

SIXTH DAY

St. Paul, Minnesota, Wednesday, January 11, 2023

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

CALL OF THE SENATE

Senator Dziejdzic imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Phil Shaw.

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

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

Abeler	Dziejdzic	Johnson	Maye Quade	Rarick
Anderson	Eichorn	Klein	McEwen	Rasmusson
Bahr	Farnsworth	Koran	Miller	Rest
Boldon	Fatch	Kreun	Mitchell	Seeberger
Carlson	Frentz	Kunesh	Mohamed	Utke
Champion	Green	Kupec	Morrison	Weber
Coleman	Gruenhagen	Lang	Murphy	Wesenberg
Cwodzinski	Gustafson	Latz	Nelson	Westlin
Dahms	Hauschild	Lieske	Oumou Verbeten	Westrom
Dibble	Hawj	Limmer	Pappas	Wiklund
Dornink	Hoffman	Lucero	Pha	Xiong
Draheim	Housley	Mann	Port	
Drazkowski	Howe	Marty	Pratt	
Duckworth	Jasinski	Mathews	Putnam	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

January 3, 2023

The Honorable Bobby Joe Champion
President of the Senate

Dear Senator Champion:

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

DEPARTMENT OF AGRICULTURE
COMMISSIONER

Thom Petersen, 625 Robert St. N., Saint Paul, in the county of Ramsey, effective January 2, 2023, for a term expiring on January 4, 2027.

(Referred to the Committee on Agriculture, Broadband, and Rural Development.)

January 3, 2023

The Honorable Bobby Joe Champion
President of the Senate

Dear Senator Champion:

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

DEPARTMENT OF COMMERCE
COMMISSIONER

Grace Arnold, 85 - 7th Pl. E., Ste. 280, Saint Paul, in the county of Ramsey, effective January 2, 2023, for a term expiring on January 4, 2027.

(Referred to the Committee on Commerce and Consumer Protection.)

January 3, 2023

The Honorable Bobby Joe Champion
President of the Senate

Dear Senator Champion:

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

DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT
COMMISSIONER

Steve Grove, 332 Minnesota St., Ste. E200, Saint Paul, in the county of Ramsey, effective January 2, 2023, for a term expiring on January 4, 2027.

(Referred to the Committee on Jobs and Economic Development.)

January 3, 2023

The Honorable Bobby Joe Champion
President of the Senate

Dear Senator Champion:

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

DEPARTMENT OF VETERAN AFFAIRS
COMMISSIONER

Larry Herke, 20 W. 12th St., Room 206, Saint Paul, in the county of Ramsey, effective January 2, 2023, for a term expiring on January 4, 2027.

(Referred to the Committee on State and Local Government and Veterans.)

Sincerely,
Tim Walz, Governor

REPORTS OF COMMITTEES

Senator Dziejdzic moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment.

Senator Westrom raised a point of order under Rule 40 that a member voting remotely should not be counted on a division.

The President ruled the point of order not well taken.

Senator Westrom appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziejdzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Bahr	Dahms	Draheim	Duckworth
Anderson	Coleman	Dornink	Drazkowski	Eichorn

Farnsworth	Jasinski	Lieske	Nelson	Weber
Green	Johnson	Limmer	Pratt	Wesenberg
Gruenhagen	Koran	Lucero	Rarick	Westrom
Housley	Kreun	Mathews	Rasmusson	
Howe	Lang	Miller	Utke	

So the decision of the President was sustained.

The question was taken on the adoption of the Dzedzic motion. The motion prevailed.

RECONSIDERATION

Having voted on the prevailing side, Senator Dzedzic moved that the vote whereby the Reports of Committees were adopted January 11, 2023, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Jasinski	Marty	Port
Anderson	Dzedzic	Johnson	Mathews	Pratt
Bahr	Eichorn	Klein	Maye Quade	Putnam
Boldon	Farnsworth	Koran	McEwen	Rarick
Carlson	Fateh	Kreun	Miller	Rasmusson
Champion	Frentz	Kunesh	Mitchell	Rest
Coleman	Gruenhagen	Kupec	Mohamed	Seeberger
Cwodzinski	Gustafson	Lang	Morrison	Utke
Dahms	Hauschild	Latz	Murphy	Weber
Dibble	Hawj	Lieske	Nelson	Wesenberg
Dornink	Hoffman	Limmer	Oumou Verbeten	Westlin
Draheim	Housley	Lucero	Pappas	Wiklund
Drazkowski	Howe	Mann	Pha	Xiong

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

The motion prevailed. So the vote was reconsidered.

Senator Dzedzic moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dzedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

The motion prevailed.

Senator Wiklund from the Committee on Health and Human Services, to which was referred

S.F. No. 1: A bill for an act relating to health; establishing a fundamental right to reproductive health; proposing coding for new law in Minnesota Statutes, chapter 145.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government and Veterans. Report adopted.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the first Abeler amendment to S.F. No. 1.

There were yeas 2 and nays 7, as follows:

Those who voted in the affirmative were:

Senators Abeler and Utke.

Those who voted in the negative were:

Senators Boldon, Hoffman, Kupec, Lieske, Mann, Morrison, and Wiklund.

The amendment was not adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the second Abeler amendment to S.F. No. 1.

There were yeas 2 and nays 7, as follows:

Those who voted in the affirmative were:

Senators Abeler and Utke.

Those who voted in the negative were:

Senators Boldon, Hoffman, Kupec, Lieske, Mann, Morrison, and Wiklund.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Lieske amendment to S.F. No. 1.

There were yeas 3 and nays 6, as follows:

Those who voted in the affirmative were:

Senators Abeler, Lieske, and Utke.

Those who voted in the negative were:

Senators Boldon, Hoffman, Kupec, Mann, Morrison, and Wiklund.

The amendment was not adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Utke amendment to S.F. No. 1.

There were yeas 2 and nays 7, as follows:

Those who voted in the affirmative were:

Senators Abeler and Utke.

Those who voted in the negative were:

Senators Boldon, Hoffman, Kupec, Lieske, Mann, Morrison, and Wiklund.

