

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

SEVENTH SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Monday, December 14, 2020

The Senate met at 3:00 p.m. and was called to order by the President.

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

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

The Secretary called the roll by legislative district in numerical order as follows:

First District.	Mark Johnson
Second District.	Paul J. Utke
Third District.	Thomas M. Bakk
Fourth District.	Kent Eken
Fifth District.	Justin D. Eichorn
Sixth District.	David J. Tomassoni
Seventh District.	Erik Simonson
Eighth District.	Bill Ingebrigtsen
Ninth District.	Paul E. Gazelka
Tenth District.	Carrie Ruud
Eleventh District.	Jason Rarick
Twelfth District.	Torrey N. Westrom
Thirteenth District.	Jeff R. Howe
Fourteenth District.	Jerry Relph
Fifteenth District.	Andrew Mathews
Sixteenth District.	Gary H. Dahms
Seventeenth District.	Andrew R. Lang
Eighteenth District.	Scott J. Newman
Nineteenth District.	Nick A. Frentz
Twentieth District.	Rich Draheim
Twenty-First District.	Michael P. Goggin
Twenty-Second District.	Bill Weber

Twenty-Third District.	Julie A. Rosen
Twenty-Fourth District.	John R. Jasinski
Twenty-Fifth District.	David H. Senjem
Twenty-Sixth District.	Carla J. Nelson
Twenty-Seventh District.	Dan Sparks
Twenty-Eighth District.	Jeremy R. Miller
Twenty-Ninth District.	Bruce D. Anderson
Thirtieth District.	Mary Kiffmeyer
Thirty-First District.	Michelle R. Benson
Thirty-Second District.	Mark W. Koran
Thirty-Third District.	David J. Osmek
Thirty-Fourth District.	Warren Limmer
Thirty-Fifth District.	Jim Abeler
Thirty-Sixth District.	John A. Hoffman
Thirty-Seventh District.	Jerry Newton
Thirty-Eighth District.	Roger C. Chamberlain
Thirty-Ninth District.	Karin Housley
Fortieth District.	Chris A. Eaton
Forty-First District.	Carolyn Laine
Forty-Second District.	Jason Isaacson
Forty-Third District.	Charles W. Wiger
Forty-Fourth District.	Paul T. Anderson
Forty-Fifth District.	Ann H. Rest
Forty-Sixth District.	Ron Latz
Forty-Seventh District.	Scott M. Jensen
Forty-Eighth District.	Steve A. Cwodzinski
Forty-Ninth District.	Melisa Franzen
Fiftieth District.	Melissa H. Wiklund
Fifty-First District.	Jim Carlson
Fifty-Second District.	Matt D. Klein
Fifty-Third District.	Susan Kent
Fifty-Fourth District.	Karla Bigham
Fifty-Fifth District.	Eric R. Pratt
Fifty-Sixth District.	Dan D. Hall
Fifty-Seventh District.	Greg D. Clausen
Fifty-Eighth District.	Matt Little
Fifty-Ninth District.	Bobby Joe Champion
Sixtieth District.	Kari Dziedzic
Sixty-First District.	D. Scott Dibble

- Sixty-Second District..... Jeff Hayden
- Sixty-Third District..... Patricia Torres Ray
- Sixty-Fourth District..... Richard J. Cohen
- Sixty-Fifth District..... Sandra L. Pappas
- Sixty-Sixth District..... John Marty
- Sixty-Seventh District..... FOUNG HAWJ

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; Dibble; Dziedzic; Eaton; Franzen; Goggin; Hayden; Howe; Isaacson; Jensen; Kiffmeyer; Laine; Lang; Latz; Little; Miller; Newman; Newton; Rest; Simonson; Sparks; Torres Ray; Weber; Westrom; and Wiklund.

**STATE OF MINNESOTA
PROCLAMATION FOR SPECIAL SESSION 2020**

WHEREAS: The Ninety-First Legislature adjourned its regular session on May 17, 2020; and

WHEREAS: I called the Legislature into special sessions in June, July, August, September, October, and November 2020, the Legislature adjourned those special sessions, and the Legislature is not currently in session; and

WHEREAS: The COVID-19 pandemic continues to threaten Minnesotans and burden our State's resources; and

WHEREAS: The Minnesota Constitution allows the Governor to call a special session of the Legislature on extraordinary occasions; and

WHEREAS: Minnesota Statutes 2020, section 12.31, subdivision 2(b), provides that, if the Governor determines a need to extend a peacetime emergency beyond 30 days and the Legislature is not sitting in session, the Governor must issue a call immediately convening both houses of the Legislature; and

WHEREAS: An extraordinary occasion, as envisioned by the Minnesota Constitution, has arisen, and it is necessary to extend the COVID-19 Peacetime Emergency originally declared on March 13, 2020.

