

STATE OF MINNESOTA

Journal of the House

NINETY-FIRST SESSION — 2020

SEVENTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 26, 2020

Pursuant to the Speaker of the House of Representatives and the Majority Leader of the Senate, acting jointly in accordance with House Concurrent Resolution No. 3, the House of Representatives convened at 12:00 noon and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Representative Todd Lippert, District 20B, Northfield, Minnesota.

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

The roll was called and the following members were present:

Albright	Davids	Haley	Liebling	Noor	Scott
Anderson	Davnie	Hansen	Lillie	Nornes	Stephenson
Backer	Dehn	Hassan	Lippert	Novotny	Sundin
Bahner	Demuth	Hausman	Long	O'Driscoll	Swedzinski
Bahr	Dettmer	Heinrich	Lucero	Olson	Tabke
Baker	Drazkowski	Heintzeman	Lueck	Pelowski	Torkelson
Bennett	Ecklund	Hertaus	Marquart	Petersburg	Wazlawik
Bernardy	Edelson	Howard	Masin	Pierson	West
Bierman	Elkins	Johnson	McDonald	Pinto	Winkler
Boe	Erickson	Jordan	Mekeland	Poppe	Wolgamott
Brand	Fabian	Jurgens	Miller	Pryor	Xiong, J.
Cantrell	Fischer	Klevorn	Moller	Quam	Xiong, T.
Carlson, A.	Franson	Koegel	Moran	Richardson	Youakim
Carlson, L.	Freiberg	Kresha	Munson	Robbins	Spk. Hortman
Christensen	Garofalo	Kunesh-Podein	Nash	Sandell	
Claflin	Gomez	Layman	Nelson, M.	Sandstede	
Daniels	Green	Lee	Nelson, N.	Schomacker	
Daudt	Gruenhagen	Lesch	Neu	Schultz	

A quorum was present.

Acomb, Becker-Finn, Considine, Grossell, Gunther, Halverson, Hamilton, Her, Hornstein, Huot, Kiel, Kotzya-Witthuhn, Koznick, Lien, Lislegard, Mahoney, Mann, Mariani, Morrison, Murphy, O'Neill, Persell, Poston, Runbeck, Sauke, Theis, Urdahl, Vang, Vogel and Wagenius were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

This document can be made available in alternative formats upon request. Call (651) 296-2314 [voice] or the Minnesota State Relay Service at 1-800-627-3529 [TTY] for assistance; or visit the website at <http://www.house.mn>.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 17, 2020

The Honorable Melissa Hortman
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Hortman:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House File:

H. F. No. 2959, relating to capital investment; appropriating money for the Rural Finance Authority; authorizing the sale and issuance of state bonds.

Sincerely,

TIM WALZ
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Jeremy R. Miller
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2020 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2020</i>	<i>Date Filed 2020</i>
	2959	67	2:40 p.m. March 17	March 17
3564		68	2:41 p.m. March 17	March 17
3878		69	2:41 p.m. March 17	March 17
4334		70	2:42 p.m. March 17	March 17

Sincerely,

STEVE SIMON
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 17, 2020

The Honorable Melissa Hortman
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Hortman:

Given recent developments in the State, I am rescinding my request to address a joint meeting of the 91st State Legislature on Monday, March 23, 2020 at 7:00 p.m. in the House Chamber at the Capitol. I will instead televise my address to the Legislature and the State of Minnesota on a future date.

Thank you.

Sincerely,

TIM WALZ
Governor

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Nelson, M., from the State Government Finance Division to which was referred:

H. F. No. 4, A bill for an act relating to health; prohibiting a manufacturer or wholesale drug distributor from charging unconscionable prices for prescription drugs; requiring the Board of Pharmacy, the commissioner of human services, and health plan companies to notify the attorney general of certain prescription drug price increases; authorizing the attorney general to take action against drug manufacturers and wholesalers related to certain price increases; imposing civil penalties; appropriating money; amending Minnesota Statutes 2018, sections 8.31, subdivision 1; 151.071, subdivision 1; Minnesota Statutes 2019 Supplement, section 151.071, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 151.

