

Senator Jensen moved that the name of Senator Abeler be added as a co-author to S.F. No. 3019. The motion prevailed.

Senator Klein moved that the name of Senator Isaacson be added as a co-author to S.F. No. 3025. The motion prevailed.

Senator Nelson moved that the name of Senator Franzen be added as a co-author to S.F. No. 3106. The motion prevailed.

Senator Utke moved that the name of Senator Nelson be added as a co-author to S.F. No. 3121. The motion prevailed.

Senator Newton moved that the name of Senator Eaton be added as a co-author to S.F. No. 3141. The motion prevailed.

Senator Osmek moved that S.F. No. 2067 be withdrawn from the Committee on Finance and re-referred to the Committee on Energy and Utilities Finance and Policy. The motion prevailed.

Senator Latz moved that S.F. No. 2530 be withdrawn from the Committee on Human Services Reform Finance and Policy and re-referred to the Committee on Judiciary and Public Safety Finance and Policy. The motion prevailed.

Senator Clausen moved that S.F. No. 2815 be withdrawn from the Committee on Environment and Natural Resources Policy and Legacy Finance and re-referred to the Committee on Environment and Natural Resources Finance. The motion prevailed.

Senator Laine introduced --

Senate Resolution No. 190: A Senate resolution recognizing the contributions of His Eminence Samdhong Rinpoche to the preservation of Tibetan culture, language, and compassionate beliefs.

Referred to the Committee on Rules and Administration.

Senator Laine introduced --

Senate Resolution No. 191: A Senate resolution recognizing the contributions of HeightsNEXT to the LGBTQIA+ community in Columbia Heights.

Referred to the Committee on Rules and Administration.

Senators Gazelka and Kent introduced --

Senate Resolution No. 192: A Senate resolution relating to Temporary Rules of the Senate; providing privacy requirements for certain hearings conducted by the Subcommittee on Ethical Conduct; amending Temporary Senate Rule 55.

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

Temporary Rule 55 is amended to read:

55. SUBCOMMITTEE ON ETHICAL CONDUCT

55.1 The Committee on Rules and Administration shall appoint a Subcommittee on Ethical Conduct of the Committee on Rules and Administration consisting of four members, two from the majority group and two from the minority group.

55.2 The subcommittee shall serve in an advisory capacity to a member or employee upon written request and shall issue recommendations to the member or employee. A member may request the subcommittee to provide its advice on a potential conflict of interest to the member in private. If so requested, the subcommittee shall conduct its proceedings on the advisory opinion in private. The request, proceedings on the request, and any advice given by the subcommittee in response to the request must remain private. The member may not use an advisory opinion from the subcommittee as a defense to a complaint under this rule unless the opinion has been adopted by the subcommittee at a public meeting.

55.3 The subcommittee shall investigate a complaint made in writing by a member of the Senate under oath. The complaint must be received before adjournment sine die in the last year of a senate term or during a special session held after that time regarding improper conduct by a member or employee of the Senate. The subcommittee has the powers of a standing committee to issue subpoenas under Minnesota Statutes, section 3.153.

55.4 Within 30 calendar days after receiving a complaint, the subcommittee must meet and either make a finding of no probable cause, vote to defer action until a certain time, or proceed with its investigation.

55.5 In order to determine whether there is probable cause to believe that improper conduct has occurred, the subcommittee may, by a vote of three of its members, conduct a preliminary inquiry in executive session to which the open meeting requirements of Rules 12.1 to 12.3 do not apply. The executive session may be ordered by a vote of three of its members whenever the subcommittee determines that matters relating to probable cause are likely to be discussed. The executive session must be limited to matters relating to probable cause. Upon a finding of probable cause, further proceedings on the complaint are open to the public.

55.6 For complaints alleging any conduct prohibited by the nondiscrimination and anti-harassment policy applicable to the Senate, the subcommittee must conduct its proceedings in private to determine whether there is probable cause to believe that improper conduct occurred. The open meeting requirements of Rule 12.1 or 12.3 do not apply to a meeting held under this rule. The parties to the complaint may waive the requirements of this rule by mutual written agreement provided to the chair of the Subcommittee on Ethical Conduct before any hearing is commenced. The recording required under Senate Rule 50 of any meeting held under this rule must be kept private by the Secretary, and no further description or distribution of the recording, including, but not limited to, any description or distribution required under Senate Rules 50.2 to 50.9, shall be permitted without a vote of three of the members of the subcommittee.

~~55.6~~ 55.7 The subcommittee may appoint special counsel to provide expert advice on how to conduct its proceedings. The subcommittee may appoint a suitable person to conduct the investigation and report findings of fact and recommendations for action to the subcommittee.

~~55.7~~ 55.8 If, after investigation, the subcommittee finds the complaint substantiated by the evidence, it shall recommend to the Committee on Rules and Administration appropriate disciplinary action.

~~55.8~~ 55.9 The subcommittee shall hear an appeal by a member of the Senate from a Senate investigation of a complaint made pursuant to the Senate's nondiscrimination and anti-harassment policy, within the time limit for appeal provided in that policy. All hearings of appeals under this rule must be conducted privately under the terms and conditions provided under Rule 55.6. The parties may agree to waive the privacy requirements of Rule 55.6 as provided in that rule. The subcommittee may consider information gathered in the course of the Senate investigation that is under appeal, but is not bound by any determinations or recommendations from the investigation. The subcommittee may take action to gather additional information.

55.10 To minimize disruption of its public proceedings, the subcommittee may require that television coverage be pooled or be provided by Senate media services.

~~55.9~~ 55.11 If criminal proceedings relating to the same conduct have begun, the subcommittee may defer its proceedings until the criminal proceedings have been completed.

~~55.10~~ 55.12 The Senate intends that proceedings of the Subcommittee on Ethical Conduct not be admissible in any criminal proceeding.

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

Senator Weber moved that the appointments withdrawn from the Committee on Agriculture, Rural Development, and Housing Policy and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journal for February 17, 2020, be returned to the committee from which they were withdrawn.

BOARD OF ANIMAL HEALTH

Matt Anderson
Erica Sawatzke

MINNESOTA HOUSING FINANCE AGENCY

Damaris Hollingsworth
Joseph B. Johnson

MINNESOTA RURAL FINANCE AUTHORITY

Carol Anderson
Shelly DePestel
Eric Sannerud
Harold Wolle

The motion prevailed.

Senator Nelson moved that the appointments withdrawn from the Committee on E-12 Policy and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journal for February 17, 2020, be returned to the committee from which they were withdrawn.