1,500,000**

To the commissioner of administration for capital asset preservation improvements and betterments on both campuses of the Minnesota State Academies, to be spent in

accordance with Minnesota Statutes, section 16B.307.

Sec. 5. **NATURAL RESOURCES**

**Subdivision 1. Total Appropriation** **\$ 85,460,000**

(a) To the commissioner of natural resources for the purposes specified in this section.

(b) The appropriations in this section are subject to the requirements of the natural resources capital improvement program under Minnesota Statutes, section 86A.12, unless this section or the statutes referred to in this section provide more specific standards, criteria, or priorities for projects than Minnesota Statutes, section 86A.12.

**Subd. 2. Natural Resources Asset Preservation** **19,000,000**

For the renovation of state-owned facilities and recreational assets operated by the commissioner of natural resources to be spent in accordance with Minnesota Statutes, section 84.946.

**Subd. 3. Flood Hazard Mitigation** **18,000,000**

(a) For the state share of flood hazard mitigation grants for publicly owned capital improvements to prevent or alleviate flood damage under Minnesota Statutes, section 103F.161.

(b) To the extent practical, levee projects shall meet the state standard of three feet above the 100-year flood elevation.

(c) To the extent practicable and consistent with the project, recipients of appropriations for flood control projects in this subdivision shall create wetlands that are eligible for wetland replacement credit to replace wetlands drained or filled as the result of repair, reconstruction, replacement, or rehabilitation of an existing public road under Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (l) and (m).

(d) Project priorities shall be determined by the commissioner as appropriate and based on need and may include acquisition of properties prone to flooding.

(e) To the extent that the cost of a project exceeds two percent of the median household income in a municipality or township multiplied by the number of households in the municipality or township, this appropriation is also for the local share of the project.

**Subd. 4. Dam Renovation, Repair, Removal**

19,000,000

(a) For design, engineering, and construction to repair, reconstruct, or remove publicly owned dams and respond to dam safety emergencies on publicly owned dams, including the reconstruction of the Lake Bronson Dam in Lake Bronson State Park.

(b) The commissioner shall determine project priorities as appropriate under Minnesota Statutes, sections 103G.511 and 103G.515. If the commissioner determines that a project is not ready to proceed, this appropriation may be used for other projects on the commissioner's priority list.

**Subd. 5. State Park and Recreation Area Accessibility**

5,000,000

For the predesign, design, and construction of accessibility improvements at William O'Brien State Park and, to the extent there is sufficient money remaining, at Fort Snelling State Park.

**Subd. 6. Forests for the Future**

500,000

For the forests for the future program under Minnesota Statutes, section 84.66.

**Subd. 7. Blazing Star Trail from Albert Lea to Hayward**

1,000,000

To construct a bridge over Albert Lea Lake for a trail connection of the Blazing Star Trail under Minnesota Statutes, section 85.015, subdivision 19, from Albert Lea to Hayward.

**Subd. 8. Camp Ripley; Veterans State Trail**1,000,000

For development of the Camp Ripley/Veterans State Trail under Minnesota Statutes, section 85.015, subdivision 28.

**Subd. 9. Gitchi Gami State Trail**2,500,000

For acquisition and development, including engineering and design of the Gitchi Gami State Trail priority segments: Lutsen from Ski Hill Road, at Silver Creek, Silver Bay to Tettegouche State Park, and Two Harbors to Flood Bay State Wayside.

**Subd. 10. Heartland State Trail**3,000,000

For capital improvements to the Heartland State Trail including: completion of the Heartland State Trail construction from Becker County Highway 10 to Frazee; preliminary engineering, final design, and land acquisition of the Heartland State Trail from Moorhead to Hawley; preliminary engineering, final design, and land acquisition of the Heartland State Trail from Park Rapids to Osage; and preliminary alignment design from Osage to Frazee and from Detroit Lakes to Hawley.

**Subd. 11. Itasca State Park Connection to the Heartland Trail**2,800,000

To acquire land for, predesign, design, and construct a paved, multiple-use trail to connect Itasca State Park to the Heartland State Trail beginning with Phase 1 from the park contact station to the park's southeast boundary and through a tunnel to be constructed under marked Trunk Highway 71, and continuing from there about two miles and, with any remaining funds, a trailhead at or near the proposed trail's southern junction with the Heartland Trail.

**Subd. 12. Lake Vermilion-Soudan Underground Mine State Park**5,800,000

For the predesign, design, and construction of a campground and related infrastructure

at Lake Vermilion-Soudan Underground Mine State Park.

**Subd. 13. Lakeville; Orchard Lake Improvement** 260,000

For a grant to the city of Lakeville for capital improvements to reduce erosion and improve water quality in Orchard Lake. The capital improvements include installation of shoreline stabilization and dredging and removing sediment for a storm water retention basin.

**Subd. 14. Mankato; Riverbank Stabilization** 4,000,000

For a grant to the city of Mankato to:

(1) stabilize the Minnesota River riverbank in the Land of Memories Park to reduce erosion and protect well 15; and

(2) stabilize the Minnesota River riverbank to protect Mankato's riverfront, including the Minnesota River Trail trailhead, and regional Water Resource Recovery Facility.

**Subd. 15. Scott County; McMahon Lake Flood Mitigation** 600,000

For the state share of a flood hazard mitigation grant to Scott County for publicly owned capital improvements to prevent or alleviate flood damage on McMahon Lake under Minnesota Statutes, section 103F.161.

**Subd. 16. St. Louis County; Voyageur Country ATV Trail** 1,000,000

For a grant to St. Louis County for design, planning, permitting, right-of-way acquisition, and construction of Phase I of the Voyageur Country ATV Trail connections in the areas of Orr, Ash River, Kabetogama Township, and International Falls to the Voyageur Country ATV Trail system.

**Subd. 17. Winona; Mississippi Riverfront Trail** 2,000,000

For a grant under Minnesota Statutes, section 85.019, to the city of Winona to construct a



paved trail from Levee Park to Lions Park along the Mississippi River in the city of Winona.

Sec. 6. **POLLUTION CONTROL AGENCY**

Subdivision 1. **Total Appropriation** **\$ 14,000,000**

To the Pollution Control Agency for the purposes specified in this section.

Subd. 2. **Clay County** **7,000,000**

For a grant to Clay County under the solid waste capital assistance grant program under Minnesota Statutes, section 115A.54, in order to acquire land, design, construct, renovate, and equip a new resource recovery campus consisting of a new solid waste transfer station and problem materials management facility.

Subd. 3. **Dakota and Scott Counties** **7,000,000**

For a capital assistance grant under Minnesota Statutes, sections 115A.54 to 115A.541, to Dakota County or Scott County to acquire land, design, construct, and equip a new regional household hazardous waste collection and recycling facility to be located at a site in Dakota County or Scott County that best supports access needs for the residents of Dakota and Scott Counties.

Sec. 7. **BOARD OF WATER AND SOIL RESOURCES**

Subdivision 1. **Total Appropriation** **\$ 19,000,000**

To the Board of Water and Soil Resources for the purposes specified in this section.

Subd. 2. **Local Government Roads Wetland Replacement Program** **18,000,000**

To acquire land or permanent easements and to restore, create, enhance, and preserve wetlands to replace those wetlands drained or filled as a result of the repair, reconstruction, replacement, or rehabilitation

of existing public roads as required by Minnesota Statutes, section 103G.222, subdivision 1, paragraphs (l) and (m). The board may vary the priority order of Minnesota Statutes, section 103G.222, subdivision 3, paragraph (a), to implement an in-lieu fee agreement approved by the U.S. Army Corps of Engineers under section 404 of the Clean Water Act. The purchase price paid for acquisition of land or perpetual easement must be a fair market value as determined by the board. The board may enter into agreements with the federal government, other state agencies, political subdivisions, nonprofit organizations, fee title owners, or other qualified private entities to acquire wetland replacement credits in accordance with Minnesota Rules, chapter 8420.

**Subd. 3. Reinvest in Minnesota (RIM) Reserve Program**

1,000,000

To acquire conservation easements from landowners to preserve, restore, create, and enhance wetlands and associated uplands of prairie and grasslands, and to restore and enhance rivers and streams, riparian lands, and associated uplands of prairie and grasslands, in order to protect soil and water quality, support fish and wildlife habitat, reduce flood damage, and provide other public benefits. The provisions of Minnesota Statutes, section 103F.515, apply to this program. The board shall give priority to leveraging federal money by enrolling targeted new lands or enrolling environmentally sensitive lands that have expiring federal conservation agreements. The board is authorized to enter into new agreements and amend past agreements with landowners as required by Minnesota Statutes, section 103F.515, subdivision 5, to allow for restoration. Up to five percent of this appropriation may be used for restoration and enhancement.

Sec. 8. **AGRICULTURE** **\$** **20,000,000**

To the commissioner of administration to construct, renovate, and equip the Department of Agriculture/Department of Health Laboratory Building in St. Paul, including but not limited to creating a dedicated biosafety level 3 laboratory space, to meet safety, energy, and operational efficiency needs.

Sec. 9. **MINNESOTA ZOOLOGICAL GARDEN** **\$** **1,500,000**

For capital asset preservation improvements and betterments to infrastructure and exhibits at the Minnesota Zoo, to be spent in accordance with Minnesota Statutes, section 16B.307. Notwithstanding the specified uses of money under Minnesota Statutes, section 16B.307, the board may use this appropriation to construct and renovate trails and roads on the Minnesota Zoo site.

Sec. 10. **ADMINISTRATION**

Subdivision 1. **Total Appropriation** **\$** **4,250,000**

To the commissioner of administration for the purposes specified in this section.

Subd. 2. **Capital Asset Preservation and Replacement Account** **4,000,000**

To be spent in accordance with Minnesota Statutes, section 16A.632.

Subd. 3. **Mayo Memorial on the State Capitol Grounds** **250,000**

(a) To predesign, design, and construct a memorial on the State Capitol grounds to honor Dr. William James Mayo and Dr. Charles Horace Mayo for their lasting legacies and contributions to Minnesota and all mankind. This appropriation is not available until the commissioner of management and budget has determined that at least \$250,000 has been committed to the project from nonstate sources.

(b) The design and location of the memorial on the Capitol grounds is subject to the approval of the Capitol Area Architectural and Planning Board.

(c) The commissioner of administration may solicit gifts, grants, or donations of any kind from any private or public source to carry out the purposes of this subdivision. The account consists of money transferred by law to the account and any other money donated, gifted, granted, allotted, or otherwise provided to the account. All gifts, grants, or donations received by the commissioner of administration shall be deposited in a Mayo Memorial account in the special revenue fund. Money in the account is appropriated annually to the commissioner of administration for predesign, design, construction, and ongoing maintenance of the memorial.

Sec. 11. AMATEUR SPORTS COMMISSION

Subdivision 1. Total Appropriation

\$ 3,300,000

To the Minnesota Amateur Sports Commission for the purposes specified in this section.

Subd. 2. Asset Preservation

800,000

For asset preservation improvements and betterments of a capital nature at the National Sports Center in Blaine, to be spent in accordance with Minnesota Statutes, section 16B.307.

Subd. 3. National Sports Center; Field Development and Maintenance Facility

2,500,000

For (1) demolition of a maintenance facility and to construct and equip a new maintenance facility; or (2) the acquisition of a maintenance facility for the National Sports Center in Blaine.