The amendment was not adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion that S.F. No. 1, be recommended to pass and be re-referred.

There were yeas 6 and nays 3, as follows:

Those who voted in the affirmative were:

Senators Boldon, Hoffman, Kupec, Mann, Morrison, and Wiklund.

Those who voted in the negative were:

Senators Abeler, Lieske, and Utke.

The motion prevailed.

Senator Marty from the Committee on Finance, to which was re-referred

S.F. No. 40: A bill for an act relating to unemployment insurance; providing for additional benefits.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 33, after the period, insert "This exception does not apply to an employer described in subdivision 1, clause (1)."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dzedzic moved that the Committee Report pertaining to the appointment be laid on the table.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 52 and nays 14, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Klein	Miller	Rarick
Anderson	Dzedzic	Kreun	Mitchell	Rasmusson
Boldon	Farnsworth	Kunesh	Mohamed	Rest
Carlson	Fateh	Kupec	Morrison	Seeberger
Champion	Frentz	Lang	Murphy	Weber
Coleman	Gruenhagen	Latz	Nelson	Westlin
Cwodzinski	Gustafson	Limmer	Oumou Verbeten	Wiklund
Dahms	Hauschild	Mann	Pappas	Xiong
Dibble	Hawj	Marty	Pha	
Dornink	Hoffman	Maye Quade	Port	
Draheim	Housley	McEwen	Putnam	

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

Those who voted in the negative were:

Bahr	Green	Johnson	Lucero	Utke
Draskowski	Howe	Koran	Mathews	Wesenberg
Eichorn	Jasinski	Lieske	Pratt	

The motion prevailed.

Senator Dibble from the Committee on Transportation, to which was referred the following appointment:

DEPARTMENT OF TRANSPORTATION
COMMISSIONER
Nancy Daubenberger

Reports the same back with the recommendation that the appointment be confirmed. Report laid on the table.

SECOND READING OF SENATE BILLS

S.F. No. 40 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Abeler and Hoffman introduced--

S.F. No. 127: A bill for an act relating to human services; modifying use of electronic benefit transfer cards; amending Minnesota Statutes 2022, section 245A.11, by adding a subdivision.

Referred to the Committee on Human Services.

Senators Abeler, Hoffman, and Bahr introduced--

S.F. No. 128: A bill for an act relating to transportation; appropriating money for a noise barrier on U.S. Highway 10 in Anoka; authorizing the sale and issuance of state bonds.

Referred to the Committee on Transportation.

Senators Fateh, McEwen, Maye Quade, Marty, and Lucero introduced--

S.F. No. 129: A bill for an act relating to public safety; prohibiting the acquisition and use of facial recognition technology by government entities; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary and Public Safety.

Senators Fateh, Oumou Verbeten, McEwen, and Hawj introduced--

S.F. No. 130: A bill for an act relating to housing; repealing restrictions on adoption of rent control laws by local governments; repealing Minnesota Statutes 2022, section 471.9996.

Referred to the Committee on Housing and Homelessness Prevention.

Senators Rarick, Mitchell, Howe, and Anderson introduced--

S.F. No. 131: A bill for an act relating to taxation; individual income; expanding the subtraction for military retirement pay; amending Minnesota Statutes 2022, section 290.0132, subdivision 21.

Referred to the Committee on Taxes.

Senators Port and Kunesh introduced--

S.F. No. 132: A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 191, Burnsville-Eagan-Savage.

Referred to the Committee on Education Finance.

Senators Oumou Verbeten, Mohamed, and Gustafson introduced--

S.F. No. 133: A bill for an act relating to public safety; amending definitions of labor trafficking; establishing enhanced penalties for labor trafficking when the trafficking occurs over an extended period of time or when a victim dies or suffers great bodily harm; making conforming changes related to the statewide human trafficking assessment; amending Minnesota Statutes 2022, sections 299A.78, subdivision 1; 299A.79, subdivision 3; 609.281, subdivisions 3, 4, 5; 609.282, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2022, section 609.281, subdivision 2.

Referred to the Committee on Judiciary and Public Safety.

Senators Oumou Verbeten, Pappas, Dziedzic, and Mohamed introduced--

S.F. No. 134: A bill for an act relating to civil actions; establishing a civil cause of action for the nonconsensual removal of a condom; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 604.

Referred to the Committee on Judiciary and Public Safety.

Senator Pratt introduced--

S.F. No. 135: A bill for an act relating to taxation; tax increment financing; authorizing the city of Shakopee to establish a tax increment financing district subject to special rules.

Referred to the Committee on Taxes.

Senator Howe introduced--

S.F. No. 136: A bill for an act relating to environment; extending the availability of aquatic invasive species grant appropriation.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Howe introduced--

S.F. No. 137: A bill for an act relating to liquor; permitting persons that are 17 years of age to serve alcoholic beverages.

Referred to the Committee on Commerce and Consumer Protection.

Senator Howe introduced--

S.F. No. 138: A bill for an act relating to taxation; property; modifying the spousal benefit for the disabled veterans' homestead market value exclusion; amending Minnesota Statutes 2022, section 273.13, subdivision 34.

Referred to the Committee on Taxes.

Senator Howe introduced--

S.F. No. 139: A bill for an act relating to taxation; individual income; allowing an unlimited Social Security subtraction; amending Minnesota Statutes 2022, section 290.0132, subdivision 26.

Referred to the Committee on Taxes.

Senators Bahr, Pratt, Koran, Drazkowski, and Lucero introduced--

S.F. No. 140: A bill for an act relating to elections; requiring certain duties related to ballot reconciliation and postelection review to be completed before a canvassing board may certify its report on the results of an election; amending Minnesota Statutes 2022, section 204C.31, subdivision 3.

Referred to the Committee on Elections.

Senators Koran, Lang, and Bahr introduced--

S.F. No. 141: A bill for an act relating to public safety; authorizing the lawful carry and possession of firearms at the State Fair; amending Minnesota Statutes 2022, sections 37.16; 624.714, subdivision 17.

Referred to the Committee on Judiciary and Public Safety.