NOW, THEREFORE, I, TIM WALZ, Governor of Minnesota, by the authority vested in me by Article IV, Section 12 of the Minnesota Constitution and Sections 4.03 and 12.31 of the Minnesota Statutes, summon the members of the Legislature to convene in a Seventh Special Session on Monday, December 14, 2020 at 3:00 p.m. at the State Capitol in Saint Paul, Minnesota.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol on Wednesday, December 9, 2020.

Tim Walz, Governor

Steve Simon, Secretary of State

MOTIONS AND RESOLUTIONS

Senators Gazelka and Kent introduced --

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the Special Session.

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

The Senate is organized under Minnesota Statutes, sections 3.073 and 3.103.

The Temporary Rules of the Senate for the 91st Legislature are the Rules for the Special Session, except that Rules 3.6, 5, and 9 are not operative other than as provided in this resolution.

The Committee on Rules and Administration is established in the same manner and with the same powers as in the 91st Legislature.

With respect to Rule 30, Reconsideration, a notice of intention to move for reconsideration is not in order, but a motion to reconsider may be made, and when made has priority over other business except a motion to adjourn.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Goggin; Howe; Ingebrigtsen; Jensen; Kiffmeyer; Lang; Miller; Newman; Ruud; Weber; and Westrom.

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

The motion prevailed. So the resolution was adopted.

Senators Gazelka and Kent introduced --

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

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

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized under the Minnesota Constitution and Minnesota Statutes.

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

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Housley, Dibble, Ruud, Abeler, and Eken introduced--

S.F. No. 1: A bill for an act relating to health; changing provisions for nursing homes and assisted living facilities; changing the fee schedule for the Board of Executives for Long Term Services and Supports; appropriating money; amending Minnesota Statutes 2020, sections 144.6512, by adding a subdivision; 144A.291, subdivision 2; 144G.07, by adding a subdivision; 144G.08, subdivisions 7, 9, 23, 59, by adding subdivisions; 144G.10, subdivision 1, by adding a subdivision; 144G.41, subdivisions 1, 3; 144G.42, subdivision 9, by adding a subdivision; 144G.45, subdivisions 2, 4, 5; 144G.50, subdivision 1; 144G.54, subdivision 4; 144G.81, subdivision 3; 144G.92, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 144G; repealing Minnesota Statutes 2020, section 144G.81, subdivision 2.

Senator Gazelka moved that S.F. No. 1 be laid on the table. The motion prevailed.

Senator Utke introduced--

S.F. No. 2: A bill for an act relating to workers' compensation; adopting recommendations of the 2020 Workers' Compensation Advisory Council; amending Minnesota Statutes 2020, sections 79A.02, subdivision 4; 79A.04, subdivision 2; 79A.06, subdivision 5; 79A.22, subdivision 13; 79A.24, subdivision 2; 176.011, subdivision 15; 176.102, subdivision 10; 176.111, subdivision 22; 176.135, subdivision 1; 176.181, subdivision 2; 176.185, by adding a subdivision; 176.223; 176.231,

subdivisions 5, 6, 9, 9a; 176.2611, subdivision 5; 176.2612, subdivisions 1, 3; 176.275, subdivision 2; 176.285, subdivision 1; repealing Minnesota Statutes 2020, section 176.181, subdivision 6.

Senator Gazelka moved that S.F. No. 2 be laid on the table. The motion prevailed.

Senator Ingebrigtsen introduced--

S.F. No. 3: A bill for an act relating to environment; modifying previous appropriation from environment and natural resources trust fund; amending Laws 2018, chapter 214, article 4, section 2, subdivision 9.

Senator Gazelka moved that S.F. No. 3 be laid on the table. The motion prevailed.

Senators Draheim and Kiffmeyer introduced--

S.F. No. 4: A bill for an act relating to state government; changing the effective date on notarial officer amendment; amending Laws 2020, Fifth Special Session chapter 4, section 1.

Senator Gazelka moved that S.F. No. 4 be laid on the table. The motion prevailed.

Senators Benson and Abeler introduced--

S.F. No. 5: A bill for an act relating to human services; modifying certified community behavioral health clinic reimbursement requirements for certain providers; extending the date for coverage of certain telemedicine services; making technical corrections to Department of Human Services appropriations; appropriating money; amending Laws 2019, First Special Session chapter 9, article 14, section 2, subdivisions 3, 22, 24, as amended; Laws 2020, chapter 70, article 3, section 1.

Senator Gazelka moved that S.F. No. 5 be laid on the table. The motion prevailed.

Senators Senjem and Rosen introduced--

S.F. No. 6: A bill for an act relating to capital investment; making technical amendments to descriptions of appropriations of bond proceeds; amending Laws 2020, Fifth Special Session chapter 3, article 1, sections 16, subdivisions 7, 36; 20, subdivision 5; 22, subdivisions 18, 19, 23, 33.

Senator Gazelka moved that S.F. No. 6 be laid on the table. The motion prevailed.

Senator Housley introduced--

S.F. No. 7: A bill for an act relating to human services; appropriating money for public health support funds for child care providers; appropriating money for the basic sliding fee program.

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

Senator Chamberlain introduced--

S.F. No. 8: A bill for an act relating to taxation; sales and use and liquor gross receipts; providing for delayed remittance of tax collections.

Senator Gazelka moved that S.F. No. 8 be laid on the table. The motion prevailed.

Senator Chamberlain introduced--

S.F. No. 9: A bill for an act relating to taxation; sales and use and liquor gross receipts; allowing for retention of certain collections.

Senator Gazelka moved that S.F. No. 9 be laid on the table. The motion prevailed.

Senator Chamberlain introduced--

S.F. No. 10: A bill for an act relating to taxation; income; establishing a refundable tax credit for donations of food.

Senator Gazelka moved that S.F. No. 10 be laid on the table. The motion prevailed.

Senator Chamberlain introduced--

S.F. No. 11: A bill for an act relating to taxation; income and corporate franchise; providing for delayed remittance of certain estimated payments.

Senator Gazelka moved that S.F. No. 11 be laid on the table. The motion prevailed.

Senator Westrom introduced--

S.F. No. 12: A bill for an act relating to telecommunications; transferring money for the broadband grant program.

Senator Gazelka moved that S.F. No. 12 be laid on the table. The motion prevailed.

Senator Nelson introduced--

S.F. No. 13: A bill for an act relating to education finance; extending the application deadline for free or reduced-price lunch for the fall 2020 count of eligible students; requiring federal funds replacement; appropriating money.

Senator Gazelka moved that S.F. No. 13 be laid on the table. The motion prevailed.

Senator Nelson introduced--

S.F. No. 14: A bill for an act relating to taxation; sales and use; liquor gross receipts; income and corporate franchise; delaying certain remittances; providing a grant for certain businesses and a subtraction for certain income; requiring a report.

Referred to the Committee on Rules and Administration.

Senator Benson introduced--

S.F. No. 15: A bill for an act relating to open meetings; requiring public comments at all open meetings of public bodies, including those conducted by electronic means; amending Minnesota Statutes 2020, sections 13D.015, subdivisions 2, 4; 13D.02, subdivision 1; 13D.021, subdivisions 1, 3; 35.0661, subdivision 1; 41A.0235; 41B.026; 116L.03, subdivision 8; 116M.15, subdivision 5; 116U.25; 129C.105; 134.31, subdivision 7; 176.102, subdivision 3c; 248.10; 256.482, subdivision 5b; 256.975, subdivision 2a; 256C.28, subdivision 7; 268A.02, subdivision 3; 326B.32, subdivision 7; 326B.435, subdivision 7; 326B.925, subdivision 7; 462A.041; proposing coding for new law in Minnesota Statutes, chapter 13D.

Referred to the Committee on Rules and Administration.

Senator Nelson introduced--

S.F. No. 16: A bill for an act relating to education finance; extending the free and reduced-price lunch application deadline for the 2020-2021 school year.

Referred to the Committee on Rules and Administration.

Senator Westrom introduced--

S.F. No. 17: A bill for an act relating to agriculture; exempting certain temporary custom processors from licensure and inspection requirements; amending Minnesota Statutes 2020, sections 28A.15, by adding a subdivision; 31A.15, subdivision 1.

Referred to the Committee on Rules and Administration.

Senator Housley introduced--

S.F. No. 18: A bill for an act relating to liquor; allowing off-sales of alcoholic beverages by certain on-sale licensees during the COVID-19 peacetime emergency; amending Laws 2020, chapter 75, section 1.

Referred to the Committee on Rules and Administration.

Senator Westrom introduced--

S.F. No. 19: A bill for an act relating to agriculture; exempting certain temporary custom processors from licensure and inspection requirements; amending Minnesota Statutes 2020, sections 28A.15, by adding a subdivision; 31A.15, subdivision 1.

Referred to the Committee on Rules and Administration.

Senator Benson introduced--

S.F. No. 20: A bill for an act relating to health occupations; creating a psychology interjurisdictional compact; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Rules and Administration.

Senator Jasinski introduced--

S.F. No. 21: A bill for an act relating to liquor; authorizing off-sale of malt liquor by certain size brewers during the COVID-19 peacetime emergency.

Referred to the Committee on Rules and Administration.

Senator Johnson introduced--

S.F. No. 22: A bill for an act relating to taxes; property and local; providing an aid penalty forgiveness to certain cities.

Referred to the Committee on Rules and Administration.

Senator Dibble introduced--

S.F. No. 23: A bill for an act relating to health; modifying electronic monitoring requirements; modifying Board of Executives for Long-Term Service and Supports fees; establishing private enforcement of certain rights; establishing a private cause of action for retaliation in certain long-term care settings; modifying infection control requirements in certain long-term care settings; modifying hospice and assisted living bills of rights; establishing consumer protections for clients receiving assisted living services; prohibiting termination of assisted living services during a peacetime emergency; establishing procedures for transfer of clients receiving certain long-term care services during a peacetime emergency; requiring the commissioner of health to establish a state plan to control SARS-CoV-2 infections in certain long-term care settings; establishing the Long-Term Care COVID-19 Task Force; changing provisions for nursing homes, home care, and assisted living; requiring a report; appropriating money; amending Minnesota Statutes 2020, sections 144.56, by adding subdivisions; 144.6502, subdivision 3, by adding a subdivision; 144.6512, by adding subdivisions; 144.652, by adding a subdivision; 144A.04, by adding subdivisions; 144A.291, subdivision 2; 144A.4798, subdivision 3, by adding subdivisions; 144A.751, subdivision 1; 144G.03, by adding subdivisions; 144G.07, by adding subdivisions; 144G.08, subdivisions 7, 9, 23, by adding a subdivision; 144G.09, subdivision 3; 144G.10, subdivision 1, by adding a subdivision; 144G.42, subdivision 9, by adding subdivisions; 144G.45, subdivisions 2, 5; 144G.91, by adding a subdivision; 144G.92, subdivision 5, by adding a subdivision; Laws 2019, chapter 60, article 1, section 46; article 5, section 2; proposing coding for new law in Minnesota Statutes, chapters 144A; 144G.

Referred to the Committee on Rules and Administration.

Senators Pappas, Cohen, Kent, Franzen, and Bigham introduced--

S.F. No. 24: A bill for an act proposing an amendment to the Minnesota Constitution, article I, by adding a section; providing for gender equality under the law.

Referred to the Committee on Rules and Administration.

Senator Simonson introduced--

S.F. No. 25: A bill for an act relating to economic development; transferring money from the budget reserve account to the general fund; appropriating money for grants to the Duluth Entertainment Convention Center Authority.

Referred to the Committee on Rules and Administration.

Senators Tomassoni and Bakk introduced--

S.F. No. 26: A bill for an act relating to economic development; appropriating money to the commissioner of employment and economic development for a grant to the Arrowhead Economic Opportunity Agency.

Referred to the Committee on Rules and Administration.