Sec. 12. MILITARY AFFAIRS

Subdivision 1. **Total Appropriation** \$ 19,100,000

To the adjutant general for the purposes specified in this section.

Subd. 2. **Rosemount Readiness Center** 1,100,000

To design the renovation of existing space at the Rosemount Readiness Center, including mechanical, electrical, building envelope, energy efficiency, and life safety improvements.

Subd. 3. **Marshall Readiness Center** 3,000,000

To design and renovate existing space at the Marshall Readiness Center, including mechanical, electrical, building envelope, energy efficiency, and life safety improvements, and to construct an addition on the existing property.

Subd. 4. **Fergus Falls Readiness Center** 2,000,000

To design and renovate existing space at the Fergus Falls Readiness Center, including mechanical, electrical, building envelope, energy efficiency, and life safety improvements and to construct an addition on the existing property.

Subd. 5. **Camp Ripley; Military Museum** 13,000,000

To the adjutant general of the Department of Military Affairs to acquire land or interest in land, and to predesign, design, construct, furnish, and equip a facility outside the boundaries of Camp Ripley in Morrison County for the Minnesota Military Museum. This appropriation includes money for a visitor's center and gift shop; administrative offices; work, storage, and exhibit space; landscaping; parking; and other amenities and infrastructure for the museum. The adjutant general may enter into a lease or management agreement for the museum, subject to Minnesota Statutes, section 16A.695.

Sec. 13. **PUBLIC SAFETY**

**Subdivision 1. Total Appropriation****\$ 7,390,000**

To the commissioner of public safety for the purposes specified in this section.

**Subd. 2. Virginia; Regional Public Safety Center****7,390,000**

For a grant to the city of Virginia to acquire a site, demolish existing structures and prepare the site, and to predesign, design, construct, furnish, and equip a regional public safety center and training facility for the police and fire departments, emergency medical services, regional emergency services training, emergency operations, and other regional community needs.

**Sec. 14. TRANSPORTATION****Subdivision 1. Total Appropriation****\$ 688,414,000**

To the commissioner of transportation for the purposes specified in this section.

**Subd. 2. Local Bridge Replacement and Rehabilitation****25,000,000**

(a) From the bond proceeds account in the state transportation fund to match federal money and to replace or rehabilitate local deficient bridges as provided in Minnesota Statutes, section 174.50.

(b) The commissioner must not award more than \$7,000,000 for a single project with funds appropriated in this subdivision.

**Subd. 3. Local Road Improvement****80,000,000**

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for eligible improvements on trunk highway corridor projects under Minnesota Statutes, section 174.52, subdivision 2, for construction and reconstruction of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4, or for grants to counties to assist in paying the costs of rural road safety capital improvement

projects on county state-aid highways under Minnesota Statutes, section 174.52, subdivision 4a.

**Subd. 4. Railroad Warning Devices**

1,000,000

To design, construct, and equip replacement of active highway-rail grade warning devices that have reached the end of their useful life.

**Subd. 5. Safe Routes to School; Pedestrian and Bicycle Facilities**

2,000,000

For grants under Minnesota Statutes, section 174.40.

**Subd. 6. Rail Service Improvement**

3,000,000

For rail service improvement grants under Minnesota Statutes, section 222.50.

**Subd. 7. Port Development Assistance**

3,000,000

For grants under Minnesota Statutes, chapter 457A. Any improvements made with the proceeds of these grants must be publicly owned.

**Subd. 8. Township Road Improvement**

8,000,000

For the township road improvement grant program under Minnesota Statutes, section 174.527.

**Subd. 9. State Road Construction**

110,000,000

From the bond proceeds account in the trunk highway fund for the construction, reconstruction, and improvement of trunk highways, including design-build contracts. This includes the cost of payment to landowners for lands acquired for highway rights-of-way, payment to lessees, interest subsidies, and relocation expenses. The amount under this subdivision must be allocated to maintain regional balance throughout the state. The commissioner may use up to 17 percent of the amount each year for program delivery.

**Subd. 10. Akeley Township; Trunk Highway 64 Bridge**

2,400,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation for design, engineering, and construction of a bridge on marked Trunk Highway 64 crossing Eleventh Crow Wing Lake in Akeley Township.

**Subd. 11. Albert Lea; Highway 65 Flood Mitigation**

2,172,000

From the bond proceeds account in the trunk highway fund for predesign, design, right-of-way acquisition, if needed, and construction of marked U.S. Highway 65 in Albert Lea to raise the roadway above flood levels.

**Subd. 12. I-94 Expansion; Albertville to Monticello**

60,000,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation to construct a third travel lane in each direction of marked Interstate Highway 94 from the interchange with County Highway 19 in the city of Albertville to the interchange with Trunk Highway 25 in the city of Monticello.

**Subd. 13. Anoka; Trunk Highway 47; Ferry Street Highway-Rail Grade Separation**

10,000,000

From the bond proceeds account in the trunk highway fund for preliminary engineering, environmental review, final engineering and design, and right-of-way acquisition of a highway-rail grade separation on marked Trunk Highway 47, also known as Ferry Street, at the BNSF Railway railroad crossing, and for associated improvements in the city of Anoka.

**Subd. 14. Chanhassen; Trunk Highway 41 Roundabout**

1,500,000

From the bond proceeds account in the trunk highway fund for design and construction of a roundabout on Trunk Highway 41 at the intersection with the entrance and exit of



Minnetonka Middle School West in  
Chanhassen.

**Subd. 15. Chisago County; U.S. Highway 8  
Reconstruction**

25,000,000

(a) \$10,000,000 is for a grant to Chisago County to predesign, design, engineer, and construct a reconstruction of marked U.S. Highway 8 from Karmel Avenue in Chisago City to Interstate 35 and pedestrian and bike trails along and crossings of this portion of U.S. Highway 8. This reconstruction may include expanding segments of U.S. Highway 8 to four lanes, constructing or reconstructing frontage roads and backage roads, and realigning local roads to consolidate, remove, and relocate access onto and off of U.S. Highway 8. This appropriation is for the portion of the project that is eligible for use of proceeds of general obligation bonds. This appropriation is available until the project is completed or abandoned.

(b) \$15,000,000 from the bond proceeds account in the trunk highway fund is for a grant to Chisago County to acquire property, predesign, design, construct, and engineer the reconstruction of marked U.S. Highway 8 from Karmel Avenue in Chisago City to Interstate 35. This reconstruction may include expanding segments of U.S. Highway 8 to four lanes, constructing or reconstructing frontage roads and backage roads, and realigning local roads to consolidate, remove, and relocate access onto and off of U.S. Highway 8. This appropriation is for the portion of the project that is eligible for use of trunk highway bonds.

(c) Amounts planned by the Department of Transportation for the resurfacing of U.S. Highway 8, as reflected in MnDOT's Metro District Ten-Year Capital Highway Investment Study 2020-2029, shall instead be applied to the reconstruction of U.S. Highway 8 to supplement appropriations for that purpose from any fund in this section.

**Subd. 16. Cromwell; Trunk Highway 73 Realignment**12,550,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation for engineering, right-of-way acquisition, and construction to realign portions of Route No. 163, marked as Trunk Highway 73 on the effective date of this section, south of the city of Cromwell.

**Subd. 17. Duluth; Mission Creek Bridge**4,500,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation for predesign, design, preliminary and final engineering, environmental analysis, right-of-way acquisition, and reconstruction or replacement of the bridge on marked Trunk Highway 23 over Mission Creek in Duluth.

**Subd. 18. Henderson; Trunk Highway 93 to U.S. Highway 169 Reconstruction**22,100,000

(a) \$20,300,000 of this appropriation is from the bond proceeds account in the trunk highway fund for reconstruction of marked Trunk Highway 93 from Henderson to marked U.S. Highway 169, to raise the roadway elevation and prevent closures due to river flooding, for portions of this project that are eligible for trunk highway bond proceeds.

(b) \$1,800,000 of this appropriation is for projects eligible for general obligation bond proceeds that are associated with the reconstruction of marked Trunk Highway 93 from Henderson to marked U.S. Highway 169, to raise the roadway elevation and prevent closures due to river flooding.

**Subd. 19. Jenkins and Pine River; Trunk Highway 371**45,000,000

From the bond proceeds account in the trunk highway fund to acquire property or permanent easements for, and to design, engineer, construct, furnish, and equip an

expansion of Trunk Highway 371 to four lanes from Jenkins to Pine River.

**Subd. 20. Medina; Trunk Highway 55**

4,500,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation for preliminary design, final design, and right-of-way acquisition to establish marked Trunk Highway 55 as a four-lane divided highway from a point near Hennepin County Road 118, known as Arrowhead Drive, in Medina to Hennepin County State-Aid Highway 19 in Corcoran.

**Subd. 21. Norwood Young America and Cologne; U.S. Highway 212 Expansion to Four Lanes**

38,000,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation to acquire property or permanent easements for, and to design, engineer, construct, furnish, and equip an expansion of U.S. Highway 212 to four lanes from Tacoma Ave. N. in Norwood Young America to Lake Street West in Cologne. Of this amount, up to \$10,000,000 is for safety improvements to the intersection of Trunk Highway 212 and Carver County Road 51.

**Subd. 22. Olmsted County; Trunk Highway 14 and County Road 104 Interchange Construction**

25,600,000

(a) \$19,600,000 of this appropriation is from the bond proceeds account in the trunk highway fund to acquire property and to predesign, design, engineer, construct, furnish, and equip an interchange at marked Trunk Highway 14 and County Road 104, including the flyover at 7th Street NW, in Olmsted County.

(b) \$6,000,000 of this appropriation is for general obligation bond eligible portions of a project to predesign, design, engineer, construct, furnish, and equip an interchange at marked Trunk Highway 14 and County Road 104, including a flyover at 7th Street NW, in Olmstead County, and associated

infrastructure and road work to accommodate the interchange.

**Subd. 23. Pope County; Highway Interchange and Railroad Grade Separation**

3,000,000

From the bond proceeds account in the trunk highway fund to the commissioner of transportation for construction of the interchange at marked Trunk Highway 55 and marked Trunk Highway 29 near the city of Glenwood, including grade separation of the adjacent rail crossing of marked Trunk Highway 29. This appropriation is in addition to the appropriation in Laws 2018, chapter 214, article 1, section 16, subdivision 10.

**Subd. 24. Wadena; U.S. Highway 10**

50,000,000

From the bond proceeds account in the trunk highway fund for design, preliminary and final engineering, environmental analysis, and reconstruction of marked U.S. Highway 10 as a four-lane highway in Wadena.

**Subd. 25. Rochester International Airport Runway and Associated Improvements**

11,400,000

(a) The following appropriations are for one or more grants to the city of Rochester for improvements to the Rochester International Airport in phases. If any of these appropriations for a specified phase is not needed to complete that phase, the unexpended and unencumbered amount may be applied to another phase of the Rochester Airport project for which an appropriation is made in this subdivision. Each appropriation for a phase is available when the commissioner of management and budget determines that an amount sufficient to complete that phase is committed to the project.

(b) \$1,025,000 is appropriated for Phase 1, to reconstruct the middle portion of runway 2/20 and to construct associated grading and drainage improvements at the Rochester International Airport.

(c) \$3,400,000 is appropriated for Phase 2, for property acquisition; site mitigation; relocation of 31st Ave. SW and County Road 30; utility and navigational aid repositioning; grading and drainage improvements; removal of taxiways; reconstruction of the southern portion of runway 2 and runway shoulders; and installation of lighting and signage at the Rochester International Airport.