Senator Koran introduced--

S.F. No. 142: A bill for an act relating to capital investment; appropriating money for an interchange at Interstate Highway 35 and 400th Street in North Branch.

Referred to the Committee on Capital Investment.

Senator Koran introduced--

S.F. No. 143: A bill for an act relating to arts and cultural heritage; appropriating money for Veterans Memorial Plaza in Wyoming.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Lang introduced--

S.F. No. 144: A bill for an act relating to water; temporarily prohibiting modifications to the public water inventory; requiring a report.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Koran introduced--

S.F. No. 145: A bill for an act relating to local government; prohibiting the acceptance of a municipal ID for state or federal services; proposing coding for new law in Minnesota Statutes, chapter 415.

Referred to the Committee on State and Local Government and Veterans.

Senator Lang introduced--

S.F. No. 146: A bill for an act relating to game and fish; modifying trapping provisions; amending Minnesota Statutes 2022, sections 97B.931; 97B.945; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Rules, part 6234.2400, subpart 10.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Lang introduced--

S.F. No. 147: A bill for an act relating to capital investment; appropriating money for replacement of water infrastructure and street reconstruction in the city of Lake Lillian; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Maye Quade, Marty, Oumou Verbeten, Boldon, and Mohamed introduced--

S.F. No. 148: A bill for an act relating to marriage; authorizing notary publics to perform civil marriages; amending Minnesota Statutes 2022, sections 357.17; 359.04; 517.04; proposing coding for new law in Minnesota Statutes, chapter 359.

Referred to the Committee on Judiciary and Public Safety.

Senator Lang introduced--

S.F. No. 149: A bill for an act relating to human services; providing a fuel adjustment for nonemergency medical transportation and ambulance service reimbursement; amending Minnesota Statutes 2022, section 256B.0625, subdivisions 17, 17a, 18h.

Referred to the Committee on Human Services.

Senator Lang introduced--

S.F. No. 150: A bill for an act relating to health; modifying maximum amounts reimbursed to ambulance services for volunteer education costs; amending Minnesota Statutes 2022, section 144E.35.

Referred to the Committee on Human Services.

Senator Klein introduced--

S.F. No. 151: A bill for an act relating to capital investment; appropriating money for a new public works facility in the city of South St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 152: A bill for an act relating to capital investment; appropriating money for a water treatment plant in the city of South St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 153: A bill for an act relating to capital investment; appropriating money for capital improvements to Doug Woog Arena in the city of South St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 154: A bill for an act relating to capital investment; appropriating money for the replacement of drinking water infrastructure in the city of South St. Paul.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 155: A bill for an act relating to capital investment; appropriating money for a property repurposing study in the city of South St. Paul.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 156: A bill for an act relating to capital investment; appropriating money for improvements on the Inver Hills Community College campus; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 157: A bill for an act relating to capital investment; appropriating money for Heritage Village Park in Inver Grove Heights; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Klein and Pappas introduced--

S.F. No. 158: A bill for an act relating to taxation; tax increment financing; authorizing special rules for the city of West Saint Paul.

Referred to the Committee on Taxes.

Senator Klein introduced--

S.F. No. 159: A bill for an act relating to transportation; establishing a special license plate for veterans who served as multinational peacekeepers in Beirut, Lebanon; amending Minnesota Statutes 2022, section 168.123, subdivision 2.

Referred to the Committee on Transportation.

Senator Klein introduced--

S.F. No. 160: A bill for an act relating to capital investment; appropriating money for improvements to County State-Aid Highway 71 in Inver Grove Heights; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 161: A bill for an act relating to taxation; property tax refunds; reducing co-pays, reducing thresholds, and increasing maximum refunds for the homestead credit refund; amending Minnesota Statutes 2022, section 290A.04, subdivisions 2, 4.

Referred to the Committee on Taxes.

Senators Morrison and Mann introduced--

S.F. No. 162: A bill for an act relating to health; lowering the elevated blood lead concentration level from ten micrograms of lead to 3.5 micrograms; amending Minnesota Statutes 2022, section 144.9501, subdivision 9.

Referred to the Committee on Health and Human Services.

Senator Morrison introduced--

S.F. No. 163: A bill for an act relating to education finance; promoting digital well-being education and training for the health, mental well-being, and learning of all Minnesota students as it relates to the use of digital media; appropriating money for a Minnesota-based organization that collaborates with communities to promote digital well-being.

Referred to the Committee on Education Finance.

Senators Morrison and Mann introduced--

S.F. No. 164: A bill for an act relating to human services; providing separate medical assistance reimbursement for long-acting reversible contraceptives; amending Minnesota Statutes 2022, section 256.969, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Senators Morrison, Wiklund, Latz, Dziedzic, and Mann introduced--

S.F. No. 165: A bill for an act relating to health care; limiting the release of health records in cases related to reproductive health; prohibiting certain acts by certain health-related licensing boards; preventing the enforcement of certain judgments related to reproductive health; restricting the enforcement of subpoenas issued in cases related to reproductive health; creating a cause of action for penalties and court costs for lawsuits related to reproductive health; prohibiting extradition of persons charged in another state for acts committed or services received in Minnesota related to reproductive health; amending Minnesota Statutes 2022, sections 147.091, by adding a subdivision; 147A.13, by adding a subdivision; 148.261, by adding a subdivision; 629.02; 629.05; 629.06; 629.13; 629.14; proposing coding for new law in Minnesota Statutes, chapters 144; 548; 604.

Referred to the Committee on Health and Human Services.

Senators Morrison and Mann introduced--

S.F. No. 166: A bill for an act relating to health; expanding maternal death studies conducted by the commissioner of health to include maternal morbidity; amending Minnesota Statutes 2022, section 145.901.

Referred to the Committee on Health and Human Services.

Senators Morrison and Cwodzinski introduced--

S.F. No. 167: A bill for an act relating to natural resources; modifying Boundary Water Canoe Area Wilderness mining restrictions; amending Minnesota Statutes 2022, section 84.523.

Referred to the Committee on Environment, Climate, and Legacy.