Reported the same back with the following amendments:

Page 10, line 2, before "\$46,000" insert "(a)"

Page 10, after line 5, insert:

"(b) \$427,000 in fiscal year 2021 is appropriated from the general fund to the attorney general to enforce Minnesota Statutes, section 151.462. The base for this appropriation is \$527,000 in fiscal year 2022 and \$527,000 in fiscal year 2023."

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means without further recommendation.

The report was adopted.

Nelson, M., from the State Government Finance Division to which was referred:

H. F. No. 1257, A bill for an act relating to health care coverage; requiring prescription drug benefit transparency and disclosure; amending Minnesota Statutes 2018, section 256B.69, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means without further recommendation.

The report was adopted.

Liebling from the Health and Human Services Finance Division to which was referred:

H. F. No. 3449, A bill for an act relating to capital investment; appropriating money for the Native American Community Clinic in Minneapolis.

Reported the same back with the recommendation that the bill be re-referred to the Capital Investment Division.

The report was adopted.

Hansen from the Environment and Natural Resources Finance Division to which was referred:

H. F. No. 3982, A bill for an act relating to climate change; establishing grant program to provide financial assistance to cities to address climate change; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Energy and Climate Finance and Policy Division.

The report was adopted.

Hansen from the Environment and Natural Resources Finance Division to which was referred:

H. F. No. 4311, A bill for an act relating to clean water; appropriating money from clean water fund.

Reported the same back with the recommendation that the bill be re-referred to the Legacy Finance Division.

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Howard and Olson introduced:

H. F. No. 4517, A bill for an act relating to housing; limiting late fees on rent during a public health emergency; limiting the filing of evictions during a public health emergency; creating the 2020 emergency housing assistance program; appropriating money for certain housing programs; amending Minnesota Statutes 2018, sections 504B.177; 504B.291, by adding a subdivision.

The bill was read for the first time and referred to the Housing Finance and Policy Division.

Nelson, M., introduced:

H. F. No. 4518, A bill for an act relating to capital investment; appropriating money for an interchange project on marked Trunk Highway 252 in Brooklyn Park; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

West, Swedzinski, Jurgens, Runbeck and Daniels introduced:

H. F. No. 4519, A bill for an act relating to public safety; prohibiting local units of government from interfering with a chief law enforcement officer's decision to apply for federal law enforcement grants; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division.

Schultz introduced:

H. F. No. 4520, A bill for an act relating to human services; modifying long-term care consultation services; modifying long-term care options counseling; modifying reimbursement for long-term care consultation services; amending Minnesota Statutes 2018, sections 144.586, by adding a subdivision; 144D.04, subdivision 2; 144G.03, subdivision 4; 256.01, subdivision 24; 256.975, subdivisions 7, 7c, 7d, by adding subdivisions; 256B.055, subdivision 12; 256B.0575, subdivision 2; 256B.0911, subdivisions 1, 2b, 2c, 3, 3b, 4d, 6, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 144G.50, subdivision 2; 144G.70, subdivision 2; 256B.0911, subdivisions 1a, 3a, 3f, 5; repealing Minnesota Statutes 2018, section 256B.0911, subdivisions 3c, 3d, 3e.

The bill was read for the first time and referred to the Long-Term Care Division.

Scott introduced:

H. F. No. 4521, A bill for an act relating to education; removing exemptions from obscenity laws for public schools; creating a civil cause of action; amending Minnesota Statutes 2018, sections 617.291, subdivision 2; 617.295; 617.296, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Policy.

Lucero introduced:

H. F. No. 4522, A bill for an act relating to data privacy; establishing neurodata rights; modifying certain crimes to add neurodata elements; providing civil and criminal penalties; amending Minnesota Statutes 2018, sections 13.04, by adding a subdivision; 609.88, subdivision 2; 609.891, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Vogel introduced:

H. F. No. 4523, A bill for an act relating to motor vehicles; providing for a mental health identifier to be placed on a driver's license or state identification card; amending Minnesota Statutes 2018, section 171.07, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 171.07, subdivision 6a.

The bill was read for the first time and referred to the Transportation Finance and Policy Division.

Koegel, Bernardy and Heinrich introduced:

H. F. No. 4524, A bill for an act relating to transportation; appropriating money for certain safety improvements.

The bill was read for the first time and referred to the Transportation Finance and Policy Division.

Torkelson introduced:

H. F. No. 4525, A bill for an act relating to taxation; individual income tax; section 179 expensing; federal tax conformity; interest and penalties; amending Minnesota Statutes 2018, sections 290.0131, subdivision 10; 290.0133, subdivision 12.

The bill was read for the first time and referred to the Committee on Taxes.

Kresha introduced:

H. F. No. 4526, A bill for an act relating to transportation; capital investment; appropriating money for highway-rail grade separation project in Little Falls; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Transportation Finance and Policy Division.

Bahner, Elkins, Noor and Freiberg introduced:

H. F. No. 4527, A bill for an act relating to state government; changing the name of the Office of MN.IT Services; changing provisions in chapter 16E; amending Minnesota Statutes 2018, sections 16E.01; 16E.016; 16E.02; 16E.03, subdivisions 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465, subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision 2; 97A.057, subdivision 1; Minnesota Statutes 2019 Supplement, section 16E.03, subdivision 1; repealing Minnesota Statutes 2018, sections 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; 16E.145.

The bill was read for the first time and referred to the Committee on Government Operations.

Davnie introduced:

H. F. No. 4528, A bill for an act relating to education finance; authorizing a grant for Wilderness Inquiry for credit recovery programs; appropriating money; requiring a report.

The bill was read for the first time and referred to the Education Finance Division.

Munson, Drazkowski and Bahr introduced:

H. F. No. 4529, A bill for an act relating to state government; prohibiting a legislator from being employed by or receiving compensation from certain types of businesses; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Government Operations.

Bahr introduced:

H. F. No. 4530, A bill for an act relating to military affairs; limiting when the governor may release the National Guard to federal active duty; proposing coding for new law in Minnesota Statutes, chapter 190.

The bill was read for the first time and referred to the Veterans and Military Affairs Finance and Policy Division.

MOTIONS AND RESOLUTIONS

Mann moved that the name of Pinto be added as an author on H. F. No. 718. The motion prevailed.

Vang moved that the name of Bahner be added as an author on H. F. No. 749. The motion prevailed.

Howard moved that the name of Bierman be added as an author on H. F. No. 1402. The motion prevailed.

Stephenson moved that the names of Jordan and Christensen be added as authors on H. F. No. 1405. The motion prevailed.

Pryor moved that the name of Brand be added as an author on H. F. No. 1668. The motion prevailed.

Cantrell moved that the name of Jordan be added as an author on H. F. No. 1805. The motion prevailed.

Wolgamott moved that the name of Bierman be added as an author on H. F. No. 2377. The motion prevailed.

Schultz moved that the name of Kotyza-Witthuhn be added as an author on H. F. No. 2475. The motion prevailed.

Her moved that the name of Klevorn be added as an author on H. F. No. 2526. The motion prevailed.

Clafin moved that the names of Masin and Edelson be added as authors on H. F. No. 3180. The motion prevailed.

Mann moved that the name of Bahner be added as an author on H. F. No. 3208. The motion prevailed.

Schultz moved that the name of Acomb be added as an author on H. F. No. 3402. The motion prevailed.

Nelson, M., moved that the name of Jordan be added as an author on H. F. No. 3499. The motion prevailed.