Senators Benson, Housley, Utke, Ingebrigtsen, and Abeler introduced--

S.F. No. 27: A bill for an act relating to state government; adopting recommendations of the 2020 Workers' Compensation Advisory Council; modifying certified community behavioral health clinic reimbursement requirements for certain providers; making changes to assisted living requirements; extending effective dates; making technical changes; modifying appropriations; appropriating money; amending Minnesota Statutes 2020, sections 79A.02, subdivision 4; 79A.04, subdivision 2; 79A.06, subdivision 5; 79A.22, subdivision 13; 79A.24, subdivision 2; 144.6512, by adding a subdivision; 144A.291, subdivision 2; 144G.07, by adding a subdivision; 144G.08, subdivisions 7, 9, 23, 59, by adding subdivisions; 144G.10, subdivision 1, by adding a subdivision; 144G.41, subdivisions 1, 3; 144G.42, subdivision 9, by adding a subdivision; 144G.45, subdivisions 2, 4, 5; 144G.50, subdivision 1; 144G.54, subdivision 4; 144G.81, subdivision 3; 144G.92, subdivision 5; 176.011, subdivision 15; 176.102, subdivision 10; 176.111, subdivision 22; 176.135, subdivision 1; 176.181, subdivision 2; 176.185, by adding a subdivision; 176.223; 176.231, subdivisions 5, 6, 9, 9a; 176.2611, subdivision 5; 176.2612, subdivisions 1, 3; 176.275, subdivision 2; 176.285, subdivision 1; Laws 2018, chapter 214, article 4, section 2, subdivision 9; Laws 2019, First Special Session chapter 9, article 14, section 2, subdivisions 3, 22, 24, as amended; Laws 2020, chapter 70, article 3, section 1; Laws 2020, Fifth Special Session chapter 4, section 1; proposing coding for new law in Minnesota Statutes, chapter 144G; repealing Minnesota Statutes 2020, sections 144G.81, subdivision 2; 176.181, subdivision 6.

Senator Gazelka moved that S.F. No. 27 be laid on the table. The motion prevailed.

Senator Nelson introduced--

S.F. No. 28: A bill for an act relating to education finance; extending the application deadline for free or reduced-price lunch for the fall 2020 count of eligible students; requiring federal funds replacement; appropriating money.

Senator Gazelka moved that S.F. No. 28 be laid on the table. The motion prevailed.

Senators Abeler and Hoffman introduced--

S.F. No. 29: A bill for an act relating to human services; directing the commissioner of human services to allocate money returned from the federal court; appropriating money.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED**Senator Pratt introduced --**

Senate Resolution No. 3: A Senate resolution congratulating Jacob Vermillion of Shakopee, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senator Pratt introduced --

Senate Resolution No. 4: A Senate resolution congratulating Blake Hokanson of Shakopee, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

Senator Gazelka introduced --

Senate Concurrent Resolution No. 1: 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).

WHEREAS, Governor Walz signed Executive Order 20-01, a declaration of a peacetime emergency on March 13, 2020; and

WHEREAS, the Executive Council of the State extended that peacetime emergency for up to 30 days, on March 16, 2020; and

WHEREAS, on May 13, 2020, by Executive Order 20-55, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Order 20-35, until June 12, 2020; and

WHEREAS, on June 12, 2020, by Executive Order 20-75, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35 and 20-55 until July 13, 2020; and

WHEREAS, on July 13, 2020, by Executive Order 20-78, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, and 20-75 until August 12, 2020; and

WHEREAS, on August 12, 2020, by Executive Order 20-83, Governor Walz extended the peacetime public emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, and 20-78 until September 11, 2020; and

WHEREAS, on September 11, 2020, by Executive Order 20-89, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended under Executive Orders 20-35, 20-55, 20-75, 20-78, and 20-83 until October 12, 2020; and

WHEREAS, on October 12, 2020, by Executive Order 20-92, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, and 20-89 until November 12, 2020; and

WHEREAS, on November 12, 2020, by Executive Order 20-97, Governor Walz extended the peacetime emergency declared under Executive Order 20-01 and extended in Executive Orders 20-35, 20-55, 20-75, 20-78, 20-83, 20-89, and 20-92 until December 12, 2020;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring: that the legislature exercises its authority under Minnesota Statutes, section 12.31, subdivision 2, paragraph (b), terminating the peacetime emergency declared under Executive Order 20-01, and extended under subsequent executive orders, on the day following the adoption of this resolution by the House of Representatives of the State of Minnesota.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and those of the Speaker of the House of Representatives, the Chair of the Senate Rules and Administration Committee, and the Chief Clerk of the House of Representatives, and transmit it to the Governor of the State of Minnesota.

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 40 and nays 25, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Goggin; Howe; Ingebrigtsen; Jensen; Kiffmeyer; Lang; Miller; Newman; Ruud; Weber; and Westrom.

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

Those who voted in the negative were:

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

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

The motion prevailed. So the resolution was adopted.