(d) \$4,100,000 is appropriated for Phase 3, to modify airport fencing; construct an extension of runway 2, taxiways, and shoulders; site preparation and grading; reconstruction of a portion of runway 2, taxiways, and shoulders; installation of lighting and signage at the Rochester International Airport; and acquire and install instrument approach improvements.

(e) \$625,000 is appropriated for Phase 4, to construct improvements to taxiway B and shoulders, to make grading and drainage improvements, and to install lighting and signage at the Rochester International Airport.

(f) \$1,025,000 is appropriated for Phase 5, to demolish and reconstruct a portion of taxiway B and shoulders; to reposition navigational aids; for grading and drainage improvements; and to install lighting and signage at the Rochester International Airport.

(g) \$1,225,000 is appropriated for Phase 6, to reconstruct taxiway and runway intersections; to remove taxiways A6, E, F, G, and a portion of runway 20; and to reconstruct taxiway D at the Rochester International Airport.

**Subd. 26. Anoka County; Marked Trunk Highway 65 Interchange**

1,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Anoka

County to complete preliminary engineering, environmental documentation, and final design of a grade separation and associated improvements to Anoka County State-Aid Highway 12, known as 109th Avenue, at marked Trunk Highway 65 in the city of Blaine.

**Subd. 27. Anoka County; Marked U.S. Highway 10/169**

8,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Anoka County for environmental documentation, preliminary engineering, and final design for the interchanges on marked U.S. Highway 10/169 at County State-Aid Highway 56 (Ramsey Boulevard) and County State-Aid Highway 57 (Sunfish Lake Boulevard) and the associated railroad grade separations, frontage roads, backage roads, and connecting local streets to support the U.S. Highway 10/169 improvements in the city of Ramsey.

**Subd. 28. Maple Grove; Trunk Highway 610 Local Road Improvements**

15,000,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of Maple Grove or Hennepin County, or both, in amounts determined by the commissioner to acquire right-of-way, predesign, design, engineer, and construct roadway connections between marked Trunk Highway 610 and I-94, and the extension to County Road 30 in Hennepin County. The project includes completion of the update of the environmental impact statement with an environmental assessment for the project.

**Subd. 29. Minnesota Valley Regional Rail Authority; Winthrop to Hanley Falls Improvements**

13,000,000

For a grant to the Minnesota Valley Regional Rail Authority to rehabilitate a portion of the railroad track between Winthrop and Hanley

Falls. The grant under this subdivision may also be used for any required environmental documentation and remediation, predesign, design, and rehabilitation or replacement of bridges with new bridges or culverts between Winthrop and Hanley Falls. A grant under this subdivision is in addition to any grant, loan, or loan guarantee for this project made by the commissioner under Minnesota Statutes, sections 222.46 to 222.62. This appropriation is in addition to the appropriations under Laws 2006, chapter 258, section 16, subdivision 6; Laws 2008, chapter 179, section 16, subdivision 5; Laws 2009, chapter 93, article 1, section 11, subdivision 4; Laws 2010, chapter 189, section 15, subdivision 5; Laws 2015, First Special Session chapter 5, article 1, section 10, subdivision 4; Laws 2017, First Special Session chapter 8, article 1, section 15, subdivision 7; and Laws 2018, chapter 214, article 1, section 16, subdivision 4.

**Subd. 30. Oak Park Heights; 60th Street Realignment**

795,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of Oak Park Heights to design, engineer, construct, furnish, and equip a realignment of 60th Street, lying south of State Highway 36, from Krueger Lane to a current service road east of Norell Avenue and west of Nova Scotia Avenue, including the installation of a roundabout at the intersection with Norell Avenue. This project includes off-street trails and sidewalks, and public safety improvements, utility relocations and connections, trail connections, accessibility features, and landscaping and storm water management, all in conjunction with the realignment of 60th Street.

**Subd. 31. Red Wing; Rail Grade Separation**

10,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the

city of Red Wing for right-of-way acquisition, environmental analysis, design, engineering, removal of an existing structure, and construction of a rail grade crossing separation at Sturgeon Lake Road. This appropriation is in addition to the appropriation for the same purpose in Laws 2017, First Special Session chapter 8, article 1, section 15, subdivision 4.

**Subd. 32. Ramsey County; I-35E and County Road J Interchange Improvements**

1,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Ramsey County to complete the preliminary engineering and environmental documentation for a full access interchange on County Road J at Interstate Highway 35E and associated improvements on County Road J supporting the interchange from Centerville Road to Otter Lake Road in the cities of North Oaks and Lino Lakes and White Bear Township.

**Subd. 33. Rogers; Pedestrian and Bike Bridge**

2,200,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of Rogers to acquire property for and to design and construct a pedestrian and bicycle bridge over marked Interstate Highway 94 approximately one mile northwest of the interchange at marked Trunk Highway 101. This appropriation includes money for construction of a bituminous trail to connect to the existing trail system.

**Subd. 34. Sartell; Local Roads**

4,500,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of Sartell for improvements to Scout Drive to 50th Avenue South. Improvements include predesign, design, engineering, acquisition of right-of-way, replacement or



repair of utilities, street reconstruction, and other improvements or upgrades related to street work.

**Subd. 35. St. Paul; Third Street/Kellogg Boulevard Bridge Replacement**

50,000,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to the city of St. Paul to demolish and remove the existing Third Street/Kellogg Boulevard bridge over the BNSF railroad, Commercial Street, and marked Interstate Highway 94, and to acquire right-of-way for, design, and construct a replacement bridge that includes multimodal elements for bicycles, pedestrians, vehicles, and mass transit.

**Subd. 36. Scott County; Local Road Improvements**

5,269,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant under Minnesota Statutes, section 174.52, to Scott County to design and construct local road improvements, including accommodations for bicycles and pedestrians, to support a programmed interchange at the intersection of marked Trunk Highway 13 and Dakota Avenue in Savage.

**Subd. 37. Sibley County; Scenic Byway 6 Reconstruction**

15,000,000

From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Sibley County to predesign, design, engineer, acquire right-of-way for, and construct improvements to Sibley County State-Aid Highway 6, known as Scenic Byway 6, to raise the road to meet the 50-year flood level, provide for a walking and bicycling lane, and reconstruct the intersection of Scenic Byway 6 and Sibley County State-Aid Highway 5.

**Subd. 38. Thief River Falls; Airport**6,450,000

For a grant to the Thief River Falls Regional Airport Authority to predesign, design, construct, furnish, and equip a new cargo hangar building to include office space, a parking area, and connection to roadway and utilities.

**Subd. 39. Washington County; Trunk Highway 36 and County State-Aid Highway 15 Interchange Construction**4,478,000

(a) \$1,478,000 of this appropriation is from the bond proceeds account in the trunk highway fund to design, construct, furnish, and equip an interchange at marked Trunk Highway 36 and County State-Aid Highway 15, known as Manning Avenue, in Washington County.

(b) \$3,000,000 of this appropriation is from the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for a grant to Washington County for engineering and property and easement acquisition, in conjunction with an interchange at marked Trunk Highway 36 and County State-Aid Highway 15, known as Manning Avenue, in Washington County.

**Sec. 15. METROPOLITAN COUNCIL****Subdivision 1. Total Appropriation****\$ 11,500,000**

To the Metropolitan Council for the purposes specified in this section.

**Subd. 2. Metropolitan Cities Inflow and Infiltration Grants**5,000,000

For grants to municipalities within the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2, for capital improvements in municipal wastewater collection systems to reduce the amount of inflow and infiltration to the Metropolitan Council's metropolitan sanitary

sewer disposal system. Grants from this appropriation are for up to 50 percent of the cost to mitigate inflow and infiltration in the publicly owned municipal wastewater collection systems. To be eligible for a grant, a city must be identified by the council as a contributor of excessive inflow and infiltration in the metropolitan disposal system or have a measured flow rate within 20 percent of its allowable council-determined inflow and infiltration limits. The council must award grants based on applications from cities that identify eligible capital costs and include a timeline for inflow and infiltration mitigation construction, pursuant to guidelines established by the council.

**Subd. 3. Metropolitan Regional Parks and Trails Capital Improvements**

4,000,000

For the cost of improvements and betterments of a capital nature and acquisition by the council and local government units of regional recreational open-space lands in accordance with the council's policy plan as provided in Minnesota Statutes, section 473.147. This appropriation must not be used to purchase easements.

**Subd. 4. Carver County; Lake Waconia**

2,500,000

For a grant to Carver County to design, construct, and equip: utility connections, trails, roadways, and parking lots; recreational facilities including restrooms and picnic shelters; site improvements including docks; and for other capital improvements to infrastructure and amenities necessary for the development of Lake Waconia Regional Park.

**Sec. 16. HUMAN SERVICES**

**Subdivision 1. Total Appropriation**

**\$ 22,115,000**

To the commissioner of administration, or other named entity, for the purposes specified in this section.

**Subd. 2. Asset Preservation****8,000,000**

For asset preservation improvements and betterments of a capital nature at Department of Human Services facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Child and Adolescent Behavioral Health Services Facility****1,750,000**

For design, construction, and furnishing of a large motor activity and ancillary space for the Child and Adolescent Behavioral Health Hospital. The appropriation also includes money for design and construction of a small maintenance shed, courtyard interiors, a parking lot, playground equipment, and landscaping activities.

**Subd. 4. Regional Behavioral Health Crisis Facilities Grant Program****11,000,000**

For regional behavioral health crisis facilities grants under Minnesota Statutes, section 245G.011.

**Subd. 5. St. Louis County; Regional Behavioral Health Crisis Facility****1,365,000**

To the commissioner of human services for a grant to St. Louis County for a regional behavioral health crisis facility. This appropriation is in addition to and for the same purposes as the grant awarded to the county under Minnesota Statutes, section 245G.011.

**Sec. 17. VETERANS AFFAIRS****Subdivision 1. Total Appropriation****\$ 9,500,000**

To the commissioner of administration for the purposes specified in this section.

**Subd. 2. Asset Preservation****9,000,000**

For asset preservation improvements and betterments of a capital nature at the veterans homes in Minneapolis, Hastings, Fergus

Falls, Silver Bay, and Luverne, and the Little Falls Cemetery, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Fergus Falls Veterans Home Greenhouse** 100,000

To design, construct, and equip a new greenhouse at the Minnesota Veterans Home in Fergus Falls.

**Subd. 4. Martin County; Veterans Memorial** 400,000

For a grant to Martin County to design and construct a memorial to those who have served in the military of the United States of America and those who have died in the line of duty.

Sec. 18. **CORRECTIONS**

**Subdivision 1. Total Appropriation** \$ 19,370,000

To the commissioner of administration for the purposes specified in this section.

**Subd. 2. Asset Preservation** 15,000,000

For asset preservation improvements and betterments of a capital nature at Minnesota correctional facilities statewide, to be spent in accordance with Minnesota Statutes, section 16B.307.

**Subd. 3. Minnesota Correctional Facility - St. Cloud; Perimeter Fence** 2,700,000

To design and construct a perimeter security system at the Minnesota Correctional Facility - St. Cloud. The security system includes but is not limited to the installation of the second of two 12-foot-high fences circling the interior of the existing granite perimeter wall. The appropriate lighting, cameras, and fence detection systems shall also be installed as part of the project.

**Subd. 4. Unspent Appropriations**

The unspent portion of an appropriation for a Department of Corrections project in this section that is complete, upon written notice

to the commissioner of management and budget, is available for asset preservation under Minnesota Statutes, section 16B.307. Minnesota Statutes, section 16A.642, applies from the date of the original appropriation to the unspent amount transferred.

**Subd. 5. Prairie Lake Youth JPB; School and Recreation Center**

1,670,000

For a grant to the Prairie Lake Youth Joint Powers Board to design, construct, furnish, and equip an expansion of its school to provide a recreation area and academic classrooms.

**Sec. 19. EMPLOYMENT AND ECONOMIC DEVELOPMENT**

**Subdivision 1. Total Appropriation**

**\$ 105,044,000**

To the commissioner of employment and economic development, or other named entity, for the purposes specified in this section.

**Subd. 2. Greater Minnesota Business Development Public Infrastructure**

12,000,000

For grants under Minnesota Statutes, section 116J.431.

**Subd. 3. Transportation Economic Development Infrastructure**

1,500,000

For grants under Minnesota Statutes, section 116J.436.

**Subd. 4. Alexandria; Runestone Community Center Expansion**

5,600,000

For a grant to the city of Alexandria to design, construct, furnish, and equip an expansion and renovation of the Runestone Community Center in Alexandria.

**Subd. 5. Annandale; Infrastructure Improvements**

4,181,000

For a grant to the city of Annandale for predesign, design, construction, and replacement or renovation of street, storm

sewer, sanitary sewer, water main, and other capital improvements that are made necessary by, or are most economically completed if performed at the same time as, road work on marked Trunk Highways 24 and 55 in the city of Annandale.

**Subd. 6. Becker; Business Park Public Infrastructure**

24,160,000

For a grant to the city of Becker to acquire land, predesign, design, construct, furnish, and equip public infrastructure, including water, sanitary sewer, storm sewer and drainage systems, roads, and lighting for a business park in the city of Becker.

**Subd. 7. Chatfield; Center for the Arts**

7,700,000

For a grant to the city of Chatfield economic development authority to predesign, design, renovate, construct, furnish, and equip the Chatfield Center for the Arts in the city of Chatfield, which is generally described as the renovation of the 1916 high school and the installation of a linking structure and related improvements to serve both the 1936 auditorium building and the 1916 school building. The renovation includes interior, exterior, and amenity improvements within the high school building; improvements to the electrical, plumbing, and HVAC systems throughout the property; and general improvements to the buildings and land that are known as the Chatfield Center for the Arts, currently owned by the economic development authority. Money, land, and buildings, and in-kind contributions provided to the center before the enactment of this section are considered to be sufficient local match, and no further nonstate match is required.

**Subd. 8. Crookston; Colborn Property Development**

895,000

For a grant to the city of Crookston for development of the southern end of the city limits commonly known as the Colborn Property. This appropriation includes money for construction of roads and storm water

infrastructure, for site preparation, and for other improvements of publicly owned infrastructure.

**Subd. 9. Champlin; Mississippi Point Park Improvements**

3,100,000

For a grant to the city of Champlin to predesign, design, acquire, install, construct, furnish, and equip capital improvements in Mississippi Point Park. The improvements may include an Americans with Disabilities Act (ADA) accessible boat docking system, site grading for ADA accessibility, picnic pavilion, shoreline stabilization, parking, and additions to the Mississippi River Trail system. This appropriation does not require a nonstate contribution.

**Subd. 10. Deephaven; Northome Avenue Bridge**

750,000

For a grant to the city of Deephaven to predesign, design, construct, furnish, and equip a bridge to carry Northome Avenue over a pedestrian and bike trail in the city of Deephaven.

**Subd. 11. Duluth; Harbor Seawall**

5,000,000

For a grant to the city of Duluth to predesign, design, construct, furnish, and equip seawall infrastructure along the shore of Lake Superior in the city of Duluth. This appropriation may also be used for demolition and removal of existing seawall structures.

**Subd. 12. Grand Rapids; IRA Civic Center**

5,488,000

For a grant to the city of Grand Rapids for the design, construction, and equipping of capital improvements to the IRA Civic Center. This appropriation includes money for replacement of the truss/roof structure and other improvements and betterments of a capital nature for health, safety, and Americans with Disabilities Act (ADA) compliance.



**Subd. 13. Hibbing; Mine View "Windows to the World"**1,000,000

For a grant to the city of Hibbing to construct the mine view "Windows to the World" facility on the Susquehanna mine dump.

**Subd. 14. Lake City; Blufflands State Trail and Lake Pepin Improvements**2,670,000

For a grant to the city of Lake City for projects to increase public access to Lake Pepin, increase water-oriented recreational activities, and address storm water mitigation and treatment needs to protect Lake Pepin. The city may use this appropriation for one or more of the following project elements along the lake front and the Blufflands State Trail: acquire property, and predesign, design, engineer, construct, renovate, furnish, and equip public amenities.

**Subd. 15. Minneapolis; Central City Storm Tunnel**6,000,000

For a grant to the city of Minneapolis for design and construction necessary to expand the Central City Storm Tunnel in Minneapolis.

**Subd. 16. Pipestone County; Dental Facility**250,000

For a grant to Pipestone County to predesign, design, construct, furnish, and equip a dental care facility in Pipestone County. This appropriation is in addition to the appropriation for the same purpose in Laws 2018, chapter 214, article 1, section 21, subdivision 18.

**Subd. 17. Plymouth; Plymouth Creek Center**5,000,000

For a grant to the city of Plymouth to predesign, design, construct, furnish, and equip the renovation and expansion of the Plymouth Creek Center.

**Subd. 18. St. Cloud; Municipal Athletic Complex**12,000,000

For a grant to the city of St. Cloud to design, construct, furnish, and equip improvements to the municipal athletic complex to serve as

a regional sport facility. This appropriation includes money for a locker room and training addition to the ice arena, mechanical upgrades, reconstruction of Dick Putz Field, and for renovation of Joe Faber Field, including drainage correction.

**Subd. 19. St. Paul Port Authority**

2,000,000

For a grant to the St. Paul Port Authority to acquire, design, construct, furnish, and equip the Minnesota Museum of American Art in the historic Pioneer Endicott Building. This appropriation is in addition to the amount appropriated by Laws 2017, First Special Session chapter 8, article 1, section 20, subdivision 21, as amended by Laws 2018, chapter 214, article 2, section 40, and the amount appropriated by Laws 2018, chapter 214, article 1, section 21, subdivision 26, and is available in accordance with the requirements of those provisions. This appropriation does not require a contribution from nonstate sources.

**Subd. 20. Steele County; Fairgrounds Electrical Improvements**

750,000

For a grant to Steele County to construct underground electrical infrastructure at the Steele County Fairgrounds.

**Subd. 21. White Bear Lake Communities; Lake Links Trail**

4,000,000

For grants to complete design and construction of a multiuse paved trail and route for pedestrians, bicycles, and wheelchairs around White Bear Lake in Ramsey and Washington Counties, as follows:

(1) \$2,600,000 of this appropriation is for a grant to the city of Dellwood in Washington County to design, engineer, construct, and equip trail improvements consistent with the completed preliminary engineering along or parallel with the shore of White Bear Lake

between the Mahtomedi city limits and the western line of Washington County;

(2) \$600,000 of this appropriation is for a grant to White Bear Township in Ramsey County to design, engineer, construct, and equip trail improvements along and parallel with the shore of White Bear Lake between the Washington County line and the city limits of the city of White Bear Lake, Ramsey County;

(3) \$500,000 of this appropriation is for a grant to the city of White Bear Lake in Ramsey County to design, engineer, construct, and equip trail improvements along or parallel with the shore of White Bear Lake between the eastern city limits of White Bear Lake and Pacific Avenue; and

(4) \$300,000 of this appropriation is for a grant to the city of Birchwood Village in Washington County to design, engineer, construct, and equip trail improvements along Hall Avenue.

**Subd. 22. Wright County; Dental Care Facility**

1,000,000

For a grant to Wright County to predesign, design, construct, furnish, and equip a dental care facility. The dental care facility will be constructed in a building constructed for this purpose by the county on the Wright County Government Center campus in the city of Buffalo. The county may enter into an agreement under Minnesota Statutes, section 16A.695, for operation of the dental clinic.

**Sec. 20. PUBLIC FACILITIES AUTHORITY**

**Subdivision 1. Total Appropriation**

**\$ 201,000,000**

To the Public Facilities Authority for the purposes specified in this section.

**Subd. 2. State Match for Federal Grants to Revolving Loan Funds**

17,800,000

To match federal capitalization grants for the clean water revolving fund under Minnesota Statutes, section 446A.07, and the drinking water revolving fund under Minnesota Statutes, section 446A.081. This appropriation must be used for qualified capital projects.

**Subd. 3. Point Source Implementation Grants Program**

51,253,000

For grants to eligible municipalities under the point source implementation grants program under Minnesota Statutes, section 446A.073. This appropriation must be used for qualified capital projects.

**Subd. 4. Water Infrastructure Funding Program**

63,840,000

(a) For grants to eligible municipalities under the water infrastructure funding program under Minnesota Statutes, section 446A.072.

(b) \$38,304,000 is for wastewater projects listed on the Pollution Control Agency's project priority list in the fundable range under the clean water revolving fund program.

(c) \$25,536,000 is for drinking water projects listed on the commissioner of health's project priority list in the fundable range under the drinking water revolving fund program.

(d) After all eligible projects under paragraph (b) or (c) have been funded in a fiscal year, the Public Facilities Authority may transfer any remaining, uncommitted money to eligible projects under a program defined in paragraph (b) or (c) based on that program's project priority list.

**Subd. 5. Albertville; Wastewater Treatment System Improvements**

2,500,000

For a grant to the city of Albertville to design and construct wastewater infrastructure

improvements related to nonnative species control.

**Subd. 6. Bemidji; Water Treatment Facility** 8,188,000

For a grant to the city of Bemidji to predesign, design, construct, furnish, and equip upgrades to the city's water treatment plant, including the addition of a filtration system to remove perfluoroalkyl substances from the city's drinking water.

**Subd. 7. Buhl; Water Infrastructure** 2,000,000

For a grant to the city of Buhl to predesign, design, and construct wastewater, clean water, and storm sewer infrastructure in the city of Buhl.

**Subd. 8. Floodwood; Wastewater Treatment System Improvements** 1,200,000

For a grant to the city of Floodwood for predesign, design, engineering, and construction and expansion of stabilization ponds.

**Subd. 9. Foley; Wastewater Infrastructure** 3,000,000

For a grant to the city of Foley to predesign, design, construct, and equip wastewater infrastructure improvements. The project includes decommissioning and dredging of existing wastewater ponds, the construction of a new approximately 11-mile-long force main, connection to the St. Cloud wastewater system, and installation of pumps.

**Subd. 10. Mahnomen; Water Infrastructure** 650,000

For a grant under Minnesota Statutes, section 446A.07, to the city of Mahnomen for improvements to the city's water infrastructure. This grant is not subject to the project priority list set forth in Minnesota Statutes, section 446A.07, subdivision 4.

**Subd. 11. Mahnomen; Drinking Water Infrastructure** 1,250,000

For a grant under Minnesota Statutes, section 446A.081, to the city of Mahnomen for

drinking water infrastructure. This grant is not subject to the project priority list set forth in Minnesota Statutes, section 446A.081, subdivision 5.

**Subd. 12. Oronoco; Regional Wastewater System Infrastructure Grant**

24,027,000

(a) Of this amount, \$1,350,000 is for a grant to the city of Oronoco to acquire land and easements, design, and engineer a wastewater collection, conveyance, and treatment system and associated water distribution improvements to serve the city of Oronoco and the region including the Oronoco Estates Manufactured Home Community. Any amount remaining after completion of design, engineering, and acquisition may be applied to the purposes described in subdivision 2.

(b) Of this amount, \$22,677,000 is for a grant to the city of Oronoco to construct and provide construction-related engineering for a wastewater collection, conveyance, and treatment system and associated water distribution improvements to serve the city of Oronoco and the region including the Oronoco Estates Manufactured Home Community.

**Subd. 13. Red Rock Rural Water System**

5,750,000

For a grant to the Red Rock Rural Water System to design, construct, furnish, and equip a new water treatment plant, a new water tower, and installation of approximately 110 miles of ten-inch through two-inch water main, and other improvements to infrastructure required for an expansion of the Red Rock Rural Water System, to be built and located in Murray and Cottonwood Counties.

**Subd. 14. South Haven; Wells**

1,700,000

For a grant to the city of South Haven to acquire land, predesign, design, construct, furnish, and equip two new wells in Wright

County. This appropriation does not require a nonstate match.

**Subd. 15. Twin Lakes Township; Water Infrastructure**

9,000,000

For a grant to Twin Lakes Township for the design and construction of a water distribution system, support facilities, and related water improvements, including a water main extension from the city of Carlton, along marked Trunk Highway 210 in Carlton County.

**Subd. 16. Vernon Center; Water Infrastructure Improvements**

7,984,000

For a grant to the city of Vernon Center to predesign, design, construct, furnish, and equip water infrastructure improvements, including refurbishing a water tower, and replacement of wastewater collection, water distribution systems, storm sewer system improvements, and related local road improvements.

**Subd. 17. Waldorf; Water Infrastructure Improvements**

858,000

For a grant to the city of Waldorf to complete the construction of water, wastewater, street, and storm sewer improvements.

**Sec. 21. MINNESOTA HOUSING FINANCE AGENCY**

\$ 2,000,000

To the Minnesota Housing Finance Agency for transfer to the housing development fund to finance the costs of rehabilitation to preserve public housing under Minnesota Statutes, section 462A.202, subdivision 3a. For purposes of this section, "public housing" means housing for low-income persons and households financed by the federal government and publicly owned. Priority may be given to proposals that maximize nonstate resources to finance the capital costs and requests that prioritize health, safety, and energy improvements. The priority in

Minnesota Statutes, section 462A.202, subdivision 3a, for projects to increase the supply of affordable housing and the restrictions of Minnesota Statutes, section 462A.202, subdivision 7, do not apply to this appropriation.

Sec. 22. **MINNESOTA HISTORICAL SOCIETY**

**Subdivision 1. Total Appropriation** **\$ 2,000,000**

To the Minnesota Historical Society for the purposes specified in this section.

**Subd. 2. Historic Sites Asset Preservation** **1,500,000**

For capital improvements and betterments at state historic sites, buildings, landscaping at historic buildings, exhibits, markers, and monuments, to be spent in accordance with Minnesota Statutes, section 16B.307. The society shall determine project priorities as appropriate based on need.

**Subd. 3. County and Local Preservation Grants** **500,000**

For grants to county and local jurisdictions as matching money for historic preservation projects of a capital nature, as provided in Minnesota Statutes, section 138.0525.

Sec. 23. **BOND SALE EXPENSES**

**Subdivision 1. Total Appropriation** **\$ 1,400,000**

To the commissioner of management and budget for the purposes specified in this section.

**Subd. 2. Bond Proceeds Fund** **1,000,000**

From the bond proceeds fund for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

**Subd. 3. Trunk Highway Fund** **400,000**

From the bond proceeds account in the trunk highway fund for bond sale expenses under



Minnesota Statutes, sections 16A.641, subdivision 8, and 167.50, subdivision 4.

Sec. 24. **BOND SALE AUTHORIZATION.**

Subdivision 1. **Bond proceeds fund.** To provide the money appropriated in this act from the bond proceeds fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$784,679,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. **Transportation fund.** To provide the money appropriated in this act from the state transportation fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$222,764,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 3. **Trunk highway fund.** To provide the money appropriated in this article from the bond proceeds account in the trunk highway fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to \$400,400,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be deposited in the bond proceeds account in the trunk highway fund.

Sec. 25. **BOND SALE SCHEDULE.**

The commissioner of management and budget shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 2021, no more than \$1,113,843,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of management and budget shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 26. **CANCELLATIONS; BOND SALE AUTHORIZATION REDUCTIONS.**

(a) The amounts of the general obligation bond proceeds appropriations and trunk highway bond proceeds appropriations listed in the cancellation report submitted to the legislature in January 2020, pursuant to Minnesota Statutes, section 16A.642, are canceled on the effective date of this section. The corresponding bond sale authorizations are reduced by the same amounts. If an appropriation in this section is canceled more than once, the cancellation must be given effect only once.

(b) The unobligated amount remaining from the appropriation in Laws 2018, chapter 214, article 1, section 21, subdivision 21, is canceled. The bond sale authorization in Laws 2018, chapter 214, article 1, section 26, subdivision 1, is reduced by the same amount.

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

Sec. 27. **APPROPRIATIONS TO BE GIVEN EFFECT ONCE.**

If an appropriation in this act is enacted more than once in the 2020 legislative session, the appropriation must be given effect only once. If the appropriations for the same purpose are for different amounts, the lowest of the amounts is the one to be given effect.

Sec. 28. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

## ARTICLE 2

### MISCELLANEOUS

Section 1. Minnesota Statutes 2018, section 16B.325, subdivision 3, is amended to read:

Subd. 3. **Development of guidelines; applicability.** (a) In developing the guidelines, the departments shall use an open process, including providing the opportunity for public comment.

(b) Except as provided in paragraph (c), the guidelines established under this section are mandatory for all new buildings receiving funding from the bond proceeds fund after January 1, 2004, and for all major renovations receiving funding from the bond proceeds fund after January 1, 2009.

(c) The commissioner may waive the requirements of this section for projects where the costs of compliance exceed five percent of total construction costs.

Sec. 2. **[174.527] TOWNSHIP ROAD IMPROVEMENT GRANT PROGRAM.**

Subdivision 1. **Township road improvement accounts.** (a) A township road improvement account is created in the general fund in the state treasury. The account consists of money transferred to the fund by law and any other money donated, allotted, transferred, or otherwise provided to the account. Money in the account is appropriated to the commissioner for grants, as provided in this section.

(b) A township road improvement account is created in the bond proceeds fund. The account consists of state bond proceeds and is appropriated to the commissioner for grants under this section. Grants from this account may only be expended for purposes that are permitted under the Minnesota Constitution, article XI, section 5.

Subd. 2. **Advisory committee.** (a) The commissioner shall establish a township road improvement advisory committee consisting of five members, including:

(1) three township officers; and

(2) two engineers who do work for townships.

(b) The advisory committee shall provide recommendations to the commissioner regarding expenditures from the accounts established in this section.

Subd. 3. **Grant procedures and criteria.** The commissioner shall establish procedures for towns to apply for grants or loans from the accounts created under subdivision 1 and criteria to be used to select projects for funding. The commissioner shall establish these procedures and criteria in consultation with representatives of the Minnesota Association of Townships and the appropriate state agency as needed. The criteria for determining project priority and the amount of a grant or loan must be based on consideration of:

(1) the availability of other state, federal, and local funds;

(2) the effectiveness of the proposed project in eliminating a transportation system deficiency;

(3) the number of people who will be positively impacted by the project;

(4) the project's contribution to local, regional, or state economic development or redevelopment efforts, including livestock or other agricultural operations, logging, and mining; and

(5) the ability of the town to adequately provide for the safe operation and maintenance of the road or facility upon project completion.

Subd. 4. **Administrative costs.** A sum of 0.25 percent of the total amount in the accounts created under subdivision 1, other than deposited amounts from the proceeds from the sale of state bonds, is available to be used for administrative costs incurred by the department in carrying out the provisions of this section.

Sec. 3. Laws 2014, chapter 294, article 1, section 7, subdivision 11, as amended by Laws 2017, First Special Session chapter 8, article 2, section 26, is amended to read:

**Subd. 11. Central Minnesota Regional Parks**

500,000

For a grant to the city of Sartell to ~~acquire land and develop recreation facilities at Sauk River Regional Park~~ design, engineer, and construct a trail, including overlooks, fishing platforms, and pedestrian crossings, along the Mississippi River as part of improvements to Linear Park and Sartell Veterans Park in the city of Sartell and to acquire up to 68 acres of land located along the Sauk River near the confluence of the Mississippi to serve as part of the Central Minnesota Regional Parks and Trails. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for this

project are available until June 30, ~~2020~~  
2024.

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

Sec. 4. Laws 2017, First Special Session chapter 8, article 1, section 15, subdivision 3, as amended by Laws 2018, chapter 214, article 2, section 33, is amended to read:

**Subd. 3. Local Road Improvement Fund Grants**

115,932,000

(a) From the bond proceeds account in the state transportation fund as provided in Minnesota Statutes, section 174.50, for trunk highway corridor projects under Minnesota Statutes, section 174.52, subdivision 2, for construction and reconstruction of local roads with statewide or regional significance under Minnesota Statutes, section 174.52, subdivision 4, or for grants to counties to assist in paying the costs of rural road safety capital improvement projects on county state-aid highways under Minnesota Statutes, section 174.52, subdivision 4a.

(b) Of this amount, \$9,000,000 is for a grant to Anoka County to design, acquire land for, engineer, and construct improvements to, including the realignment of County State-Aid Highway 23 (Lake Drive), County State-Aid Highway 54 (West Freeway Drive), West Freeway Drive, and to Hornsby Street in the city of Columbus to support the overall interchange project.

(c) Of this amount, \$3,246,000 is for a grant to the city of Blaine to predesign, design, and reconstruct 105th Avenue in the vicinity of the National Sports Center in Blaine. The reconstruction will include changing the street from five lanes to four lanes with median, turn lanes, sidewalk, trail, landscaping, lighting, and consolidation of access driveways. This appropriation is not available until the commissioner of management and budget determines that at least \$3,000,000 is committed to the project from sources available to the city, including

municipal state aid and county turnback funds.

(d) Of this amount, \$25,000,000 is for a grant to Hennepin County, the city of Minneapolis, or both, for design, right-of-way acquisition, engineering, and construction of public improvements related to the Interstate Highway 35W and Lake Street access project and related improvements within the Interstate Highway 35W corridor, notwithstanding any provision of Minnesota Statutes, section 174.52, or rule to the contrary. This appropriation is not available until the commissioner of management and budget determines that an amount sufficient to complete this portion of the Interstate Highway 35W and Lake Street access project has been committed to this portion of the project.

(e) Of this amount, \$10,500,000 is for a grant to Carver County for environmental analysis and to acquire right-of-way access, predesign, design, engineer, and construct an interchange at marked Trunk Highway 212 and Carver County Road 44 in the city of Chaska, including a new bridge and ramps, to support the development of approximately 400 acres of property in the city of Chaska's comprehensive plan.

(f) Of this amount, \$700,000 is for a grant to Redwood County for improvements to Nobles Avenue, including paving, as the main access road to a new State Veterans Cemetery to be located in Paxton Township.

(g) Of this amount, \$1,000,000 is for a grant to the town of Appleton in Swift County for upgrades to an existing township road to provide for a paved, ten-ton capacity township road extending between marked Trunk Highways 7 and 119.

(h) Of this amount, \$20,500,000 is for a grant to Ramsey County for preliminary and final design, right-of-way acquisition, engineering,

contract administration, and construction of public improvements related to the construction of the interchange of marked Interstate Highway 694 and Rice Street, Ramsey County State-Aid Highway 49, in Ramsey County.

(i) Of this amount, \$11,300,000 is for a grant to Hennepin County for preliminary and final design, engineering, environmental analysis, right-of-way acquisition, construction, and reconstruction of local roads related to the (1) realignment at the intersections of marked U.S. Highway 12 with Hennepin County State-Aid Highway 92; (2) realignment and safety improvements at the intersection of marked U.S. Highway 12 with Hennepin County State-Aid Highway 90; and (3) safety median improvements from the interchange with Wayzata Boulevard in Wayzata to approximately one-half mile east of the interchange of marked U.S. Highway 12 with Hennepin County State-Aid Highway 6.

(j) Of this amount, \$1,000,000 is for a grant to the city of Inver Grove Heights for preliminary design, design, engineering, and reconstruction of Broderick Boulevard between 80th Street and Concord Boulevard abutting Trunk Highway 52 and Inver Hills Community College in Inver Grove Heights. The project includes replacement or renovation of public infrastructure, including water lines, sanitary sewers, storm water sewers, and other public utilities. This appropriation does not require a nonstate contribution.

(k) Of this amount, \$2,350,000 is for a grant to McLeod County to acquire land or interests in land and to design and construct a new urban street extension of County State-Aid Highway (CSAH) 15, including railroad crossing, storm water, and drainage improvements.

(l) Of this amount, \$6,000,000 is for a grant to the city of Baxter for 50 percent of total

project cost for the acquisition of land or interests in land, environmental analysis and environmental cleanup, predesign, design, engineering, and construction of improvements to Cypress Drive, including expansion to a four-lane divided urban roadway, between Excelsior Road and College Road.

Sec. 5. Laws 2017, First Special Session chapter 8, article 1, section 15, subdivision 4, is amended to read:

**Subd. 4. Rail Grade Separation on Crude Oil Rail Corridors**

71,124,000

(a) Of this amount, \$42,262,000 is for a grant to the city of Moorhead for environmental analysis, design, engineering, removal of an existing structure, and construction of a rail grade crossing separation in the vicinity of 21st Street South.

(b) \$14,100,000 is for a grant to Anoka County for environmental analysis, design, engineering, removal of an existing structure, and construction of a rail grade crossing separation at Anoka County State-Aid Highway 78, known as Hanson Boulevard, in Coon Rapids. Any unspent portion of the appropriation under this paragraph may be used by Anoka County for design costs of other rail crossings in Anoka County that are on the commissioner's rail safety priority list.

(c) Of this amount, \$14,762,000 is for a grant to the city of Red Wing for right-of-way acquisition, environmental analysis, design, engineering, removal of an existing structure, and construction of a rail grade crossing separation at Sturgeon Lake Road. Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for the project in this paragraph are available until December 31, 2024.

(d) Any unspent portion of this appropriation after completion of a project in this

subdivision may be used for grants in accordance with Minnesota Statutes, section 219.016.

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

Sec. 6. Laws 2017, First Special Session chapter 8, article 1, section 20, subdivision 21, as amended by Laws 2018, chapter 214, article 2, section 40, is amended to read:

**Subd. 21. St. Paul - Minnesota Museum of American Art**

6,000,000

For a grant to the St. Paul Port Authority to acquire, design, construct, furnish, and equip new museum galleries and an art study facility for the Minnesota Museum of American Art. This facility provides space to celebrate the legacy of Minnesota art and artists and is part of the restoration of the historic Pioneer Endicott Building, and a part of a multiphase project, of which only the museum galleries and art study facility constructed with this appropriation shall be state bond financed property subject to Minnesota Statutes, section 16A.695. This appropriation is not available until the commissioner of management and budget has determined that:

(1) at least an amount equal to this appropriation has been committed or previously expended for design, construction, and furnishing of the adjacent Minnesota Museum of American Art Center for Creativity facilities, which are not subject to Minnesota Statutes, section 16A.695, with funds from nonstate sources; and

(2) sufficient other state and nonstate funds are available, if funds beyond this appropriation are required, to complete the museum galleries and art study facility.

~~Funds invested in the Minnesota Museum of American Art Center for Creativity facilities by an investor receiving an assignment of state historic tax credits as provided in Minnesota Statutes, section 290.0681, are nonstate funds for purposes of this~~



~~requirement.~~ Only expenditures made after January 1, 2012, shall qualify for the required match. Due to the integrated nature of the overall development, public bidding shall not be required.

Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for this project are available until December 31, 2024.

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

Sec. 7. Laws 2018, chapter 214, article 1, section 16, subdivision 19, is amended to read:

**Subd. 19. Hennepin County - Railroad Crossing Safety**

1,200,000

For one or more grants to Hennepin County or the affected city in the county to construct railroad crossing safety improvements in Hennepin County. Of this amount, \$350,000 is for crossings at ~~Townline Road~~ and marked County Road 19 in the city of Loretto; at least \$450,000 is for crossings at ~~marked Road 116/County Road 115~~ and Arrowhead Drive in the city of Medina; and at least \$400,000 is for crossings at East Lake Street and Barry Avenue in the city of Wayzata. Any unspent portion of this appropriation remaining after completion of a project listed in this subdivision, after written notice to the commissioner of management and budget, is available for the purposes of this subdivision.

Sec. 8. Laws 2018, chapter 214, article 1, section 21, subdivision 18, is amended to read:

**Subd. 18. Pipestone County - Dental Facility**

500,000

For a grant to Pipestone County to predesign, design, construct, furnish, and equip a dental care facility in Pipestone County. The county may enter into an agreement under Minnesota Statutes, section 16A.695, for operation of the dental clinic. This project is not subject to the requirements of Minnesota Statutes, section 16B.325.

Sec. 9. Laws 2018, chapter 214, article 1, section 21, subdivision 26, is amended to read:

**Subd. 26. St. Paul - Minnesota Museum of American Art**

2,500,000

For a grant to the St. Paul Port Authority to acquire, design, construct, furnish, and equip the Minnesota Museum of American Art in the historic Pioneer Endicott Building. This appropriation is in addition to the amount appropriated by Laws 2017, First Special Session chapter 8, article 1, section 20, subdivision 21, and is available in accordance with the requirements of that subdivision. This appropriation may be used as needed for the costs of the project, including but not limited to secure loading dock, and art restoration and exhibit preparation areas.

Notwithstanding Minnesota Statutes, section 16A.642, the bond sale authorization and appropriation of bond proceeds for this project are available until December 31, 2024.

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

Sec. 10. Laws 2018, chapter 214, article 1, section 21, subdivision 29, is amended to read:

**Subd. 29. Wabasha - National Eagle Center and Wabasha Rivertown Resurgence**

8,000,000

For a grant to the city of Wabasha to acquire land, predesign, design, renovate, construct, furnish, and equip the National Eagle Center in order to expand program and exhibit space, increase aviary space for eagles, and for improvements to the riverfront in Wabasha for infrastructure, large vessel landing areas and docks, and public access and program areas. This appropriation is available until June 30, 2024.

Sec. 11. Laws 2019, First Special Session chapter 3, article 1, section 2, subdivision 3, is amended to read:

**Subd. 3. State Roads**

**(a) Operations and Maintenance**

361,811,000

366,300,000

The base is \$364,305,000 in fiscal year 2022 and \$362,811,000 in fiscal year 2023.

**(b) Program Planning and Delivery**

**(1) Planning and Research** 32,529,000 30,950,000

Appropriations by Fund

	2020	2021
General	1,062,000	0
Trunk Highway	31,467,000	30,950,000

The commissioner may use any balance remaining in this appropriation for program delivery under clause (2).

\$1,062,000 in the first year is from the general fund for trunk highway corridor and bridge improvement studies, which may include evaluation of safety improvements on trunk highways and a feasibility study of river crossings that connect trunk highways.

\$130,000 each year is available for administrative costs of the targeted group business program.

\$266,000 each year is available for grants to metropolitan planning organizations outside the seven-county metropolitan area.

\$900,000 each year is available for grants for transportation studies outside the metropolitan area to identify critical concerns, problems, and issues. These grants are available: (1) to regional development commissions; (2) in regions where no regional development commission is functioning, to joint powers boards established under agreement of two or more political subdivisions in the region to exercise the planning functions of a regional development commission; and (3) in regions where no regional development commission or joint powers board is functioning, to the Department of Transportation district office for that region.

**(2) Program Delivery** 224,439,000 227,568,000

This appropriation includes use of consultants to support development and management of projects.

\$1,000,000 in each year is available for management of contaminated and regulated material on property owned by the Department of Transportation, including mitigation of property conveyances, facility acquisition or expansion, chemical release at maintenance facilities, and spills on the trunk highway system where there is no known responsible party. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

**(c) State Road Construction**

939,295,000

924,282,000

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts, internal department costs associated with delivering the construction program, consultant usage to support these activities, and the cost of actual payments to landowners for lands acquired for highway rights-of-way, payment to lessees, interest subsidies, and relocation expenses.

The commissioner of transportation must notify the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance of any significant events that cause the estimates of federal aid to change.

This appropriation includes federal highway aid.

The commissioner may expend up to one-half of one percent of the federal appropriations under this paragraph as grants to opportunity industrialization centers and other nonprofit job training centers for job training programs related to highway construction.

The commissioner may transfer up to \$15,000,000 each year to the transportation revolving loan fund.

The commissioner may receive money covering other shares of the cost of partnership projects. These receipts are appropriated to the commissioner for these projects.

**(d) Corridors of Commerce** 25,000,000 25,000,000

This appropriation is for the corridors of commerce program under Minnesota Statutes, section 161.088. The commissioner may use up to 17 percent of the amount each year for program delivery.

**(e) Highway Debt Service** 236,439,000 250,766,000  
255,411,000

\$226,939,000 in fiscal year 2020 and ~~\$241,266,000~~ \$245,911,000 in fiscal year 2021 are for transfer to the state bond fund. If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of management and budget must transfer the deficiency amount under the statutory open appropriation and notify the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance and the chairs of the senate Finance Committee and the house of representatives Ways and Means Committee of the amount of the deficiency. Any excess appropriation cancels to the trunk highway fund.

**(f) Statewide Radio Communications** 5,989,000 6,159,000

Appropriations by Fund		
	2020	2021
General	3,000	3,000
Trunk Highway	5,986,000	6,156,000

\$3,000 in each year is from the general fund to equip and operate the Roosevelt signal

tower for Lake of the Woods weather broadcasting.

Sec. 12. Laws 2019, First Special Session chapter 3, article 1, section 2, subdivision 5, is amended to read:

**Subd. 5. Agency Management**

<b>(a) Agency Services</b>	54,190,000	<del>54,701,000</del> <u>47,701,000</u>
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Appropriations by Fund

	2020	2021
General	311,000	316,000
		<del>54,385,000</del>
Trunk Highway	53,879,000	<u>47,385,000</u>

\$311,000 from the general fund in fiscal year 2020 and \$316,000 from the general fund in fiscal year 2021, and \$100,000 from the trunk highway fund in each of fiscal years 2020 and 2021, are to facilitate tribal training for state agencies.

The base from the general fund is \$0 in each of fiscal years 2022 and 2023.

The base from the trunk highway fund is \$53,069,000 in each of fiscal years 2022 and 2023.

<b>(b) Buildings</b>	42,869,000	<del>48,448,000</del> <u>41,448,000</u>
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Appropriations by Fund

	2020	2021
General	54,000	54,000
		<del>48,394,000</del>
Trunk Highway	42,815,000	<u>41,394,000</u>

Any money appropriated to the commissioner of transportation for building construction for any fiscal year before the first year is available to the commissioner during the biennium to the extent that the commissioner spends the money on the building construction projects for which the money was originally encumbered during the fiscal year for which it was appropriated. If the

appropriation for either year is insufficient, the appropriation for the other year is available for it.

The base from the trunk highway fund is \$39,694,000 in each of fiscal years 2022 and 2023.

(c) <b>Tort Claims</b>	600,000	600,000
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If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 13. TRANSPORTATION PROJECT SELECTION PROCESS.

Subdivision 1. **Adoption of policy.** (a) The commissioner of transportation must develop, adopt, and implement a policy for every program or process the commissioner uses to evaluate, prioritize, or select capital projects; award grants for capital projects; or allocate funding or resources for capital projects, including trunk highway and general obligation bonds. At a minimum, the commissioner must adopt a policy for capital project selections and programs for each of the following: rail grade separation program; greater Minnesota transit capital program; state airport development program; safety improvements on crude oil corridors; facilities capital improvement program; Minnesota rail service improvement program; port development assistance program; and passenger rail program. Prior to developing, adopting, or implementing a policy for a program or selection process, the commissioner must consult with the following entities, where appropriate: the Federal Highway Administration; metropolitan planning organizations; regional development commissions; area transportation partnerships; local governments; the Metropolitan Council; transportation stakeholders; or other appropriate federal, state, or local government agencies. The commissioner must develop, adopt, and implement the policy no later than November 1, 2021, and may update the policy as appropriate. The commissioner must publish the policy and updates on the department's website and through other effective means selected by the commissioner.

(b) For each selection process, the policy adopted under this section must:

(1) establish a process that identifies criteria, the weight of each criterion, and a process to score each project based on the weighted criteria. The scoring system may consider project readiness as a criterion for evaluation, but project readiness must not be a major factor in determining the final score;

(2) identify and apply all relevant criteria contained in enacted Minnesota or federal law, or added by the commissioner;

(3) identify for stakeholders and the general public the candidate project selected under each selection process and every project considered that was not selected;

(4) involve area transportation partnerships and other local authorities, as appropriate, in the process of scoring and ranking candidate projects under consideration;

(5) publicize scoring and decision outcomes concerning each candidate project, including the projects that were considered but not selected, and the reason each project was not selected; and

(6) require that the projects in the state transportation improvement program include the score assigned to the project.

(c) This section does not apply to the following: the safe routes to school program under Minnesota Statutes, section 174.40; the local bridge replacement program under Minnesota Statutes, section 174.50; the local road improvement program under Minnesota Statutes, section 174.52; highway railroad grade crossing-warning devices replacement; statewide freight safety improvements; or high priority bridges for the trunk highway system.

(d) For purposes of this section, a capital project means a project to purchase, replace, or recondition the physical assets that make up the transportation system.

Subd. 2. **Report to legislature.** By February 1, 2022, the commissioner must submit a report to the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation policy and finance concerning the adopted policy and how the policy is anticipated to improve the consistency, objectivity, and transparency of the selection process. The report must include information on input from members of the public and the organizations identified in subdivision 1.

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

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; modifying previous appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; requiring a report; appropriating money; amending Minnesota Statutes 2018, section 16B.325, subdivision 3; Laws 2014, chapter 294, article 1, section 7, subdivision 11, as amended; Laws 2017, First Special Session chapter 8, article 1, sections 15, subdivisions 3, as amended, 4; 20, subdivision 21, as amended; Laws 2018, chapter 214, article 1, sections 16, subdivision 19; 21, subdivisions 18, 26, 29; Laws 2019, First Special Session chapter 3, article 1, section 2, subdivisions 3, 5; proposing coding for new law in Minnesota Statutes, chapter 174."

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

## SECOND READING OF SENATE BILLS

S.F. No. 3463 was read the second time.

## RECESS

Senator Benson 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.



**SPECIAL ORDERS**

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

H.F. No. 2796 and S.F. No. 4564.

**SPECIAL ORDER**

**H.F. No. 2796:** A bill for an act relating to state government; ratifying a labor agreement and a compensation plan.

Senator Koran moved to amend the unofficial engrossment of H.F. No. 2796 as follows:

Page 1, line 8, delete the third comma and insert a period

Page 1, delete lines 9 and 10

Page 1, line 14, delete everything after "ratified" and insert a period

Page 1, delete lines 15 and 16

Page 1, line 21, delete everything after "ratified" and insert a period

Page 2, delete lines 1 and 2

Page 2, line 6, delete everything after "ratified" and insert a period

Page 2, delete line 7

Page 2, line 10, delete everything after "ratified" and insert a period

Page 2, delete lines 11 and 12

Page 2, line 17, delete everything after "ratified" and insert a period

Page 2, delete line 18

Page 2, line 22, delete everything after "ratified" and insert a period

Page 2, delete lines 23 and 24

Page 2, line 28, delete everything after "ratified" and insert a period

Page 2, delete line 29

Page 2, line 33, delete everything after "ratified" and insert a period

Page 2, delete lines 34

Page 3, line 3, delete everything after "ratified" and insert a period

Page 3, delete lines 4 and 5

Page 3, line 8, delete everything after "ratified" and insert a period

Page 3, delete line 9

Page 3, line 12, delete everything after "ratified" and insert a period

Page 3, delete line 13

Page 3, line 17, delete everything after "ratified" and insert a period

Page 3, delete line 18

Page 3, line 21, delete everything after "ratified" and insert a period

Page 3, delete line 22

Page 3, line 25, delete "as supplemented by the April 21, 2020,"

Page 3, line 26, delete everything before "is"

Page 3, line 31, delete everything after "ratified" and insert a period

Page 3, delete line 32

Page 3, delete subdivision 17

Page 4, delete section 2

Page 4, line 12, delete "Sections 1 and 2 are" and insert "Section 1 is"

Renumber the sections in sequence and correct the internal references

Senator Koran moved to amend the Koran amendment to H.F. No. 2796 as follows:

Page 1, after line 2, insert:

"Page 1, line 5, before "The" insert "Except as provided in section 2,"

Page 1, after line 4, insert:

"Page 1, line 11, before "The" insert "Except as provided in section 2,"

Page 1, after line 6, insert:

"Page 1, line 17, before "The" insert "Except as provided in section 2,"

Page 1, after line 8, insert:

"Page 2, line 3, before "The" insert "Except as provided in section 2,"

Page 1, after line 10, insert:

"Page 2, line 8, before "The" insert "Except as provided in section 2,"

Page 1, after line 12, insert:

"Page 2, line 14, before "The" insert "Except as provided in section 2,"

Page 1, after line 14, insert:

"Page 2, line 19, before "The" insert "Except as provided in section 2,"

Page 1, after line 16, insert:

"Page 2, line 25, before "The" insert "Except as provided in section 2,"

Page 1, after line 20, insert:

"Page 2, line 30, before "The" insert "Except as provided in section 2,"

Page 1, before line 21, insert:

"Page 3, line 1, before "The" insert "Except as provided in section 2,"

Page 1, after line 22, insert:

"Page 3, line 6, before "The" insert "Except as provided in section 2"

Page 1, after line 24, insert:

"Page 3, line 10, before "The" insert "Except as provided in section 2,"

Page 1, after line 27, insert:

"Page 3, line 14, before "The" insert "Except as provided in section 2,"

Page 2, after line 1, insert:

"Page 3, line 19, before "The" insert "Except as provided in section 2,"

Page 2, after line 3, insert:

"Page 3, line 23, before "The" insert "Except as provided in section 2,"

Page 2, after line 5, insert:

"Page 3, line 28, before "The" insert "Except as provided in section 2,"

Page 2, after line 7, insert:

"Page 3, line 33, before "This" insert "Except as provided in section 2,"

Page 2, delete lines 8 and 9 and insert:

"Page 4, after line 7, insert:

"Sec. 2. CONTINGENCY.

The general increases, enhancements to salary schedules, and the supplement to the MnSCU Personnel Plan for Administrators in section 1 are not ratified until the commissioner of management and budget determines, based on a forecast of general fund revenues and expenditures issued before July 1, 2021, that there will be a positive unrestricted general fund balance at the close of the biennium ending June 30, 2021, exclusive of any use of the budget reserve account and the budget reduction authority under Minnesota Statutes, section 16A.152. If second year wage adjustment and increases are ratified under the terms of this subdivision, they are effective retroactively to July 1, 2020. ""

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

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

H.F. No. 2796 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson, B.	Gazelka	Jensen	Miller	Rosen
Anderson, P.	Goggin	Johnson	Nelson	Ruud
Benson	Hall	Kiffmeyer	Newman	Senjem
Chamberlain	Housley	Koran	Osmek	Utke
Dahms	Howe	Lang	Pratt	Weber
Draheim	Ingebrigtsen	Limmer	Rarick	Westrom
Eichorn	Jasinski	Mathews	Relph	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Dahms; Hall; Housley; Ingebrigtsen; Newman; Osmek; Senjem; and Westrom.

Those who voted in the negative were:

Abeler	Cwodzinski	Hawj	Latz	Sparks
Bakk	Dibble	Hayden	Little	Tomassoni
Bigham	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pappas	Wiklund
Clausen	Franzen	Klein	Rest	
Cohen	Frentz	Laine	Simonson	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Hayden, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

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

**SPECIAL ORDER**

**S.F. No. 4564:** A bill for an act relating to local government aid; state government finance; appropriating money from the coronavirus relief account in the federal fund for distributions to counties, cities, and towns.

Senator Rosen moved to amend S.F. No. 4564 as follows:

Page 2, lines 23 and 27, delete "account in the"

Page 3, delete lines 15 to 21 and insert:

"(d) A local government unit must repay the required amount to the state in full within 90 days of the commissioner's certification under paragraph (b). A local government may apply to the commissioner in the form and manner determined by the commissioner for an alternative repayment schedule, not to exceed five years."

Page 3, lines 25 and 28, delete "account in the"

The motion prevailed. So the amendment was adopted.

Senator Rosen moved to amend S.F. No. 4564 as follows:

Page 1, after line 5, insert:

"Section 1. **CORONAVIRUS RELIEF FEDERAL FUND.**

The coronavirus relief federal fund is created in the state treasury. All money received by the state under Public Law 116-136 must be credited to the coronavirus relief federal fund. Notwithstanding Minnesota Statutes, sections 3.3005 and 4.07, subdivision 3, money in the fund must not be spent except pursuant to a direct appropriation by law. Money in the fund is to pay expenses incurred by the state for the infectious disease known as COVID-19. When all money credited to the fund has been spent, the commissioner of management and budget shall close the fund."

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 41 and nays 26, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Ingebrigtsen	Mathews	Rosen
Anderson, B.	Eken	Jasinski	Miller	Ruud
Anderson, P.	Gazelka	Jensen	Nelson	Senjem
Bakk	Goggin	Johnson	Newman	Simonson
Benson	Hall	Kiffmeyer	Osmek	Sparks
Chamberlain	Hoffman	Koran	Pratt	Tomassoni
Dahms	Housley	Lang	Rarick	Utke
Draheim	Howe	Limmer	Relph	Weber

Westrom

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Dahms; Hall; Housley; Ingebrigtsen; Newman; Osmek; Senjem; and Westrom.

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

Those who voted in the negative were:

Bigham	Dibble	Hayden	Little	Wiger
Carlson	Dziedzic	Isaacson	Marty	Wiklund
Champion	Eaton	Kent	Newton	
Clausen	Franzen	Klein	Pappas	
Cohen	Frentz	Laine	Rest	
Cwodzinski	Hawj	Latz	Torres Ray	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Hayden, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Torres Ray, and Wiklund.

The motion prevailed. So the amendment was adopted.

Senator Utke moved to amend S.F. No. 4564 as follows:

Page 3, after line 32, insert:

**"Sec. 3. WORKERS' COMPENSATION COVID-19 REIMBURSEMENT.**

**Subdivision 1. Fund created.** The workers' compensation COVID-19 reimbursement fund is created in the state treasury to reimburse workers' compensation providers for COVID-19 workers' compensation costs paid with respect to employees in job classifications entitled to the presumption established by Laws 2020, chapter 72, section 1. The fund shall be managed by the Minnesota State Board of Investment. Reimbursements shall be made from the fund to eligible workers' compensation providers by the commissioner of labor and industry.

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

(b) "Commissioner" means the commissioner of labor and industry.

(c) "Employee" has the meaning given in Minnesota Statutes, section 176.011, subdivision 9.

(d) "Employer" has the meaning given in Minnesota Statutes, section 176.011, subdivision 10.

(e) "Fund" means the workers' compensation COVID-19 reimbursement fund created in subdivision 1.

(f) "Local government" means a statutory or home rule charter city, a county, a school district, a town, or an instrumentality of any of the foregoing.

(g) "Presumptive classes" means the employee occupations specified in the presumption established in Laws 2020, chapter 72, section 1.

(h) "Workers' compensation costs" means the actual loss amount that a workers' compensation provider is obligated to pay and that is paid by the provider for workers' compensation benefits payable under Minnesota Statutes, chapter 176.

(i) "Workers' compensation provider" means an employer or other entity providing workers' compensation coverage to employees that are included in the presumptive classes and that is: (1) a self-insured local government entity; (2) a local government self-insurance pool created pursuant to Minnesota Statutes, section 471.981; (3) a self-insurer authorized under Minnesota Statutes, section 176.181; or (4) an insurance carrier authorized to insure workers' compensation in this state.

Subd. 3. **Reimbursement eligibility threshold amounts.** (a) A workers' compensation provider shall be eligible for reimbursement for COVID-19 workers' compensation costs for presumptive classes in excess of the deductible amounts listed as provided in paragraphs (b) and (c).

(b) A workers' compensation provider that is a self-insured local government entity, local government self-insurance pool, or a self-insurer having an annual premium of less than \$5,000,000 is eligible for reimbursement from the fund when the workers' compensation provider has paid total COVID-19-related workers' compensation costs of \$100,000 for claims arising from an employee or employees in a presumptive class.

(c) A workers' compensation provider other than a workers' compensation provider described in paragraph (b) is eligible for reimbursement from the fund when the workers' compensation provider has paid total COVID-19-related workers' compensation costs of \$1,000,000 for claims arising from an employee or employees in a presumptive class.

Subd. 4. **Submission for reimbursement.** A workers' compensation provider shall submit to the commissioner in a format prescribed by the commissioner information regarding the amounts in excess of the deductible provided in subdivision 3 to be reimbursed from the fund. The commissioner shall make reimbursements to workers' compensation providers on a first-come, first-served basis. No funds may be reimbursed after December 30, 2020.

Subd. 5. **Amounts from other insurance.** Reimbursement from the fund to a workers' compensation provider under this section shall be reduced by any amounts received from the Workers' Compensation Reinsurance Association created under Minnesota Statutes, section 79.34, or other third-party sources and made to the workers' compensation provider as a result of a COVID-19-related workers' compensation claim arising from an employee or employees in a presumptive class.

Subd. 6. **Aggregation of claims.** Claims paid to employees within presumptive classes may be aggregated and count toward the deductible amounts specified in subdivision 3, paragraphs (b) and (c).

Subd. 7. **Report to legislature.** By August 1, 2020, November 1, 2020, and January 15, 2021, the commissioner shall report to the legislature regarding reimbursements paid to workers' compensation providers under this section.

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

Sec. 4. **APPROPRIATION; WORKERS' COMPENSATION COVID-19 REIMBURSEMENTS.**

\$375,000,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund to the commissioner of management and budget for deposit in the workers' compensation COVID-19 reimbursement fund to provide reimbursements as specified in section 3. This is a onetime appropriation. Funds are available until December 30, 2020.

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

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend S.F. No. 4564 as follows:

Page 1, delete subdivisions 1 and 2 and insert:

"Subdivision 1. **Local government coronavirus relief reimbursement grants.** (a) A county, statutory or home rule charter city, or organized town may apply to the commissioner of revenue for reimbursement of necessary local government expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).

(b) The application must be in the form and manner determined by the commissioner. The commissioner may establish a maximum grant award for any local government applicant. The commissioner must begin receiving applications for reimbursement no later than June 15, 2020. The commissioner must award reimbursement grants on a first come, first served basis. A local government must submit an application for reimbursement no later than November 1, 2020, in order to be eligible for reimbursement under this section. The commissioner must distribute reimbursements under this section no later than December 1, 2020.

(c) The commissioner must require the local government to provide sufficient information to demonstrate that the cost incurred meets the requirements of Public Law 116-136."

Page 2, delete subdivisions 3 to 7

Page 3, delete subdivision 8

Page 3, line 26, delete everything after the period

Page 3, delete lines 27 to 30

Renumber the subdivisions in sequence

Senator Dibble moved to amend the Dibble amendment to S.F. No. 4564 as follows:

Page 1, line 10, delete everything after the period

Page 1, line 11, delete "basis."

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



The question was taken on the adoption of the first Dibble amendment.

The roll was called, and there were yeas 23 and nays 43, as follows:

Those who voted in the affirmative were:

Carlson	Dziedzic	Hayden	Latz	Torres Ray
Clausen	Eaton	Isaacson	Marty	Wiger
Cohen	Franzen	Kent	Newton	Wiklund
Cwodzinski	Frentz	Klein	Pappas	
Dibble	Hawj	Laine	Rest	

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Dziedzic, Eaton, Franzen, Frentz, Hayden, Isaacson, Klein, Laine, Latz, Newton, Pappas, Rest, Torres Ray, and Wiklund.

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Miller	Senjem
Anderson, B.	Eken	Jensen	Nelson	Simonson
Anderson, P.	Gazelka	Johnson	Newman	Sparks
Bakk	Goggin	Kiffmeyer	Osmek	Tomassoni
Benson	Hall	Koran	Pratt	Utke
Bigham	Hoffman	Lang	Rarick	Weber
Chamberlain	Housley	Limmer	Relph	Westrom
Dahms	Howe	Little	Rosen	
Draheim	Ingebrigtsen	Mathews	Ruud	

Pursuant to Rule 40, Senator Benson cast the negative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Dahms; Hall; Housley; Ingebrigtsen; Jensen; Newman; Osmek; Ruud; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Little and Sparks.

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

S.F. No. 4564 was read the third time, as amended.

Senator Rosen moved that S.F. No. 4564 be laid on the table. The motion prevailed.

## MOTIONS AND RESOLUTIONS - CONTINUED

### RECONSIDERATION

Having voted on the prevailing side, Senator Koran moved that the vote whereby H.F. No. 2796 was passed by the Senate on May 16, 2020, be now reconsidered. The motion prevailed. So the vote was reconsidered.

**H.F. No. 2796:** A bill for an act relating to state government; ratifying a labor agreement and a compensation plan.

Senator Koran moved to amend the second Koran amendment to H.F. No. 2796, adopted by the Senate May 16, 2020, as follows:

Page 2, line 13, after "Administrators" insert "for the second year"

Page 2, after line 19, insert:

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

The motion prevailed. So the amendment was adopted.

H.F. No. 2796 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson, B.	Gazelka	Jensen	Miller	Rosen
Anderson, P.	Goggin	Johnson	Nelson	Ruud
Benson	Hall	Kiffmeyer	Newman	Senjem
Chamberlain	Housley	Koran	Osmek	Utke
Dahms	Howe	Lang	Pratt	Weber
Draheim	Ingebrigtsen	Limmer	Rarick	Westrom
Eichorn	Jasinski	Mathews	Relph	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Dahms; Hall; Housley; Ingebrigtsen; Jensen; Newman; Osmek; Ruud; Senjem; and Westrom.

Those who voted in the negative were:

Abeler	Cwodzinski	Hawj	Latz	Sparks
Bakk	Dibble	Hayden	Little	Tomassoni
Bigham	Dziedzic	Hoffman	Marty	Torres Ray
Carlson	Eaton	Isaacson	Newton	Wiger
Champion	Eken	Kent	Pappas	Wiklund
Clausen	Franzen	Klein	Rest	
Cohen	Frentz	Laine	Simonson	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Champion, Clausen, Dziedzic, Eaton, Franzen, Frentz, Hayden, Isaacson, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Rosen moved that S.F. No. 4564 be taken from the table. The motion prevailed.

**S.F. No. 4564:** A bill for an act relating to local government aid; state government finance; appropriating money from the coronavirus relief account in the federal fund for distributions to counties, cities, and towns.

The question was taken on the final passage of S.F. No. 4564, as amended.

The roll was called, and there were yeas 45 and nays 22, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Ingebrigtsen	Mathews	Rosen
Anderson, B.	Eichorn	Jasinski	Miller	Ruud
Anderson, P.	Eken	Jensen	Nelson	Senjem
Bakk	Gazelka	Johnson	Newman	Simonson
Benson	Goggin	Kiffmeyer	Newton	Sparks
Bigham	Hall	Koran	Osmek	Tomassoni
Chamberlain	Hoffman	Lang	Pratt	Utke
Clausen	Housley	Limmer	Rarick	Weber
Dahms	Howe	Little	Relph	Westrom

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Anderson, P.; Dahms; Hall; Housley; Ingebrigtsen; Jensen; Newman; Osmek; Ruud; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Clausen, Little; Newton, and Sparks.

Those who voted in the negative were:

Carlson	Dziedzic	Hayden	Latz	Wiger
Champion	Eaton	Isaacson	Marty	Wiklund
Cohen	Franzen	Kent	Pappas	
Cwodzinski	Frentz	Klein	Rest	
Dibble	Hawj	Laine	Torres Ray	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Champion, Dziedzic, Eaton, Franzen, Frentz, Hayden, Isaacson, Klein, Laine, Latz, Pappas, Rest, Torres Ray, and Wiklund.

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

### **MEMBERS EXCUSED**

Senator Jensen was excused from the Session of today from 1:00 to 2:00 p.m. Senator Champion was excused from the Session of today from 1:35 to 1:45 a.m.

### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Sunday, May 17, 2020. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