Becker-Finn moved that the name of Her be added as an author on H. F. No. 3670. The motion prevailed.

Halverson moved that the name of Bahner be added as an author on H. F. No. 3757. The motion prevailed.

Koegel moved that the name of Moller be added as an author on H. F. No. 3828. The motion prevailed.

Liebling moved that the name of Lillie be added as an author on H. F. No. 3980. The motion prevailed.

Persell moved that the name of Neu be added as an author on H. F. No. 4219. The motion prevailed.

Bierman moved that the name of Long be added as an author on H. F. No. 4306. The motion prevailed.

Noor moved that the name of Jordan be added as an author on H. F. No. 4414. The motion prevailed.

Davnie moved that the names of Cantrell, Jordan, Lippert and Kotyza-Witthuhn be added as authors on H. F. No. 4415. The motion prevailed.

Schultz moved that the name of Jordan be added as an author on H. F. No. 4416. The motion prevailed.

Lesch moved that the names of Cantrell, Lillie and Jordan be added as authors on H. F. No. 4454. The motion prevailed.

Davnie moved that the name of Youakim be added as an author on H. F. No. 4511. The motion prevailed.

Hansen moved that the name of Lee be added as an author on H. F. No. 4514. The motion prevailed.

Wolgamott moved that the names of Youakim, Cantrell and Jordan be added as authors on H. F. No. 4515. The motion prevailed.

Winkler introduced:

House Concurrent Resolution No. 4, A House concurrent resolution relating to adjournment of the House of Representatives and Senate until the public interest warrants it.

SUSPENSION OF RULES

Winkler moved that the rules be so far suspended so that House Concurrent Resolution No. 4 be now considered and be placed upon its adoption. The motion prevailed.

HOUSE CONCURRENT RESOLUTION No. 4

A House concurrent resolution relating to adjournment of the House of Representatives and Senate until the public interest warrants it.

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring:

1. Upon adjournment on March 26, 2020, the House of Representatives and the Senate may set the next day of meeting for April 14, 2020, or may stand adjourned until the second day after members of the House of Representatives and the Senate are notified to assemble pursuant to section 2, whichever is earlier. The speaker of the House of Representatives and the majority leader of the Senate, respectively, may set the precise time of day members shall reassemble under this section or section 2.

2. The speaker of the House of Representatives and the majority leader of the Senate, acting jointly after providing advance notice to the minority leader of the House of Representatives and the minority leader of the Senate, shall notify the members of the House of Representatives and Senate, respectively, to reassemble whenever the public interest, in the opinion of the speaker of the House of Representatives and the majority leader in the Senate, warrants it.

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

Winkler moved that House Concurrent Resolution No. 4 be now adopted. The motion prevailed and House Concurrent Resolution No. 4 was adopted.

Winkler moved to amend the Temporary Rules of the House for the 91st Session as follows:

Add a new rule to read:

"ARTICLE 10 - EMERGENCY HOUSE OPERATIONS

10.01 EMERGENCY HOUSE OPERATIONS. (a) During the peacetime emergency declared by the Governor on March 13, 2020, in Executive Order 20-01, or during any other peacetime emergency related to infectious disease Covid-19 declared by the Governor pursuant to Minn. Stat. Section 12.31 prior to January 31, 2021, the Minnesota House of Representatives may allow floor and committee procedures related to member debate and voting to occur by means of distance voting, remote electronic voting, or voting by other means designed to allow legislative operations while preserving the safety of the public, staff, and members.

(b) Use of distance voting, remote electronic voting, or voting by other means under paragraph (a) may only occur at the direction of the Speaker of the House after consultation with the minority leader and majority leader, must be used only to protect the health and safety of the public, staff and members, and must cease once doing so is no longer necessary to protect the health and safety of the public, staff, and members.

(c) Committee meetings held by alternate means must provide the public with an opportunity to provide testimony."

The motion prevailed and the Winkler amendment to the Temporary Rules of the House for the 91st Session was adopted.

There being no objection, the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Winkler, Hortman and Daudt introduced:

H. F. No. 4531, A bill for an act relating to state government; providing COVID-19 response efforts; establishing a COVID-19 Minnesota fund; modifying certain authorities; providing exemptions and extensions; modifying certain fees; eliminating refill timelines for opiate or narcotic pain relievers; extending due date for filing property tax appeals; modifying loan programs; providing for unemployment insurance for certain employees

affected by COVID-19; requiring reports; appropriating money for COVID-19 response efforts; amending Minnesota Statutes 2018, sections 116J.881; 116M.18, by adding a subdivision; 171.0605, subdivision 5; 241.75, subdivision 2; 609.105, subdivision 2; Minnesota Statutes 2019 Supplement, sections 41B.047, subdivisions 1, 3; 151.065, subdivisions 1, 3, 7; 152.11, subdivision 1.

The bill was read for the first time.

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Winkler moved that the rule therein be suspended and an urgency be declared and that the rules of the House be so far suspended so that H. F. No. 4531 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 4531 was read for the second time.

H. F. No. 4531, A bill for an act relating to state government; providing COVID-19 response efforts; establishing a COVID-19 Minnesota fund; modifying certain authorities; providing exemptions and extensions; modifying certain fees; eliminating refill timelines for opiate or narcotic pain relievers; extending due date for filing property tax appeals; modifying loan programs; providing for unemployment insurance for certain employees affected by COVID-19; requiring reports; appropriating money for COVID-19 response efforts; amending Minnesota Statutes 2018, sections 116J.881; 116M.18, by adding a subdivision; 171.0605, subdivision 5; 241.75, subdivision 2; 609.105, subdivision 2; Minnesota Statutes 2019 Supplement, sections 41B.047, subdivisions 1, 3; 151.065, subdivisions 1, 3, 7; 152.11, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 99 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Albright	Clafin	Freiberg	Jordan	Lueck	O'Driscoll
Anderson	Daniels	Garofalo	Jurgens	Marquart	Olson
Backer	Daudt	Gomez	Klevorn	Masin	Pelowski
Bahner	Davids	Green	Koegel	McDonald	Petersburg
Baker	Davnie	Gruenhagen	Kresha	Mekeland	Pierson
Bennett	Dehn	Haley	Kunesh-Podein	Moller	Pinto
Bernardy	Demuth	Hansen	Layman	Moran	Poppe
Bierman	Dettmer	Hassan	Lee	Nash	Pryor
Boe	Ecklund	Hausman	Lesch	Nelson, M.	Quam
Brand	Edelson	Heinrich	Liebling	Nelson, N.	Richardson
Cantrell	Elkins	Heintzeman	Lillie	Neu	Robbins
Carlson, A.	Erickson	Hertaus	Lippert	Noor	Sandell
Carlson, L.	Fischer	Howard	Long	Nornes	Sandstede
Christensen	Franson	Johnson	Lucero	Novotny	Schomacker

Schultz	Sundin	Torkelson	Winkler	Xiong, T.
Scott	Swedzinski	Wazlawik	Wolgamott	Youakim
Stephenson	Tabke	West	Xiong, J.	Spk. Hortman

Those who voted in the negative were:

Bahr	Drazkowski	Miller	Munson
------	------------	--------	--------

The bill was passed and its title agreed to.

IN MEMORIAM

The members of the House of Representatives paused for a moment of silence in memory of former Representative Steve Dille of Dassel, Minnesota who served from 1987 to 1992, who passed away on Wednesday, March 25, 2020.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until Tuesday, April 14, 2020 or until a time and date determined pursuant to House Concurrent Resolution No. 4. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until Tuesday, April 14, 2020 or until a time and date determined pursuant to House Concurrent Resolution No. 4.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