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is now duly organized for the 2020 Seventh Special Session pursuant to law.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted December 14, 2020

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 19.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted December 14, 2020

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 19: A bill for an act relating to state government; adopting recommendations of the 2020 Workers' Compensation Advisory Council; modifying certified community behavioral health clinic reimbursement requirements for certain providers; making changes to assisted living requirements; extending effective dates; making technical changes; modifying appropriations; appropriating money; amending Minnesota Statutes 2020, sections 79A.02, subdivision 4; 79A.04, subdivision 2; 79A.06, subdivision 5; 79A.22, subdivision 13; 79A.24, subdivision 2; 144.6512, by adding a subdivision; 144A.291, subdivision 2; 144G.07, by adding a subdivision; 144G.08, subdivisions 7, 9, 23, 59, by adding subdivisions; 144G.10, subdivision 1, by adding a subdivision; 144G.41, subdivisions 1, 3; 144G.42, subdivision 9, by adding a subdivision; 144G.45, subdivisions 2, 4, 5; 144G.50, subdivision 1; 144G.54, subdivision 4; 144G.81, subdivision 3; 144G.92, subdivision 5; 176.011, subdivision 15; 176.102, subdivision 10; 176.111, subdivision 22; 176.135, subdivision 1; 176.181, subdivision 2; 176.185, by adding a subdivision; 176.223; 176.231, subdivisions 5, 6, 9, 9a; 176.2611, subdivision 5; 176.2612, subdivisions 1, 3; 176.275, subdivision 2; 176.285, subdivision 1; Laws 2018, chapter 214, article 4, section 2, subdivision 9; Laws 2019, First Special Session chapter 9, article 14, section 2, subdivisions 3, 22, 24, as amended; Laws 2020, chapter 70, article 3, section 1; Laws 2020, Fifth Special Session chapter 4, section 1; proposing coding for new law in Minnesota Statutes, chapter 144G; repealing Minnesota Statutes 2020, sections 144G.81, subdivision 2; 176.181, subdivision 6.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

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

H.F. No. 19 was read the second time.

H.F. No. 19 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 0, 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	Koran	Pappas	Westrom
Cohen	Hawj	Laine	Pratt	Wiger
Cwodzinski	Hayden	Lang	Rarick	Wiklund
Dahms	Hoffman	Latz	Rest	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Goggin; Howe; Ingebrigtsen; Jensen; Kiffmeyer; Lang; Miller; Newman; Ruud; Weber; and Westrom.

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Pappas, Rest, and Latz introduced--

S.F. No. 30: A bill for an act relating to capital investment; modifying the appropriation for the Golden Valley Highway 55 project; amending Laws 2020, Fifth Special Session chapter 3, article 1, section 16, subdivision 7.

Referred to the Committee on Rules and Administration.

Senators Pratt, Dahms, Nelson, and Anderson, P. introduced--

S.F. No. 31: A bill for an act relating to state government; providing economic relief for businesses adversely affected by the COVID-19 pandemic; authorizing business relief payments; providing waivers from regulatory fees; providing additional unemployment insurance benefits; providing grants for movie theaters and convention centers; providing county relief grants; extending the application deadline for free or reduced-price lunch for the fall 2020 count of eligible students; providing for federal funds replacement; transferring money; appropriating money; requiring reports.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Gazelka moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 31 and that the rules of the Senate be so far suspended as to give S.F. No. 31 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 31 was read the second time.

Senator Pappas moved to amend S.F. No. 31 as follows:

Page 5, after line 28, insert:

"Sec. 5. TEMPORARY SUSPENSION OF CERTAIN OFF-SALE RULES.

Subdivision 1. **Growlers; containers.** Notwithstanding any other law to the contrary, malt liquor may be packaged for off-sale under Minnesota Statutes, section 340A.285, in any container that does not exceed 64 ounces.

Subd. 2. **Microdistilleries; off-sale.** Notwithstanding any other law to the contrary, an off-sale license issued under Minnesota Statutes, section 340A.22, subdivision 4, allows the sale of up to 1.5 liters in bottles of any size per customer per day of product manufactured on-site.

Subd. 3. **Limited off-sale for restaurants closed by executive order.** Notwithstanding any law to the contrary, no more than 144 ounces in total of malt liquor, hard seltzer, and cider; and 1.5 liters of wine may be sold per prepared food takeout order under Minnesota Laws 2020, chapter 75, section 1, paragraph (a), clause (3).

Subd. 4. **Restaurants and cocktail rooms; limited off-sale of cocktails.** (a) Notwithstanding any law to the contrary, a qualifying licensee may additionally sell up to 750 milliliters of authorized distilled spirits under Minnesota Laws 2020, chapter 75. All provisions of Minnesota Laws 2020, chapter 75, not inconsistent with this subdivision apply to the sale of authorized distilled spirits.

(b) For purposes of this subdivision, the following definitions apply:

(1) "authorized distilled spirits" means alcoholic beverages such as cocktails and mixed drinks containing distilled spirits, as defined under Minnesota Statutes, section 340A.101, subdivision 9, that are prepackaged in a sealed receptacle by the qualifying licensee;

(2) "qualifying licensee" means a a qualifying licensee as defined under Minnesota Laws 2020, chapter 75, section 1, paragraph (d), but also includes a restaurant holding a cocktail room license under Minnesota Statutes, section 340A.22;

(3) "sealed receptacle" means a rigid container meeting the labelling requirements under paragraph (c), that is new, has never been used, has a secured lid or cap designed to prevent consumption without removal of the lid or cap, is tamper-evident, and was filled less than seven days before the date of sale, but does not mean a receptacle with a lid with sipping holes or openings for straws or a receptacle made of plastic, paper, or polystyrene foam; and

(4) "tamper-evident" means a lid or cap that has been sealed with tamper-evident covers, including, but not limited to, wax dip or heat shrink wrap.

(c) A sealed receptacle must be affixed with a label or tag that contains the following information:

(1) the cocktail or mixed drink ingredients, type, and name of the alcohol;

(2) the name, license number, and address of the retail licensee that filled the original container and sold the product;

(3) the volume of the alcoholic beverage in the sealed container; and

(4) the date the receptacle was filled.

(d) For purposes of Laws 2020, chapter 75, paragraph (a), clause (2), "original, unopened packaging" includes a sealed receptacle.

Subd. 5. **Expiration of authority to make sales.** The authority to make sales under subdivisions 1 through 4 expires 45 days from the date when the closure of places of public accommodation to ingress, egress, use, and occupancy by members of the public under Executive Order 20-99 or any subsequent order expires, is terminated or rescinded, or is modified to allow further access to places of public accommodation by members of the public than the exceptions under Executive Order 20-99 allow.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 35, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Isaacson	Latz	Torres Ray
Carlson	Dziedzic	Jasinski	Little	Wiger
Champion	Eaton	Jensen	Marty	Wiklund
Clausen	Frentz	Kiffmeyer	Nelson	
Cohen	Hawj	Klein	Pappas	
Cwodzinski	Hayden	Koran	Rest	
Dibble	Housley	Laine	Sparks	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Jensen and Kiffmeyer.

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

Those who voted in the negative were:

Anderson, B.	Eichorn	Howe	Miller	Ruud
Anderson, P.	Eken	Ingebrigtsen	Newman	Senjem
Bakk	Franzen	Johnson	Newton	Simonson
Benson	Gazelka	Kent	Osmek	Tomassoni
Bigham	Goggin	Lang	Pratt	Utke
Chamberlain	Hall	Limmer	Rarick	Weber
Dahms	Hoffman	Mathews	Rosen	Westrom

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, B.; Chamberlain; Goggin; Howe; Ingebrigtsen; Lang; Miller; Newman; Ruud; Weber; and Westrom.

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Franzen, Newton, and Simonson.

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

Senator Pratt moved that S.F. No. 31 be laid on the table. The motion prevailed.

RECESS

Senator Pratt moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Pratt moved that S.F. No. 31 be taken from the table. The motion prevailed.

Senator Pratt moved to amend S.F. No. 31 as follows:

Page 7, after line 20, insert:

"Sec. 2. APPROPRIATION.

\$25,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of employment and economic development for deposit in the Minnesota unemployment insurance trust fund. This appropriation is available only if federal funds are not received by June 30, 2021, by Minnesota for the purpose of covering any special additional unemployment benefits paid on behalf of reimbursing employers under section 1. This is a onetime appropriation.

EFFECTIVE DATE. This section is effective June 30, 2021."

The motion prevailed. So the amendment was adopted.

S.F. No. 31 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 62 and nays 4, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler, Chamberlain, Dahms, Gazelka, Goggin, Housley, Ingebrigtsen, Kiffmeyer, Lang, Miller, Newman, Rosen, Ruud, Weber, and Westrom.

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

Those who voted in the negative were:

Anderson, B. Howe Jensen Mathews

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Anderson, B.; Howe; and Jensen.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Senjem moved that S.F. No. 6 be taken from the table. The motion prevailed.

S.F. No. 6: A bill for an act relating to capital investment; making technical amendments to descriptions of appropriations of bond proceeds; amending Laws 2020, Fifth Special Session chapter 3, article 1, sections 16, subdivisions 7, 36; 20, subdivision 5; 22, subdivisions 18, 19, 23, 33.