Senators Morrison and Mann introduced--

S.F. No. 168: A bill for an act relating to health; prohibiting excessive price increases by manufacturers to generic or off-patent drugs; authorizing the attorney general to take action against manufacturers for certain price increases; prohibiting withdrawal of certain generic or off-patent drugs sales; establishing a prescription drug affordability board and prescription drug affordability advisory council; providing for prescription drug cost reviews and remedies; providing appointments; imposing civil penalties; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 151.071, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Health and Human Services.

Senator Morrison introduced--

S.F. No. 169: A bill for an act relating to natural resources; transferring responsibility for mining promotion.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Morrison introduced--

S.F. No. 170: A bill for an act relating to natural resources; establishing lawns to legumes grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 103B.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Dornink introduced--

S.F. No. 171: A bill for an act relating to capital investment; appropriating money for the Shell Rock River Watershed District; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dornink introduced--

S.F. No. 172: A bill for an act relating to capital investment; appropriating money for wastewater treatment facility improvements in the city of Albert Lea; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Klein, Boldon, and Mann introduced--

S.F. No. 173: A bill for an act relating to public safety; expanding the fourth-degree assault crime related to health care professionals; requiring the commissioner of health to develop education and awareness initiatives addressing health care professional burnout and mental health issues; appropriating money; amending Minnesota Statutes 2022, section 609.2231, subdivision 2.

Referred to the Committee on Judiciary and Public Safety.

Senators Klein and Dzedzic introduced--

S.F. No. 174: A bill for an act relating to taxation; property; allowing applications for homestead classification to use federal taxpayer identification numbers in lieu of Social Security numbers; amending Minnesota Statutes 2022, section 273.124, subdivision 13.

Referred to the Committee on Taxes.

Senators Fateh and Dibble introduced--

S.F. No. 175: A bill for an act relating to taxation; property; authorizing cities to create land-value taxation districts; proposing coding for new law in Minnesota Statutes, chapter 428A.

Referred to the Committee on Taxes.

Senator Fateh introduced--

S.F. No. 176: A bill for an act relating to transportation; amending certain requirements governing retrieval of towed vehicle contents; providing a cause of action for aggrieved vehicle owners; amending Minnesota Statutes 2022, section 168B.07, subdivision 3, by adding subdivisions.

Referred to the Committee on Transportation.

Senator Fateh introduced--

S.F. No. 177: A bill for an act relating to public safety; regulating participation in federal law enforcement task forces; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary and Public Safety.

Senator Draheim introduced--

S.F. No. 178: A bill for an act relating to health care; modifying the temporary permit requirements for respiratory therapist licensure; amending Minnesota Statutes 2022, section 147C.15, subdivision 3.

Referred to the Committee on Health and Human Services.

Senator Gruenhagen introduced--

S.F. No. 179: A bill for an act relating to capital investment; appropriating money for a new water tower in the city of Watertown; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Drazkowski, Green, Lucero, Bahr, and Utke introduced--

S.F. No. 180: A bill for an act relating to public safety; recognizing the Constitutional right to carry a firearm; amending Minnesota Statutes 2022, section 624.714, subdivisions 2, 3, 7, 15, 20, 23, by adding subdivisions; repealing Minnesota Statutes 2022, sections 624.714, subdivisions 1a, 1b, 16; 624.7181.

Referred to the Committee on Judiciary and Public Safety.

Senators Drazkowski, Green, Lucero, Bahr, and Utke introduced--

S.F. No. 181: A bill for an act relating to firearms; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self-defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against entry of that person's occupied vehicle; amending Minnesota Statutes 2022, section 609.065.

Referred to the Committee on Judiciary and Public Safety.

Senators Gruenhagen and Cwodzinski introduced--

S.F. No. 182: A bill for an act relating to education; requiring a postsecondary institution to notify a school of student withdrawal; requiring a student to provide a school with a copy of grades taken for secondary credit; amending Minnesota Statutes 2022, section 124D.09, subdivisions 5, 12.

Referred to the Committee on Higher Education.

Senators Maye Quade, Coleman, Oumou Verbeten, Kunesh, and Duckworth introduced--

S.F. No. 183: A bill for an act relating to education; providing for nonexclusionary discipline; amending Minnesota Statutes 2022, section 121A.61, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Education Policy.

Senators Fateh, Pappas, and Rest introduced--

S.F. No. 184: A bill for an act relating to capital investment; authorizing the issuance of shelter facility appropriation bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Capital Investment.

Senators Fateh, Pappas, and Rest introduced--

S.F. No. 185: A bill for an act relating to capital investment; appropriating money for a grant to Simpson Housing Services for a shelter facility in the city of Minneapolis.

Referred to the Committee on Capital Investment.

Senators Limmer, Maye Quade, Latz, Lucero, and Carlson introduced--

S.F. No. 186: A bill for an act relating to public safety; requiring the superintendent of the Bureau of Criminal Apprehension to prepare an annual report on Fusion Center activities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Judiciary and Public Safety.

MOTIONS AND RESOLUTIONS

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

Senator Miller moved that the name of Senator Pratt be added as a co-author to S.F. No. 12. The motion prevailed.

Senator Kunesh moved that the name of Senator Westlin be added as a co-author to S.F. No. 20. The motion prevailed.

Senator Westlin moved that the names of Senators Gustafson, Maye Quade, Cwodzinski, and Duckworth be added as co-authors to S.F. No. 28. The motion prevailed.

Senator Champion moved that the names of Senators Mohamed and Latz be added as co-authors to S.F. No. 44. The motion prevailed.

Senator Port moved that the name of Senator Boldon be added as a co-author to S.F. No. 73. The motion prevailed.

Senator Coleman moved that the name of Senator Nelson be added as a co-author to S.F. No. 107. The motion prevailed.

Senator Nelson moved that the name of Senator Howe be added as a co-author to S.F. No. 121. The motion prevailed.

Senator Kunesh moved that S.F. No. 37 be withdrawn from the Committee on State and Local Government and Veterans and re-referred to the Committee on Judiciary and Public Safety. The motion prevailed.

Senator Maye Quade moved that S.F. No. 71 be withdrawn from the Committee on Human Services and re-referred to the Committee on Health and Human Services. The motion prevailed.

Senator Jasinski introduced --

Senate Resolution No. 11: A Senate resolution amending the Temporary Rules of the Senate.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Dziejic, Chair of the Committee on Rules and Administration, designated H.F. No. 31 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 31: A bill for an act relating to taxation; individual income and corporate franchise; providing for certain conformity to federal tax provisions; amending Minnesota Statutes 2022, sections 289A.02, subdivision 7; 289A.08, subdivisions 7, 7a; 290.01, subdivisions 19, 31, by adding

a subdivision; 290.0123, subdivision 3; 290.0131, by adding subdivisions; 290.0132, by adding subdivisions; 290.0133, by adding a subdivision; 290.0134, by adding a subdivision; 290.06, subdivision 2c; 290.0671, subdivision 1a; 290.0675, subdivision 1; 290.091, subdivision 2; 290.095, subdivision 11; 290A.03, subdivision 15; 291.005, subdivision 1; repealing Minnesota Statutes 2022, section 290.0111.

Senator Rest moved that the amendment made to H.F. No. 31 by the Committee on Rules and Administration in the report adopted January 10, 2023, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

CALL OF THE SENATE

Senator Rest imposed a call of the Senate for the balance of the proceedings on H.F. No. 31. The Sergeant at Arms was instructed to bring in the absent members.

Senator Miller moved to amend H.F. No. 31 as follows:

Page 8, after line 30, insert:

"Sec. 10. Minnesota Statutes 2022, section 290.0132, subdivision 26, is amended to read:

Subd. 26. **Social Security benefits.** (a) ~~A portion~~ The amount of taxable Social Security benefits received by a taxpayer in the taxable year is allowed as a subtraction. ~~The subtraction equals the lesser of taxable Social Security benefits or a maximum subtraction subject to the limits under paragraphs (b), (c), and (d).~~

(b) ~~For married taxpayers filing a joint return and surviving spouses, the maximum subtraction equals \$5,150. The maximum subtraction is reduced by 20 percent of provisional income over \$78,180. In no case is the subtraction less than zero.~~

(c) ~~For single or head-of-household taxpayers, the maximum subtraction equals \$4,020. The maximum subtraction is reduced by 20 percent of provisional income over \$61,080. In no case is the subtraction less than zero.~~

(d) ~~For married taxpayers filing separate returns, the maximum subtraction equals one-half the maximum subtraction for joint returns under paragraph (b). The maximum subtraction is reduced by 20 percent of provisional income over one-half the threshold amount specified in paragraph (b). In no case is the subtraction less than zero.~~

(e) ~~For purposes of this subdivision, "provisional income" means modified adjusted gross income as defined in section 86(b)(2) of the Internal Revenue Code, plus one-half of the taxable Social Security benefits received during the taxable year, and "Social Security benefits" has the meaning given in section 86(d)(1) of the Internal Revenue Code.~~

(f) ~~The commissioner shall adjust the maximum subtraction and threshold amounts in paragraphs (b) to (d) as provided in section 270C.22. The statutory year is taxable year 2019. The maximum subtraction and threshold amounts as adjusted must be rounded to the nearest \$10 amount. If the amount ends in \$5, the amount is rounded up to the nearest \$10 amount.~~

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Miller appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

So the decision of the President was sustained.

Senator Duckworth moved to amend H.F. No. 31 as follows:

Page 11, line 15, strike everything after "(1)"

Page 11, line 16, strike "(2)" and strike "\$38,770" and insert "\$43,950" and strike "\$154,020" and insert "\$174,610"

Page 11, line 17, strike "(3)" and insert "(2)" and strike "\$154,020" and insert "\$174,610" and strike "\$269,010" and insert "\$304,970"

Page 11, line 18, strike "(4)" and insert "(3)" and strike "\$269,010" and insert "\$304,970"

Page 11, line 24, strike everything after "(1)"

Page 11, line 25, strike "(2)" and strike "\$26,520" and insert "\$30,070" and strike "\$87,110" and insert "\$98,760"

Page 11, line 26, strike "(3)" and insert "(2)" and strike "\$87,110" and insert "\$98,760" and strike "\$161,720" and insert "\$183,340"

Page 11, line 27, strike "(4)" and insert "(3)" and strike "\$161,720" and insert "\$183,340"

Page 12, line 1, strike everything after "(1)"

Page 12, line 2, strike "(2)" and strike "\$32,650" and insert "\$37,010" and strike "\$131,190" and insert "\$148,730"

Page 12, line 3, strike "(3)" and insert "(2)" and strike "\$131,190" and insert "\$148,730" and strike "\$214,980" and insert "\$243,720"

Page 12, line 4, strike "(4)" and insert "(3)" and strike "\$214,980" and insert "\$243,720"

Page 13, after line 8, insert:

"Sec. 16. Minnesota Statutes 2022, section 290.06, subdivision 2d, is amended to read:

Subd. 2d. **Inflation adjustment of brackets.** The commissioner shall annually adjust the minimum and maximum dollar amounts for each rate bracket for which a tax is imposed in subdivision 2c as provided in section 270C.22. The statutory year is taxable year ~~2019~~ 2023. The rate applicable to any rate bracket must not be changed. The dollar amounts setting forth the tax shall be adjusted to reflect the changes in the rate brackets. The rate brackets as adjusted must be rounded to the nearest \$10 amount. If the rate bracket ends in \$5, it must be rounded up to the nearest \$10 amount. The commissioner shall determine the rate bracket for married filing separate returns after this adjustment is done. The rate bracket for married filing separate must be one-half of the rate bracket for married filing joint.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Duckworth appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

So the decision of the President was sustained.

Senator Duckworth moved to amend H.F. No. 31 as follows:

Page 11, line 15, strike "\$38,770" and insert "\$43,950" and strike "5.35" and insert "2.675"

Page 11, line 16, strike "\$38,770" and insert "\$43,950" and strike "\$154,020" and insert "\$174,610"

Page 11, line 17, strike "\$154,020" and insert "\$174,610" and strike "\$269,010" and insert "\$304,970"

Page 11, line 18, strike "\$269,010" and insert "\$304,970"

Page 11, line 24, strike "\$26,520" and insert "\$30,070" and strike "5.35" and insert "2.675"

Page 11, line 25, strike "\$26,520" and insert "\$30,070" and strike "\$87,110" and insert "\$98,760"

Page 11, line 26, strike "\$87,110" and insert "\$98,760" and strike "\$161,720" and insert "\$183,340"

Page 11, line 27, strike "\$161,720" and insert "\$183,340"

Page 12, line 1, strike "\$32,650" and insert "\$37,010" and strike "5.35" and insert "2.675"

Page 12, line 2, strike "\$32,650" and insert "\$37,010" and strike "\$131,190" and insert "\$148,730"

Page 12, line 3, strike "\$131,190" and insert "\$148,730" and strike "\$214,980" and insert "\$243,720"

Page 12, line 4, strike "\$214,980" and insert "\$243,720"

Page 13, after line 8, insert:

"Sec. 16. Minnesota Statutes 2022, section 290.06, subdivision 2d, is amended to read:

Subd. 2d. **Inflation adjustment of brackets.** The commissioner shall annually adjust the minimum and maximum dollar amounts for each rate bracket for which a tax is imposed in subdivision 2c as provided in section 270C.22. The statutory year is taxable year ~~2019~~ 2023. The rate applicable to any rate bracket must not be changed. The dollar amounts setting forth the tax shall be adjusted to reflect the changes in the rate brackets. The rate brackets as adjusted must be rounded to the nearest \$10 amount. If the rate bracket ends in \$5, it must be rounded up to the nearest \$10 amount. The commissioner shall determine the rate bracket for married filing separate returns after this adjustment is done. The rate bracket for married filing separate must be one-half of the rate bracket for married filing joint.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Duckworth moved to amend H.F. No. 31 as follows:

Page 11, line 15, strike "\$38,770" and insert "\$43,950" and strike "5.35" and insert "4.0125"

Page 11, line 16, strike "\$38,770" and insert "\$43,950" and strike "\$154,020" and insert "\$174,610"

Page 11, line 17, strike "\$154,020" and insert "\$174,610" and strike "\$269,010" and insert "\$304,970"

Page 11, line 18, strike "\$269,010" and insert "\$304,970"

Page 11, line 24, strike "\$26,520" and insert "\$30,070" and strike "5.35" and insert "4.0125"

Page 11, line 25, strike "\$26,520" and insert "\$30,070" and strike "\$87,110" and insert "\$98,760"

Page 11, line 26, strike "\$87,110" and insert "\$98,760" and strike "\$161,720" and insert "\$183,340"

Page 11, line 27, strike "\$161,720" and insert "\$183,340"

Page 12, line 1, strike "\$32,650" and insert "\$37,010" and strike "5.35" and insert "4.0125"

Page 12, line 2, strike "\$32,650" and insert "\$37,010" and strike "\$131,190" and insert "\$148,730"

Page 12, line 3, strike "\$131,190" and insert "\$148,730" and strike "\$214,980" and insert "\$243,720"

Page 12, line 4, strike "\$214,980" and insert "\$243,720"

Page 13, after line 8, insert:

"Sec. 16. Minnesota Statutes 2022, section 290.06, subdivision 2d, is amended to read:

Subd. 2d. **Inflation adjustment of brackets.** The commissioner shall annually adjust the minimum and maximum dollar amounts for each rate bracket for which a tax is imposed in subdivision 2c as provided in section 270C.22. The statutory year is taxable year ~~2019~~ 2023. The rate applicable to any rate bracket must not be changed. The dollar amounts setting forth the tax shall be adjusted to reflect the changes in the rate brackets. The rate brackets as adjusted must be rounded to the nearest \$10 amount. If the rate bracket ends in \$5, it must be rounded up to the nearest \$10 amount. The commissioner shall determine the rate bracket for married filing separate returns after this adjustment is done. The rate bracket for married filing separate must be one-half of the rate bracket for married filing joint.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Westrom appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

So the decision of the President was sustained.

Senator Westrom moved to amend H.F. No. 31 as follows:

Page 23, after line 29, insert:

"Sec. 30. 2022 PROPERTY TAX REBATE.

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

(b) "Commissioner" means the commissioner of revenue.

(c) "Property taxes payable" has the meaning given in Minnesota Statutes, section 290A.03, subdivision 13.

(d) "Rent constituting property taxes" has the meaning given in Minnesota Statutes, section 290A.03, subdivision 11.

Subd. 2. **Eligibility and rebate.** (a) Except as provided in paragraph (c), an owner of property classified as class 1a or class 1b under Minnesota Statutes, section 273.13, subdivision 22, and that portion of property classified as class 2a under Minnesota Statutes, section 273.13, subdivision 23, consisting of the house, garage, and surrounding one acre of land, is eligible for a property tax rebate equal to 50 percent of the property taxes payable in calendar year 2022 for property taxes assessed in 2021, provided that the amount of the rebate shall not exceed \$5,000.

(b) A renter is eligible for a rebate equal to 50 percent of the rent constituting property taxes based on rent paid in 2022, provided that the amount of the rebate shall not exceed \$5,000.

(c) A taxpayer is not eligible for the rebate under this section if there exists delinquent property taxes, penalties, interest, or delinquent special assessments and interest on the property that is the subject of the application.

Subd. 3. **Application and verification.** (a) To claim a property tax rebate, an applicant must file an application with the commissioner by August 1, 2023. The commissioner shall prescribe the content, format, and manner of the application required under this section pursuant to Minnesota Statutes, section 270C.30. The application must require the applicant to submit a copy of the applicant's property tax statement, issued pursuant to Minnesota Statutes, section 276.04, for taxes payable in 2022, or certificate of rent paid, issued pursuant to Minnesota Statutes, section 290A.19, for rent paid in 2022. The commissioner shall verify the contents of the application and shall approve or disapprove of the application within 30 days after receipt. In order to verify the contents of the application, the commissioner of revenue may request additional information from the applicant or the county.

(b) By October 1, 2023, the commissioner must mail a property tax rebate to each approved applicant at the address provided on the applicant's application.

Subd. 4. **Appropriation.** An amount sufficient to make the payments required under this section is appropriated from the general fund to the commissioner of revenue.

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

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Westrom appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwudzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

So the decision of the President was sustained.

Senator Westrom moved to amend H.F. No. 31 as follows:

Page 23, after line 29, insert:

"Sec. 30. **STATEMENT OF PURPOSE.**

(a) The state of Minnesota derives revenues from a variety of taxes, fees, and other sources, including the state sales tax.

(b) It is fair and reasonable to refund the existing state budget surplus in the form of a rebate of nonbusiness consumer sales taxes paid by individuals in calendar years 2021 and 2022.

(c) Information concerning the amount of sales tax paid at various income levels is contained in the Minnesota tax incidence report, which is written by the commissioner of revenue and presented to the legislature according to Minnesota Statutes, section 270C.13.

(d) It is fair and reasonable to use information contained in the Minnesota tax incidence report, updated to calendar year 2021, to determine a reasonable amount of a sales tax rebate due to each eligible taxpayer since no effective or practical mechanism exists for determining the amount of actual sales tax paid by each eligible individual.

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

Sec. 31. **SALES TAX REBATE.**

Subdivision 1. **Eligibility; amount of rebate.** (a) For rebates based on income tax returns or Social Security benefits received in 2021, an individual qualifies for a sales tax rebate if the individual:

(1) was a resident of Minnesota for all or part of 2021 and filed a 2021 Minnesota income tax return on or before October 15, 2022, had a tax liability before refundable credits on that return of at least \$1, and was not allowed to be claimed as a dependent on a 2021 federal income tax return filed by another person;

(2) was a resident of Minnesota for all of 2021, was not eligible for a rebate under clause (1), attained the age of 18 on or before December 31, 2021, and received in 2021 Social Security benefits as defined in section 86(d)(1) of the Internal Revenue Code;

(3) was allowed to be claimed as a dependent on a 2021 federal income tax return filed by another person but would have otherwise been eligible for a rebate under clause (1), and reported earned income as defined in section 32(c)(2)(A)(i) of the Internal Revenue Code; or

(4) filed a 2021 Minnesota income tax return on or before October 15, 2022, in order to claim:

(i) a credit under Minnesota Statutes, section 290.067, 290.0671, or 290.0674;

(ii) a refund of withheld taxes; or

(iii) a refund of estimated taxes.

(b) The sales tax rebate allowed under paragraph (a) equals:

(1) \$1,100 for married joint or head of household filers, increased by \$25 for each dependent claimed on the filer's 2021 federal income tax return; and

(2) \$550 for all other filers, increased by \$25 for each dependent claimed on the filer's 2021 federal income tax return.

(c) For rebates based on income tax returns or Social Security benefits received in 2021, an individual qualifies for a sales tax rebate if the individual:

(1) was a resident of Minnesota for all or part of 2022 and files a 2022 Minnesota income tax return on or before October 15, 2023, has a tax liability before refundable credits on that return of

at least \$1, and is not allowed to be claimed as a dependent on a 2021 federal income tax return filed by another person;

(2) was a resident of Minnesota for all of 2022, was not eligible for a rebate under clause (1), attained the age of 18 on or before December 31, 2022, and received in 2022 Social Security benefits as defined in section 86(d)(1) of the Internal Revenue Code;

(3) was allowed to be claimed as a dependent on a 2022 federal income tax return filed by another person but would have otherwise been eligible for a rebate under clause (1), and reported earned income as defined in section 32(c)(2)(A)(i) of the Internal Revenue Code; or

(4) files a 2022 Minnesota income tax return on or before October 15, 2023, in order to claim:

(i) a credit under Minnesota Statutes, section 290.067, 290.0671, or 290.0674;

(ii) a refund of withheld taxes; or

(iii) a refund of estimated taxes.

(d) The sales tax rebate allowed under paragraph (c) equals:

(1) \$1,100 for married joint or head of household filers, increased by \$25 for each dependent claimed on the filer's 2022 federal income tax return; and

(2) \$550 for all other filers, increased by \$25 for each dependent claimed on the filer's 2022 federal income tax return.

(e) For an individual who was a resident of Minnesota for less than the entire year, the sales tax rebate equals the sales tax rebate calculated under paragraph (b) or (d), as applicable, multiplied by the percentage determined under Minnesota Statutes, section 290.06, subdivision 2c, paragraph (e), as calculated on the original 2021 or 2022 income tax return, as applicable, including subsequent adjustments to that return made within the time limits specified in subdivision 2, paragraph (c).

Subd. 2. **Payment of rebate; other requirements.** (a) For purposes of this section, "commissioner" means the commissioner of revenue.

(b) The commissioner may issue sales tax rebates under subdivision 1, paragraph (a), after June 30, 2023, and may issue sales tax rebates under subdivision 1, paragraph (c), after June 30, 2024. Sales tax rebates under subdivision 1, paragraph (a), not paid by October 1, 2023, and sales tax rebates under subdivision 1, paragraph (c), not paid by October 1, 2024, bear interest at the rate specified in Minnesota Statutes, section 270C.405.

(c) For sales tax rebates due under subdivision 1, paragraph (a), the rebate must not be adjusted based on changes to a 2021 income tax return that are made by order of assessment after the date the rebate is processed or made by the taxpayer that are filed with the commissioner after that date. For sales tax rebates due under subdivision 1, paragraph (c), the rebate must not be adjusted based on changes to a 2022 income tax return that are made by order of assessment after the date the rebate is processed or made by the taxpayer that are filed with the commissioner after that date.

(d) Individuals who filed a joint income tax return for 2021 or 2022 must receive a joint sales tax rebate under the provisions of this paragraph. After the sales tax rebate has been issued, but before the check has been cashed if the rebate is issued by check, either joint claimant may request a separate payment for one-half of the joint sales tax rebate. The amount payable to each person equals one-half of the total joint rebate. Notwithstanding any provision in this section to the contrary:

(1) if, prior to payment of the rebate under subdivision 1, paragraph (a), the commissioner has been notified that individuals who filed a joint 2021 income tax return are living at separate addresses, as indicated on their 2022 income tax return or otherwise, the commissioner may issue separate checks to each individual listed on the joint return; and

(2) if, prior to payment of the rebate under subdivision 1, paragraph (c), the commissioner has been notified that taxpayers who filed a joint 2022 income tax return are living at separate addresses, as indicated on their 2023 income tax return or otherwise, the commissioner may issue separate checks to each individual listed on the joint return.

(e) The sales tax rebate is a "Minnesota tax law" for purposes of Minnesota Statutes, section 270B.01, subdivision 8.

(f) The sales tax rebate is "an overpayment of any tax collected by the commissioner" for purposes of Minnesota Statutes, section 270C.64. For purposes of this paragraph, a joint sales tax rebate is payable to each spouse equally.

(g) The right to a sales tax rebate lapses and the rebate check must be deposited in the general fund if the commissioner:

(1) cannot locate an individual entitled to a sales tax rebate under subdivision 1, paragraph (a), by July 1, 2024, or if an individual to whom a sales tax rebate was issued under subdivision 1 has not cashed the rebate check by July 1, 2024; or

(2) cannot locate an individual entitled to a sales tax rebate under subdivision 1, paragraph (c), by July 1, 2025, or if an individual to whom a sales tax rebate was issued under subdivision 2 has not cashed the rebate check by July 1, 2025.

(h) Individuals who are entitled to a sales tax rebate but did not receive one and individuals who receive a sales tax rebate that was not correctly calculated must file a claim with the commissioner in a form prescribed by the commissioner. A claim made under this paragraph is a claim for refund under Minnesota Statutes, section 289A.50, subdivisions 4 and 7. Individuals entitled to a sales tax rebate under paragraph (a) must file the claim by July 1, 2024. Individuals entitled to a sales tax rebate under paragraph (b) must file the claim by July 1, 2025.

(i) The sales tax rebate is a refund subject to revenue recapture under Minnesota Statutes, chapter 270A. The commissioner of revenue shall remit the entire refund to the claimant agency, which shall, upon the request of the spouse who does not owe the debt, refund one-half of the joint sales tax rebate to the spouse who does not owe the debt.

(j) The rebate under subdivision 1 is a reduction of fiscal year 2024 sales tax revenues. The rebate under subdivision 2 is a reduction of fiscal year 2025 sales tax revenues. The amount necessary to make the sales tax rebates and interest provided in this section is appropriated from the general

fund to the commissioner of revenue in fiscal years 2024 and 2025 and is available until June 30, 2026.

(k) If a sales tax rebate issued by check is cashed by someone other than the payee or payees of the check, and the commissioner determines that the check has been forged or improperly endorsed, the commissioner may issue an order of assessment for the amount of the check against the person or persons cashing it. If a sales tax rebate issued by debit card is stolen or otherwise used by someone other than the payee or payees of the debit card, and the commissioner determines that the debit card has been improperly used as tender, the commissioner may issue an order of assessment for the amount of the debit card against the person or persons using it. The assessment must be made within two years after the check is cashed or debit card is used, but if cashing the check or using the debit card constitutes theft under Minnesota Statutes, section 609.52, or forgery under Minnesota Statutes, section 609.63, the assessment can be made at any time. The assessment may be appealed administratively and judicially. The commissioner may take action to collect the assessment in the same manner as provided by Minnesota Statutes, chapter 289A, for any other order of the commissioner assessing tax.

(l) Notwithstanding Minnesota Statutes, sections 9.031, 16A.40, and 16B.49, and any other law to the contrary, the commissioner may take whatever actions the commissioner deems necessary to pay the rebates required by this section, including issuance of debit cards or checks. The commissioner may, in consultation with the commissioner of management and budget, contract with a private vendor or vendors to process, print, and mail debit cards, checks, or warrants required under this section and receive and disburse state funds to pay debit cards, checks, or warrants.

(m) The commissioner may pay rebates required by subdivision 1, paragraph (a), by electronic funds transfer to individuals who requested that their 2022 individual income tax refund be paid through electronic funds transfer. The commissioner may pay rebates required by subdivision 1, paragraph (c), by electronic funds transfer to individuals who requested that their 2023 individual income tax refund be paid through electronic funds transfer. The commissioner may make the electronic funds transfer payments to the same financial institution and into the same account as the 2022 or 2023 individual income tax refund, as applicable.

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

Sec. 32. REPORT REQUIRED.

By January ..., 2026, the commissioner of revenue shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over taxes on the payments issued under this section. The report must comply with sections 3.195 and 3.197.

Sec. 33. APPROPRIATIONS.

\$..... is appropriated in fiscal year 2024 from the general fund to the commissioner of revenue to administer the sales tax rebates in section 2. Any unencumbered balance remaining on June 30, 2026, does not cancel but is available for expenditure by the commissioner of revenue until June 30, 2027. This is a onetime appropriation and is not added to the agency's base.

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

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Westrom appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

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

Those who voted in the negative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

So the decision of the President was sustained.

H.F. No. 31 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 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Hoffman	Lieske	Murphy
Anderson	Duckworth	Housley	Limmer	Nelson
Bahr	Dziedzic	Howe	Lucero	Oumou Verbeten
Boldon	Eichorn	Jasinski	Mann	Pappas
Carlson	Farnsworth	Johnson	Marty	Pha
Champion	Fateh	Klein	Mathews	Port
Coleman	Frentz	Koran	Maye Quade	Pratt
Cwodzinski	Green	Kreun	McEwen	Putnam
Dahms	Gruenhagen	Kunesh	Miller	Rarick
Dibble	Gustafson	Kupec	Mitchell	Rasmusson
Dornink	Hauschild	Lang	Mohamed	Rest
Draheim	Hawj	Latz	Morrison	Seeberger

Utke
Weber

Wesenberg
Westlin

Westrom
Wiklund

Xiong

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

So the bill passed and its title was agreed to.

ADJOURNMENT

Senator Dziejdzic moved that the Senate do now adjourn until 11:00 a.m., Thursday, January 12, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate