

STATE OF MINNESOTA

Journal of the House

NINETY-FIRST SESSION — 2020

NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 11, 2020

The House of Representatives convened at 9:00 a.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Representative Eric Lucero, District 30B, Dayton, 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:

Acomb	Davnie	Hansen	Lesch	Nelson, M.	Sandstede
Albright	Dehn	Hassan	Liebling	Nelson, N.	Sauke
Anderson	Demuth	Hausman	Lien	Neu	Schomacker
Backer	Dettmer	Heinrich	Lillie	Noor	Schultz
Bahner	Drazkowski	Heintzeman	Lippert	Nornes	Scott
Bahr	Ecklund	Her	Lislegard	Novotny	Stephenson
Baker	Edelson	Hertaus	Long	O'Driscoll	Sundin
Becker-Finn	Elkins	Hornstein	Lucero	Olson	Swedzinski
Bennett	Erickson	Howard	Lueck	O'Neill	Tabke
Bernardy	Fabian	Huot	Mann	Pelowski	Theis
Bierman	Fischer	Johnson	Mariani	Persell	Torkelson
Boe	Franson	Jordan	Marquart	Petersburg	Urdahl
Brand	Freiberg	Jurgens	Masin	Pierson	Vang
Cantrell	Garofalo	Kiel	McDonald	Pinto	Vogel
Carlson, A.	Gomez	Klevorn	Mekeland	Poppe	Wagenius
Carlson, L.	Green	Koegel	Miller	Poston	Wazlawik
Christensen	Grossell	Kotzya-Witthuhn	Moller	Pryor	West
Clafin	Gruenhagen	Koznick	Moran	Quam	Winkler
Considine	Gunther	Kresha	Morrison	Richardson	Wolgamott
Daniels	Haley	Kunesh-Podein	Munson	Robbins	Xiong, J.
Daudt	Halverson	Layman	Murphy	Runbeck	Youakim
Davids	Hamilton	Lee	Nash	Sandell	Spk. Hortman

A quorum was present.

Mahoney and Xiong, T., were excused until 1:30 p.m.

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>.

REPORTS OF CHIEF CLERK

S. F. No. 3255 and H. F. No. 3494, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Hornstein moved that S. F. No. 3255 be substituted for H. F. No. 3494 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 3298 and H. F. No. 3483, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Sauke moved that S. F. No. 3298 be substituted for H. F. No. 3483 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 163, A bill for an act relating to education; making certain policy changes for prekindergarten through grade 12 education including general education, education excellence, teachers, special education, health and safety, nutrition, and making technical changes; requiring reports; amending Minnesota Statutes 2018, sections 120A.20, by adding a subdivision; 120A.22, subdivisions 7, 10; 120B.021, subdivision 2; 120B.11, subdivisions 2, 3; 121A.22, subdivision 1, by adding a subdivision; 121A.41, by adding a subdivision; 121A.45, subdivision 1; 121A.53, subdivision 1; 122A.07, subdivisions 1, 2; 122A.181, subdivision 3; 122A.182, subdivisions 1, 2, 3; 122A.185, subdivision 1; 122A.187, subdivision 6; 122A.40, subdivision 8; 122A.41, subdivision 5; 123B.09, subdivision 2; 123B.147, subdivision 3; 123B.52, subdivision 1; 124D.09, subdivisions 5, 12; 124D.111; 124D.165, subdivisions 3, 4; 124D.74, subdivision 1; 124D.78, subdivisions 1, 3; 124D.79, subdivision 2; 124D.81, subdivision 1; 124D.861, subdivision 2; 124D.862, subdivision 7; 124E.03, subdivision 2, by adding subdivisions; 124E.05, subdivisions 4, 7; 124E.11; 124E.13, subdivision 3; 125A.08; 125A.30; 125A.50, subdivision 1; 126C.17, subdivision 9; 127A.353, subdivisions 2, 4; 134.31, subdivision 4a; 609A.03, subdivision 7a; Minnesota Statutes 2019 Supplement, section 120B.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 124D.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 356, A bill for an act relating to lawful gambling; providing relief to certain organizations affected by executive order closing bars, restaurants, and other places of public accommodation; providing waivers, extensions, and other temporary requirements and restrictions for lawful gambling.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1785, A bill for an act relating to education; requiring participation in preschool and prekindergarten and prohibiting disciplinary dismissals; proposing coding for new law in Minnesota Statutes, chapter 121A.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3156, A bill for an act relating to public safety; modifying the commissioner of public safety's authority to suspend drivers' licenses in certain situations; providing for retroactive driver's license reinstatement in certain instances; making technical changes; publishing correctional facility daily population data on website; modifying occupancy limits of correctional facility cells; providing early conditional release for certain inmates during COVID-19 public health emergency; providing testing of public safety specialists for SARS-CoV-2; temporarily suspending local match for youth intervention program grants; requiring a report; amending Minnesota Statutes 2018, sections 169.92, subdivision 4; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 243.53; 480.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 171; 241.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3558, A bill for an act relating to agriculture; encouraging advanced grant payments to certain persons; establishing an emerging farmers working group; doubling the maximum loan amount under the pilot agricultural microloan program; modifying Noxious Weed Advisory Committee membership; defining processing for purposes of hemp law; modifying hemp rulemaking authority; making changes to seed law; amending Minnesota Statutes 2018, sections 17.03, by adding a subdivision; 18.91, subdivision 2; 18K.02, by adding a subdivision; 18K.06; 21.75, subdivision 1; 21.85, subdivision 15; 41B.056, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 17; 21.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4375, A bill for an act relating to early childhood; modifying provisions for age verification for admission to public school, eligibility for early learning scholarships, and interagency early intervention committees; amending Minnesota Statutes 2018, sections 120A.20, by adding a subdivision; 124D.165, subdivisions 3, 4; 125A.30.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Mariani from the Public Safety and Criminal Justice Reform Finance and Policy Division to which was referred:

H. F. No. 4540, A bill for an act relating to public safety; modifying certain provisions relating to sexual assault examination kits, background checks, and Board of Public Defense; appropriating money for the supreme court, corrections, sentencing guidelines, and public safety; transferring funds to disaster contingency account; amending Minnesota Statutes 2018, sections 244.19, subdivision 5; 299C.106, subdivision 3, by adding subdivisions; 299C.46, subdivision 3; 611.27, subdivisions 9, 10, 11, 13, 15; Minnesota Statutes 2019 Supplement, section 477A.03, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reported the same back with the following amendments:

Page 1, delete lines 11 and 12

Page 1, delete section 2

Page 2, line 20, delete "1,208,000" and insert "1,003,000" and delete "23,138,000" and insert "11,742,000"

Page 2, line 24, delete "12,669,000" and insert "9,888,000"

Page 2, delete lines 25 to 34

Page 3, delete lines 1 to 5

Page 3, line 6, delete "(b)"

Page 3, delete lines 13 to 19

Page 3, line 20, delete "543,000" and insert "338,000" and delete "9,483,000" and insert "1,268,000"

Page 3, delete lines 21 to 33

Page 4, delete lines 1 to 29

Page 4, line 30, delete "(c)"

Page 5, line 1, delete "986,000" and insert "586,000"

Page 5, delete lines 2 to 10

Page 5, line 11, delete "(b)"

Page 5, delete sections 4 and 5

Page 6, delete section 6

Page 7, delete article 2

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "appropriating money for corrections."

Page 1, delete lines 3 to 9

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 4540 was re-referred to the Committee on Rules and Legislative Administration.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4599, A bill for an act relating to agriculture; modifying the time period for the Farmer-Lender Mediation Act in 2020; amending Laws 2020, chapter 74, article 1, section 19.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

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.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

S. F. No. 3560, A bill for an act relating to human services; modifying policy provisions governing health care; specifying when a provider must furnish requested medical records; modifying x-ray equipment provisions; requiring an annual unannounced inspection of medical cannabis manufacturers; modifying eligibility for the reduced patient enrollment fee for the medical cannabis program; permitting licensed physician assistants to practice without a delegation agreement; modifying licensed traditional midwifery scope of practice; modifying the request for proposal for a central drug repository; authorizing pharmacists to prescribe self-administered hormonal contraceptives, nicotine replacement medications, and opiate antagonists; allowing telemedicine examinations to be used to prescribe medications for erectile dysfunction and for the treatment of substance abuse disorders; changing the terminology and other technical changes to the opiate epidemic response account and council; adding advanced practice registered nurses to certain statutes; amending Minnesota Statutes 2018, sections 62A.307, subdivision 2; 62D.09, subdivision 1; 62E.06, subdivision 1; 62J.17, subdivision 4a; 62J.495, subdivision 1a; 62J.52, subdivision 2; 62J.823, subdivision 3; 62Q.43, subdivisions 1, 2; 62Q.54; 62Q.57, subdivision 1; 62Q.73, subdivision 7; 62Q.733, subdivision 3; 62Q.74, subdivision 1; 62S.08, subdivision 3; 62S.20, subdivision 5b; 62S.21, subdivision 2; 62S.268, subdivision 1; 62U.03; 62U.04, subdivision 11; 144.121, subdivisions 1, 2, 5, by adding subdivisions; 144.292, subdivisions 2, 5; 144.3345, subdivision 1; 144.3352; 144.34; 144.441, subdivisions 4, 5; 144.442, subdivision 1; 144.4803, subdivisions 1, 4, 10, by adding a subdivision; 144.4806; 144.4807, subdivisions 1, 2, 4; 144.50, subdivision 2; 144.55, subdivision 6; 144.6501, subdivision 7; 144.651, subdivisions 7, 8, 9, 10, 12, 14, 31, 33; 144.652, subdivision 2; 144.69; 144.7402, subdivision 2; 144.7406, subdivision 2; 144.7407, subdivision 2; 144.7414, subdivision 2; 144.7415, subdivision 2; 144.9502, subdivision 4; 144.966, subdivisions 3, 6; 144A.135; 144A.161, subdivisions 5, 5a, 5e, 5g; 144A.75, subdivisions 3, 6; 144A.752, subdivision 1; 145.853, subdivision 5; 145.892, subdivision 3; 145.94, subdivision 2; 145B.13; 145C.02; 145C.06; 145C.07, subdivision 1; 145C.16; 147A.01, subdivisions 3, 21, 26, 27, by adding a subdivision; 147A.02; 147A.03, by adding a subdivision; 147A.05; 147A.09; 147A.13, subdivision 1; 147A.14, subdivision 4; 147A.16; 147A.23; 147D.03, subdivision 2; 148.6438, subdivision 1; 151.01, by adding a subdivision; 151.071, subdivision 8; 151.19, subdivision 4; 151.21, subdivision 4a; 151.37, subdivision 2, by adding subdivisions; 152.12, subdivision 1; 152.32, subdivision 3; 152.35; 245A.143, subdivision 8; 245A.1435; 245C.02, subdivision 18; 245C.04, subdivision 1; 245D.02, subdivision 11; 245D.11, subdivision 2; 245D.22, subdivision 7; 245D.25, subdivision 2; 245G.08, subdivisions 2, 5; 245G.21, subdivisions 2, 3; 246.711, subdivision 2; 246.715, subdivision 2; 246.716, subdivision 2; 246.721; 246.722; 251.043, subdivision 1; 252A.02, subdivision 12; 252A.04, subdivision 2; 252A.20, subdivision 1; 253B.03, subdivisions 4, 6d; 253B.06, subdivision 2; 253B.23, subdivision 4; 254A.08, subdivision 2; 256.01, subdivision 29; 256.9685, subdivisions 1a, 1b, 1c; 256.975, subdivisions 7a, 11; 256B.04, subdivision 14a; 256B.043, subdivision 2; 256B.055, subdivision 12; 256B.056, subdivisions 1a, 4, 7, 10; 256B.0561, subdivision 2; 256B.057, subdivisions 1, 10; 256B.0575, subdivisions 1, 2; 256B.0622, subdivision 2b; 256B.0623, subdivision 2; 256B.0625, subdivisions 1, 12, 13h, 26, 27, 28, 64; 256B.0654, subdivisions 1, 2a, 3, 4; 256B.0659, subdivisions 2, 4, 8; 256B.0751; 256B.0753, subdivision 1; 256B.69, by adding a subdivision; 256B.73, subdivision 5; 256B.75; 256J.08, subdivision 73a; 256L.03, subdivision 1; 256L.15, subdivision 1; 256R.54, subdivisions 1, 2; 257.63, subdivision 3; 257B.01, subdivisions 3, 9, 10; 257B.06, subdivision 7; 446A.081, subdivision 9; Minnesota Statutes 2019 Supplement, sections 16A.151, subdivision 2; 62J.23, subdivision 2; 62Q.184, subdivision 1; 144.121, subdivisions 1a, 5a; 144.55, subdivision 2; 145C.05, subdivision 2; 147A.06; 151.01, subdivisions 23, 27; 151.065, subdivisions 1, as amended, 3, as amended, 6, 7, as amended; 151.071, subdivision 2; 151.19, subdivision 3; 151.252, subdivision 1; 151.555, subdivision 3; 152.29, subdivision 1; 245G.08, subdivision 3; 245H.11; 256.042, subdivisions 2, 4; 256.043; 256B.056, subdivision 7a; 256B.0625, subdivisions 13, 17, 60a; 256B.0659, subdivision 11; 256B.0913, subdivision 8; 256R.44; Laws 2019, chapter 63, article 3, sections 1; 2; Laws 2019, First Special Session chapter 9, article 11, section 35; Laws 2020, chapter 73, section 4, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapters 62Q; 147A; repealing Minnesota Statutes 2018, sections 62U.15, subdivision 2; 144.121, subdivisions 3, 5b; 147A.01, subdivisions 4, 11, 16a, 17a, 24, 25; 147A.04; 147A.10; 147A.11; 147A.18, subdivisions 1, 2, 3; 147A.20; 256B.057, subdivision 8; 256B.0752; 256L.04, subdivision 13; Minnesota Rules, parts 7380.0280; 9505.0365, subpart 3.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 163, 356, 1785, 4375 and 4599 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 3255, 3298, 3358 and 3560 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Moran introduced:

H. F. No. 4660, A bill for an act relating to education; requiring the commissioner of education to distribute a portion of Elementary and Secondary School Relief Fund in response to COVID-19 to nonprofit organizations working with communities of color and indigenous communities with the greatest educational disparities; establishing a grant program; requiring a report.

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

Jordan introduced:

H. F. No. 4661, A bill for an act relating to environment policy; authorizing cities to adopt certain pesticide control ordinances; amending Minnesota Statutes 2018, section 18B.09, subdivision 2, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Jordan introduced:

H. F. No. 4662, A bill for an act relating to taxation; providing sales tax exemptions and grants for disaster recovery related to properties destroyed or damaged by fire in the city of Minneapolis; appropriating money; amending Minnesota Statutes 2018, section 297A.71, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 297A.75, subdivision 1.

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

Lee introduced:

H. F. No. 4663, A bill for an act relating to education; creating an ethnic studies requirement and advisory board; requiring rulemaking.

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

Scott, Robbins and Neu introduced:

H. F. No. 4664, A bill for an act relating to civil actions; limiting liability for products and supplies made, sold, or donated in response to COVID-19; providing minimum injury requirements for claims related to COVID-19; addressing premises liability related to COVID-19; precluding liability when conduct complies with government-issued guidance related to COVID-19; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

Scott, Robbins, Neu and Runbeck introduced:

H. F. No. 4665, A bill for an act relating to health; prohibiting mandatory contact tracing; prohibiting health tracking of employees; classifying data; imposing civil penalties; proposing coding for new law in Minnesota Statutes, chapters 144; 181.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Winkler moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

ANNOUNCEMENT BY THE SPEAKER PURSUANT TO RULE 1.15(c)

A message from the Senate was received requesting concurrence by the House to amendments adopted by the Senate to the following House File:

H. F. No. 1883.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3230, A bill for an act relating to energy; amending the current electric utility program that encourages efficient lighting to include promotion of LEDs; amending Minnesota Statutes 2018, section 216B.241, subdivision 5.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3398, A bill for an act relating to health care coverage; modifying requirements governing utilization review and prior authorization of health care services; making conforming changes; amending Minnesota Statutes 2018, sections 62M.01, subdivision 2; 62M.02, subdivisions 2, 5, 8, 20, 21, by adding subdivisions; 62M.04, subdivisions 1, 2, 3, 4; 62M.05, subdivisions 3, 3a, 3b, 4, 5; 62M.06, subdivisions 1, 2, 3, 4; 62M.07; 62M.09, subdivisions 3, 3a, 4, 4a, 5; 62M.10, subdivision 7, by adding a subdivision; 62M.11; 62M.12; 62Q.71; 62Q.73, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62M; repealing Minnesota Statutes 2018, section 62M.02, subdivision 19; Minnesota Rules, part 4685.0100, subpart 9b.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 3625, A bill for an act relating to housing; modifying the definition of modular home; modifying assessment provision for manufactured home relocation trust fund; amending Minnesota Statutes 2019 Supplement, sections 327.31, subdivision 23; 327C.095, subdivision 12.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

Winkler from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 4067, A bill for an act relating to financial institutions; modifying authorized investments for banks and trust companies; amending Minnesota Statutes 2018, section 48.61, subdivision 3.

Reported the same back with the recommendation that the bill be placed on the General Register.

Joint Rule 2.03 has been waived for any subsequent committee action on this bill.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 3230, 3398, 3625 and 4067 were read for the second time.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 3435 and 3589.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 3435, A bill for an act relating to real estate; modifying appraisal management company licensure; amending Minnesota Statutes 2018, sections 82C.03, subdivision 5; 82C.06; 82C.08, subdivisions 1, 2.

The bill was read for the first time.

Huot moved that S. F. No. 3435 and H. F. No. 3341, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 3589, A bill for an act relating to financial institutions; modifying authorized investments for banks and trust companies; amending Minnesota Statutes 2018, section 48.61, subdivision 3.

The bill was read for the first time.

Elkins moved that S. F. No. 3589 and H. F. No. 4067, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Tuesday, May 12, 2020 and established a prefilng requirement for amendments offered to the following bills:

H. F. Nos. 4645, 4285, 4602, 627, 4429 and 4605; S. F. No. 3072; and H. F. No. 4137.

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Wednesday, May 13, 2020 and established a prefilng requirement for amendments offered to the following bills:

S. F. Nos. 4073 and 2466; H. F. No. 4601; S. F. No. 3357; H. F. Nos. 4490 and 4599; and S. F. Nos. 3560 and 3298.

The Speaker directed the Clerk to call the roll of members. The roll was called and the following members were present:

Acomb	Dehn	Hausman	Lillie	Noor	Scott
Albright	Demuth	Heinrich	Lippert	Nornes	Stephenson
Anderson	Dettmer	Heintzeman	Lislegard	Novotny	Sundin
Backer	Drazkowski	Her	Long	O'Driscoll	Swedzinski
Bahner	Ecklund	Hertaus	Lucero	Olson	Tabke
Bahr	Edelson	Hornstein	Lueck	O'Neill	Theis
Baker	Elkins	Howard	Mahoney	Pelowski	Torkelson
Becker-Finn	Erickson	Huot	Mann	Persell	Urdahl
Bennett	Fabian	Johnson	Mariani	Petersburg	Vang
Bernardy	Fischer	Jordan	Marquart	Pierson	Vogel
Bierman	Franson	Jurgens	Masin	Pinto	Wagenius
Boe	Freiberg	Kiel	McDonald	Poppe	Wazlawik
Brand	Garofalo	Klevorn	Mekeland	Poston	West
Cantrell	Gomez	Koegel	Miller	Pryor	Winkler
Carlson, A.	Green	Kotyza-Witthuhn	Moller	Quam	Wolgamott
Carlson, L.	Grossell	Koznick	Moran	Richardson	Xiong, J.
Christensen	Gruenhagen	Kresha	Morrison	Robbins	Xiong, T.
Clafin	Gunther	Kunesh-Podein	Munson	Runbeck	Youakim
Considine	Haley	Layman	Murphy	Sandell	Spk. Hortman
Daniels	Halverson	Lee	Nash	Sandstede	
Daudt	Hamilton	Lesch	Nelson, M.	Sauke	
Davids	Hansen	Liebling	Nelson, N.	Schomacker	
Davnie	Hassan	Lien	Neu	Schultz	

A quorum was present.

CALENDAR FOR THE DAY

H. F. No. 2768, A bill for an act relating to state government; ratifying labor agreements and compensation plans.

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 74 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Howard	Lislegard	Pelowski	Vang
Bahner	Ecklund	Huot	Long	Persell	Wagenius
Becker-Finn	Edelson	Jordan	Mahoney	Pinto	Wazlawik
Bernardy	Elkins	Klevorn	Mann	Poppe	Winkler
Bierman	Fischer	Koegel	Mariani	Pryor	Wolgamott
Brand	Freiberg	Kotyza-Witthuhn	Masin	Richardson	Xiong, J.
Cantrell	Gomez	Kunesh-Podein	Moller	Sandell	Xiong, T.
Carlson, A.	Halverson	Lee	Moran	Sandstede	Youakim
Carlson, L.	Hansen	Lesch	Morrison	Sauke	Spk. Hortman
Christensen	Hassan	Liebling	Murphy	Schultz	
Clafin	Hausman	Lien	Nelson, M.	Stephenson	
Considine	Her	Lillie	Noor	Sundin	
Davnie	Hornstein	Lippert	Olson	Tabke	

Those who voted in the negative were:

Albright	Demuth	Gunther	Kresha	Nelson, N.	Robbins
Anderson	Dettmer	Haley	Layman	Neu	Runbeck
Backer	Drazkowski	Hamilton	Lucero	Nornes	Schomacker
Bahr	Erickson	Heinrich	Lueck	Novotny	Scott
Baker	Fabian	Heintzeman	Marquart	O'Driscoll	Swedzinski
Bennett	Franson	Hertaus	McDonald	O'Neill	Theis
Boe	Garofalo	Johnson	Mekeland	Petersburg	Torkelson
Daniels	Green	Jurgens	Miller	Pierson	Urdahl
Daudt	Grossell	Kiel	Munson	Poston	Vogel
Dauids	Gruenhagen	Koznick	Nash	Quam	West

The bill was passed and its title agreed to.

H. F. No. 4502 was reported to the House.

Baker moved to amend H. F. No. 4502, the first engrossment, as follows:

Page 18, lines 7 and 13, delete "1.75" and reinstate the stricken "1.5"

Swedzinski moved to amend the Baker amendment to H. F. No. 4502, the first engrossment, as follows:

Page 1, after line 2, insert:

"Page 19, after line 32, insert:

(h) A public utility is not required to meet an annual savings goal during any year in which a statewide public health emergency declared by the governor has been in effect for more than 60 days."

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Baker amendment to H. F. No. 4502, the first engrossment. The motion did not prevail and the amendment was not adopted.

Swedzinski moved to amend H. F. No. 4502, the first engrossment, as follows:

Page 15, after line 20, insert:

"Subd. 11. **On-bill reporting.** (a) A consumer-owned utility must report, in a separate line-item on each monthly bill sent to a customer, the amount of the customer's bill that represents the consumer-owned utility's expenditures required to be made by law under this chapter, including, but not limited to, expenditures required under this section and section 216B.1691, filings required under sections 216B.16, 216B.2422, and 216B.243, the costs of other required proceedings before the commission, assessments made on the public utility to defray regulatory costs of the commission and the department, required rebates to customers, and any financial incentives provided to utilities from ratepayers for activities required by law. The amount reported may be calculated based on dividing equally among the number of billing periods the total amount of required expenditures made and financial incentives received by the consumer-owned utility during the most recently-completed calendar year.

(b) If a generation and transmission cooperative or municipal power agency makes expenditures required to be made by law under this chapter on behalf of its member distribution cooperatives, the reported amount must, to the extent practicable, be prorated to each distribution utility based on its respective proportion of the generation and transmission cooperative's or municipal power agency's total energy sales, as applicable."

Page 33, after line 6, insert:

"Sec. 20. Minnesota Statutes 2018, section 216B.241, is amended by adding a subdivision to read:

Subd. 14. On-bill reporting. A public utility must report, in a separate line-item on each monthly bill sent to a customer, the amount of the customer's bill that represents the public utility's expenditures required to be made by law under this chapter and sections 116C.779 and 116C.7792, including, but not limited to, expenditures required under this section and section 216B.1691, filings required under sections 216B.16, 216B.2422, and 216B.243, the costs of other required proceedings before the commission, assessments made on the public utility to defray regulatory costs of the commission and the department, required rebates to customers, and any financial incentives provided to utilities from ratepayers for activities required by law. The amount reported may be calculated based on dividing equally among the number of billing periods the total amount of required expenditures made and financial incentives received by the public utility during the most recently-completed calendar year."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Swedzinski amendment and the roll was called. There were 59 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Albright	Demuth	Gunther	Kresha	Neu	Runbeck
Anderson	Dettmer	Haley	Layman	Nornes	Schomacker
Backer	Drazkowski	Hamilton	Lucero	Novotny	Scott
Bahr	Erickson	Heinrich	Lueck	O'Driscoll	Swedzinski
Baker	Fabian	Heintzeman	McDonald	O'Neill	Theis
Bennett	Franson	Hertaus	Mekeland	Petersburg	Torkelson
Boe	Garofalo	Johnson	Miller	Pierson	Urdahl
Daniels	Green	Jurgens	Munson	Poston	Vogel
Daudt	Grossell	Kiel	Nash	Quam	West
Davids	Gruenhagen	Koznick	Nelson, N.	Robbins	

Those who voted in the negative were:

Acomb	Carlson, L.	Elkins	Her	Kunesh-Podein	Long
Bahner	Christensen	Fischer	Hornstein	Lee	Mahoney
Becker-Finn	Clafflin	Freiberg	Howard	Lesch	Mann
Bernardy	Considine	Gomez	Huot	Liebling	Mariani
Bierman	Davnie	Halverson	Jordan	Lien	Marquart
Brand	Dehn	Hansen	Klevorn	Lillie	Masin
Cantrell	Ecklund	Hassan	Koegel	Lippert	Moller
Carlson, A.	Edelson	Hausman	Kotzya-Witthuhn	Lislegard	Moran

Morrison	Pelowski	Richardson	Stephenson	Wazlawik	Youakim
Murphy	Persell	Sandell	Sundin	Winkler	Spk. Hortman
Nelson, M.	Pinto	Sandstede	Tabke	Wolgamott	
Noor	Poppe	Sauke	Vang	Xiong, J.	
Olson	Pryor	Schultz	Wagenius	Xiong, T.	

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

H. F. No. 4502, A bill for an act relating to energy; establishing the Energy Conservation and Optimization Act of 2020; amending Minnesota Statutes 2018, sections 216B.2401; 216B.241, subdivisions 1a, 1c, 1d, 1f, 1g, 2, 2b, 3, 5, 7, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 2018, section 216B.241, subdivisions 1, 1b, 2c, 4, 10.

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 79 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Acomb	Dehn	Howard	Lislegard	Pelowski	Wagenius
Bahner	Ecklund	Huot	Long	Persell	Wazlawik
Becker-Finn	Edelson	Jordan	Mahoney	Pinto	West
Bennett	Elkins	Kiel	Mann	Poppe	Winkler
Bernardy	Fischer	Klevorn	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Koegel	Masin	Richardson	Xiong, J.
Brand	Garofalo	Kotzya-Witthuhn	Moller	Sandell	Xiong, T.
Cantrell	Gomez	Kunesh-Podein	Moran	Sandstede	Youakim
Carlson, A.	Halverson	Lee	Morrison	Sauke	Spk. Hortman
Carlson, L.	Hansen	Lesch	Murphy	Schultz	
Christensen	Hassan	Liebling	Nelson, M.	Stephenson	
Clafin	Hausman	Lien	Noor	Sundin	
Considine	Her	Lillie	Olson	Tabke	
Davnie	Hornstein	Lippert	O'Neill	Vang	

Those who voted in the negative were:

Albright	Dettmer	Hamilton	Lueck	Novotny	Swedzinski
Anderson	Drazkowski	Heinrich	Marquart	O'Driscoll	Theis
Backer	Erickson	Heintzeman	McDonald	Petersburg	Torkelson
Bahr	Fabian	Hertaus	Mekeland	Pierson	Urdahl
Baker	Franson	Johnson	Miller	Poston	Vogel
Boe	Green	Jurgens	Munson	Quam	
Daniels	Grossell	Koznick	Nash	Robbins	
Daudt	Gruenhagen	Kresha	Nelson, N.	Runbeck	
Davids	Gunther	Layman	Neu	Schomacker	
Demuth	Haley	Lucero	Nornes	Scott	

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 3804, A bill for an act relating to local government; permitting addition of unorganized territory in Itasca County to Harris Township, notwithstanding the petition requirement.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3804 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4374, A bill for an act relating to human services; amending the definition of provider; modifying the child care assistance provider reimbursement rates; amending Minnesota Statutes 2018, section 119B.13, subdivision 1; Minnesota Statutes 2019 Supplement, section 119B.011, subdivision 19.

Reported the same back with the following amendments:

Page 2, line 9, after the period, insert "The first maximum rate update must be based on the 2018 child care provider rate survey and take effect September 21, 2020. Thereafter, maximum rate updates are effective the first biweekly period following January 1 after the most recent rate survey."

Page 3, line 6, strike everything after "(i)" and insert "The maximum registration fee paid for child care assistance in any county or county price cluster under the child care fund shall be the greater of the 25th percentile of the most recent child care provider rate survey under section 119B.02, subdivision 7, or the registration fee in effect at the time of the update. The first maximum registration fee update must be based on the 2018 rate survey and is effective September 21, 2020. Thereafter, maximum registration fee updates are effective the first biweekly period following January 1 after the most recent rate survey. Maximum registration fees must be set for licensed family child care and for child care centers. For a child care provider located in the boundaries of a city located in two or more of the counties of Benton, Sherburne, and Stearns, the maximum registration fee paid for child care assistance shall be equal to the maximum registration fee paid in the county with the highest maximum registration fee or the provider's charge, whichever is less."

Page 3, strike line 7

Page 3, after line 7, insert:

"EFFECTIVE DATE. This section is effective September 21, 2020."

Page 3, after line 7, insert:

"Sec. 3. **DIRECTION TO COMMISSIONER; ALLOCATING BASIC SLIDING FEE FUNDS.**

Notwithstanding Minnesota Statutes, section 119B.03, subdivisions 6, 6a, and 6b, the commissioner of human services must allocate the additional basic sliding fee child care funds for calendar year 2021 to counties for updated maximum rates based on relative need to cover maximum rate increases. In distributing the additional funds, the commissioner shall consider the following factors by county:

(1) number of children;

(2) provider type;

(3) age of children; and

(4) amount of the increase in maximum rates."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 4374 was read for the second time.

MOTIONS AND RESOLUTIONS

Morrison moved that the name of Cantrell be added as an author on H. F. No. 1246. The motion prevailed.

Kotyza-Witthuhn moved that the name of Carlson, L., be added as chief author on H. F. No. 1883. The motion prevailed.

Christensen moved that the name of Stephenson be added as an author on H. F. No. 3202. The motion prevailed.

Becker-Finn moved that the name of Brand be added as an author on H. F. No. 4431. The motion prevailed.

Stephenson moved that the name of Brand be added as an author on H. F. No. 4502. The motion prevailed.

Halverson moved that the name of Dehn be added as an author on H. F. No. 4582. The motion prevailed.

Kunesh-Podein moved that the names of Fischer; Becker-Finn; Freiberg; Bahner; Youakim; Olson; Tabke; Moller; Brand; Xiong, J.; Persell; Liebling; Poppe; Dehn and Sauke be added as authors on H. F. No. 4634. The motion prevailed.

Runbeck moved that the names of Neu, Robbins, Dettmer, Garofalo, Scott and Hertaus be added as authors on H. F. No. 4649. The motion prevailed.

MOTION TO SUSPEND RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Miller moved that the rule therein be suspended and an urgency be declared so that H. F. No. 4655 be recalled from the Committee on Government Operations, be given its second and third readings and be placed upon its final passage. The motion did not prevail.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 1:30 p.m., Tuesday, May 12, 2020. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:30 p.m., Tuesday, May 12, 2020.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