SUSPENSION OF RULES

Senator Senjem moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 6 and that the rules of the Senate be so far suspended as to give S.F. No. 6 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 6 was read the second time.

Senator Senjem moved to amend S.F. No. 6 as follows:

Page 2, lines 5 to 7, delete the new language

Page 3, line 18, strike "for" and insert "to construct"

Page 3, line 19 strike "water" and insert "wastewater"

Page 3, lines 20 to 22, strike the old language

Page 3, line 29, strike "for" and insert "to construct improvements to"

Page 3, line 30, strike everything after the period

Page 3, lines 31 to 33, strike the old language

Page 4, after line 1, insert:

"Sec. 6. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 21, is amended to read:

Subd. 21. **Mendota; Water Infrastructure** 650,000

For a grant to the city of Mendota to predesign, design, engineer, and construct ~~the extension of improvements to the water main throughout the city of Mendota to allow residents to connect with the Saint Paul Regional Water Services distribution system.~~

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

Page 4, after line 26, insert:

"Sec. 8. Laws 2020, Fifth Special Session chapter 3, article 1, section 22, subdivision 28, is amended to read:

Subd. 28. **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, including a well house, water main, and other related drinking water improvements, in Wright County.

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

Page 5, delete section 8 and insert:

"Sec. 10. **HOUSING POOL BONDING AUTHORITY APPLICATION DEPOSIT REFUND.**

Notwithstanding Minnesota Statutes, section 474A.061, subdivisions 1a, paragraph (a), and 7, and Minnesota Statutes, section 474A.21, due to the unique circumstances of the COVID-19 pandemic, issuers that returned all of their allocation of bonding authority from the 2020 housing pool shall receive a refund of the amount of the application deposit submitted with the issuer's 2020 housing pool application, less any amount previously refunded. Any application deposit funds that have not yet been transferred under Minnesota Statutes, section 474A.21, as of the date of enactment that are connected to full returns of bonding authority from the 2020 housing pool need not be deposited in the fund under Minnesota Statutes, section 462A.201, and the department may retain those funds in the separate account in the general fund under Minnesota Statutes, section 474A.21. The amount necessary to refund the application deposits is appropriated to the department from the separate account in the general fund under Minnesota Statutes, section 474A.21.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 6 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 64 and nays 0, 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	Eaton	Isaacson	Mathews	Simonson
Benson	Eichorn	Jasinski	Miller	Sparks
Bigham	Eken	Jensen	Nelson	Tomassoni
Carlson	Franzen	Johnson	Newman	Torres Ray
Chamberlain	Frentz	Kent	Newton	Utke
Champion	Goggin	Kiffmeyer	Osmeck	Weber
Clausen	Hall	Koran	Pappas	Westrom
Cohen	Hawj	Laine	Pratt	Wiger
Cwodzinski	Hayden	Lang	Rarick	Wiklund
Dahms	Hoffman	Latz	Rest	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Abeler; Anderson, B.; Chamberlain; Dahms; Goggin; Housley; Howe; Ingebrigtsen; Jensen; Johnson; Kiffmeyer; Lang; Miller; Newman; Rosen; Ruud; Weber; and Westrom.

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Senjem moved that the name of Senator Pappas be added as a co-author to S.F. No. 6. The motion prevailed.

Senator Westrom moved that the names of Senators Tomassoni and Rarick be added as co-authors to S.F. No. 19. The motion prevailed.

Senator Jasinski moved that the name of Senator Pappas be added as a co-author to S.F. No. 21. The motion prevailed.

Senators Kent and Latz introduced --

Senate Resolution No. 5: A Senate resolution commending Dr. Pam Paulson on her retirement after 33 years of service at the Perpich Center for Arts Education.

Referred to the Committee on Rules and Administration.

Senators Gazelka and Benson introduced --

Senate Resolution No. 6: A Senate resolution honoring the life of Ronald John Lindner of Brainerd, Minnesota.

Referred to the Committee on Rules and Administration.

Senators Gazelka and Kent introduced --

Senate Resolution No. 7: A Senate resolution relating to adjournment of the Special Session.

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

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the Special Session.

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

MEMBERS EXCUSED

Senator Relph was excused from the Session of today. Senator Klein was excused from the Session of today from 3:00 to 5:00 p.m. and at 7:00 p.m. Senator Eaton was excused from the Session of today from 4:30 to 4:45 p.m. Senator Gazelka was excused from the Session of today at 7:00 p.m.

ADJOURNMENT

Senator Benson moved that the Senate do now adjourn the Special Session sine die. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate