

FIFTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 27, 2023

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

CALL OF THE SENATE

Senator Boldon 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. Dr. Genia Garrett.

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	Dziedzic	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.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2934: A bill for an act relating to human services; establishing an office of addiction and recovery; establishing the Minnesota board of recovery services; establishing title protection for sober homes; modifying provisions governing disability services, aging services, and behavioral health; modifying medical assistance eligibility requirements for certain populations; making technical and conforming changes; establishing certain grants; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 4.046, subdivisions 6, 7, by adding a subdivision; 179A.54, by adding a subdivision; 241.021, subdivision 1; 241.31, subdivision 5; 241.415; 245A.03, subdivision 7; 245A.11, subdivisions 7, 7a; 245D.04, subdivision 3; 245G.01, by adding subdivisions; 245G.02, subdivision 2; 245G.05, subdivision 1, by adding a subdivision; 245G.06, subdivisions 1, 3, 4, by adding subdivisions; 245G.08, subdivision 3; 245G.09, subdivision 3; 245G.22, subdivision 15; 245I.10, subdivision 6; 246.54, subdivisions 1a, 1b; 252.27, subdivision 2a; 254B.01, subdivision 8, by adding subdivisions; 254B.04, by adding a subdivision; 254B.05, subdivisions 1, 5; 256.043, subdivisions 3, 3a; 256.9754; 256B.04, by adding a subdivision; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.0625, subdivisions 17, 17a, 18h, 22, by adding a subdivision; 256B.0638, subdivisions 2, 4, 5; 256B.0659, subdivisions 1, 12, 19, 24; 256B.073, subdivision 3, by adding a subdivision; 256B.0759, subdivision 2; 256B.0911, subdivision 13; 256B.0913, subdivisions 4, 5; 256B.0917, subdivision 1b; 256B.0922, subdivision 1; 256B.0949, subdivision 15; 256B.14, subdivision 2; 256B.434, by adding a subdivision; 256B.49, subdivisions 11, 28; 256B.4905, subdivision 5a; 256B.4911, by adding a subdivision; 256B.4912, by adding subdivisions; 256B.4914, subdivisions 3, as amended, 4, 5, 5a, 5b, 5c, 5d, 5e, 8, 9, 10, 10a, 10c, 12, 14, by adding a subdivision; 256B.492; 256B.5012, by adding subdivisions; 256B.766; 256B.85, subdivision 7, by adding a subdivision; 256B.851, subdivisions 5, 6; 256I.05, by adding subdivisions; 256M.42; 256R.02, subdivision 19; 256R.17, subdivision 2; 256R.25; 256R.47; 256R.481; 256R.53, by adding subdivisions; 256S.15, subdivision 2; 256S.18, by adding a subdivision; 256S.19, subdivision 3; 256S.203, subdivisions 1, 2; 256S.205, subdivisions 3, 5; 256S.21; 256S.2101, subdivisions 1, 2, by adding subdivisions; 256S.211, by adding subdivisions; 256S.212; 256S.213; 256S.214; 256S.215, subdivisions 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17; Laws 2019, chapter 63, article 3, section 1, as amended; Laws 2021, First Special Session chapter 7, article 16, section 28, as amended; article 17, sections 16; 20; proposing coding for new law in Minnesota Statutes, chapters 121A; 144A; 245; 245D; 254B; 256; 256I; 256S; 325F; repealing Minnesota Statutes 2022, sections 245G.05, subdivision 2; 246.18, subdivisions 2, 2a; 256B.0638, subdivisions 1, 2, 3, 4, 5, 6; 256B.0759, subdivision 6; 256B.0917, subdivisions 1a, 6, 7a, 13; 256B.4914, subdivision 9a; 256S.19, subdivision 4.

There has been appointed as such committee on the part of the House:

Noor, Fischer and Baker.

Senate File No. 2934 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 26, 2023

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 447.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 26, 2023

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 447: A bill for an act relating to civil law; amending certain policy provisions related to forfeiture, name change, property, survival of cause of action after death, mediation for debtors owning agricultural property, State Board of Public Defense, construction contracts, civil rights, gender identity, data, notaries public, and health care incident open discussion; amending Minnesota Statutes 2022, sections 13.072, subdivision 1; 13.32, subdivisions 3, 5; 13.643, subdivision 6; 15.71, by adding subdivisions; 15.72, by adding a subdivision; 82B.195, subdivision 3; 169A.63, subdivision 8; 245I.12, subdivision 1; 259.11; 259.13, subdivisions 1, 5; 325F.992, subdivision 3; 336.9-601; 337.01, subdivision 3; 337.05, subdivision 1; 357.17; 359.04; 363A.02, subdivision 1; 363A.03, subdivisions 23, 44, by adding a subdivision; 363A.04; 363A.06, subdivision 1; 363A.07, subdivision 2; 363A.08, subdivisions 1, 2, 3, 4, by adding a subdivision; 363A.09, subdivisions 1, 2, 3, 4; 363A.11, subdivisions 1, 2; 363A.12, subdivision 1; 363A.13, subdivisions 1, 2, 3, 4; 363A.15; 363A.16, subdivision 1; 363A.17; 363A.21, subdivision 1; 504B.301; 508.52; 517.04; 517.08, subdivisions 1a, 1b; 518.191, subdivisions 1, 3; 550.365, subdivision 2; 559.209, subdivision 2; 573.01; 573.02, subdivisions 1, 2; 582.039, subdivision 2; 583.25; 583.26, subdivision 2; 600.23; 609.5314, subdivision 3; 611.215, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 13; 145; 259; 359; 363A; repealing Minnesota Statutes 2022, sections 346.02; 363A.20, subdivision 3; 363A.27; 504B.305; 582.14.

Senator Boldon, designee of the Chair of the Committee on Rules and Administration, moved that H.F. No. 447 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Senator Boldon moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointments. The motion prevailed.

Senator Dzedzic, from the Committee on Rules and Administration, to which was referred

H.F. No. 1403 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1403	2818				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1403 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1403, the second engrossment; and insert the language after the enacting clause of S.F. No. 2818, the first engrossment; further, delete

the title of H.F. No. 1403, the second engrossment; and insert the title of S.F. No. 2818, the first engrossment.

And when so amended H.F. No. 1403 will be identical to S.F. No. 2818, and further recommends that H.F. No. 1403 be given its second reading and substituted for S.F. No. 2818, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Carlson from the Committee on Elections, to which were referred the following appointments:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

Carol Flynn
Faris Rashid

Reports the same back with the recommendation that the appointments be confirmed.

Senator Boldon moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF HOUSE BILLS

H.F. No. 1403 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Abeler, Hoffman, and Housley introduced--

S.F. No. 3306: A bill for an act relating to capital investment; appropriating money for capital improvements at an ice arena in the city of Anoka.

Referred to the Committee on Capital Investment.

Senator Latz introduced--

S.F. No. 3307: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Laws 2023, chapter 5, sections 1; 2.

Referred to the Committee on Judiciary and Public Safety.

Senator Carlson introduced--

S.F. No. 3308: A bill for an act relating to claims against the state; providing for the settlement of certain claims; appropriating money.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Senator Boldon moved that the name of Senator Mitchell be added as a co-author to S.F. No. 3. The motion prevailed.

RECESS

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

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

CALL OF THE SENATE

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

APPOINTMENTS

Senator Dziejdzic from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2497: Senators Kunesh, Cwodzinski, Gustafson, Maye Quade, and Duckworth.

H.F. No. 2335: Senators Port, Mohamed, and Housley.

Senator Dziejdzic moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2909: A bill for an act relating to state government; providing for certain judiciary, public safety, corrections, human rights, firearm, clemency, rehabilitation and reinvestment, supervised release board, expungement, community supervision, and 911 Emergency Communication System policy; providing for reports; authorizing rulemaking; appropriating money for judiciary, courts, civil legal services, Guardian ad Litem Board, Uniform Laws Commission, Board on Judicial

Standards, Board of Public Defense, human rights, sentencing guidelines, public safety, emergency management, criminal apprehension, fire marshal, firefighters, Office of Justice programs, Peace Officer Standards and Training Board, Private Detective Board, corrections, incarceration and release, probation, juveniles, and Ombudsperson for Corrections; amending Minnesota Statutes 2022, sections 13.072, subdivision 1; 13.825, subdivision 3; 13.871, subdivisions 8, 14; 13A.02, subdivisions 1, 2; 144.6586, subdivision 2; 145.4712; 152.01, by adding a subdivision; 152.021, subdivisions 1, 2; 152.022, subdivisions 1, 2; 152.023, subdivision 2; 152.18, subdivision 1; 181.981, subdivision 1; 214.10, subdivision 10; 241.01, subdivision 3a; 241.021, subdivision 1d; 243.05, subdivision 1; 244.03; 244.05, subdivisions 1b, 2, 3, 4, 5, by adding a subdivision; 244.052, subdivision 4a; 244.101, subdivision 1; 244.19, subdivisions 1, 5; 244.195, subdivisions 1, 2, by adding subdivisions; 244.20; 244.21; 297I.06, subdivision 1; 299A.38; 299A.41, subdivisions 3, 4, by adding a subdivision; 299A.52; 299A.642, subdivision 15; 299A.73, by adding a subdivision; 299C.10, subdivision 1; 299C.106, subdivision 3; 299C.11, subdivision 3; 299C.111; 299C.17; 299C.53, subdivision 3; 299N.02, subdivision 3; 326.32, subdivision 10; 326.3381, subdivision 3; 357.021, subdivision 2; 363A.06, subdivision 1; 401.01; 401.02; 401.025, subdivision 1; 401.06; 401.09; 401.10; 401.11; 401.14, subdivision 3; 401.16; 403.02, subdivisions 7, 9a, 11b, 16a, 17, 17c, 18, 19, 19a, 20, 20a, 21, by adding subdivisions; 403.025; 403.03, subdivision 2; 403.05; 403.06; 403.07; 403.08; 403.09, subdivision 2; 403.10, subdivisions 2, 3; 403.11; 403.113; 403.15, subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 609.05, by adding a subdivision; 609.106, subdivision 2, by adding a subdivision; 609.11, subdivision 8, by adding a subdivision; 609.14, subdivision 1, by adding a subdivision; 609.2231, subdivision 4; 609.2233; 609.3455, subdivisions 2, 5; 609.35; 609.52, subdivision 3; 609.527, subdivision 1, by adding a subdivision; 609.582, subdivisions 3, 4; 609.595, subdivisions 1a, 2; 609.749, subdivision 3; 609A.01; 609A.02, subdivision 3; 609A.03, subdivisions 5, 7a, 9; 611.23; 611A.03, subdivision 1; 611A.211, subdivision 1; 611A.31, subdivisions 2, 3, by adding a subdivision; 611A.32; 626.15; 626.5531, subdivision 1; 626.843, by adding a subdivision; 626.8451, subdivision 1; 626.8469, subdivision 1; 626.8473, subdivision 3; 638.01; 641.15, subdivision 2; 641.155; Laws 2021, First Special Session chapter 11, article 1, section 15, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 243; 244; 299A; 299C; 401; 609; 609A; 626; 638; repealing Minnesota Statutes 2022, sections 244.18; 244.19, subdivisions 6, 7, 8; 244.22; 244.24; 244.30; 299C.80, subdivision 7; 403.02, subdivision 13; 403.09, subdivision 3; 638.02; 638.03; 638.04; 638.05; 638.06; 638.07; 638.075; 638.08.

Senate File No. 2909 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 26, 2023

Senator Latz moved that the Senate do not concur in the amendments by the House to S.F. No. 2909, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2995: A bill for an act relating to state government; modifying provisions governing child care, child safety and permanency, child support, economic assistance, deep poverty, housing and homelessness, behavioral health, the medical education and research cost account, MinnesotaCare, medical assistance, background studies, and human services licensing; establishing the Department of Children, Youth, and Families; making technical and conforming changes; establishing requirements for hospital nurse staffing committees and hospital nurse workload committees; modifying requirements of hospital core staffing plans; modifying requirements related to hospital preparedness and incident response action plans to acts of violence; modifying eligibility for the health professional education loan forgiveness program; establishing the Health Care Affordability Board and Health Care Affordability Advisory Council; establishing prescription contraceptive supply requirement; requiring health plan coverage of prescription contraceptives, certain services provided by a pharmacist, infertility treatment, treatment of rare diseases and conditions, and biomarker testing; modifying managed care withhold requirements; establishing filing requirements for a health plan's prescription drug formulary and for items and services provided by medical and dental practices; establishing notice and disclosure requirements for certain health care transactions; extending moratorium on certain conversion transactions; requiring disclosure of facility fees for telehealth; modifying provisions relating to the eligibility of undocumented children for MinnesotaCare and of children for medical assistance; prohibiting a medical assistance benefit plan from including cost-sharing provisions; authorizing a MinnesotaCare buy-in option; assessing alternative payment methods in rural health care; assessing feasibility for a health care provider directory; requiring compliance with the No Surprises Act in billing; modifying prescription drug price provisions and continuity of care provisions; compiling health encounter data; modifying all-payer claims data provisions; establishing certain advisory councils, committees, public awareness campaigns, apprenticeship programs, and grant programs; modifying lead testing and remediation requirements; establishing Minnesota One Health Microbial Stewardship Collaborative and cultural communications program; providing for clinical health care training; establishing a climate resiliency program; changing assisted living provisions; establishing a program to monitor long COVID, a 988 suicide crisis lifeline, school-based health centers, Healthy Beginnings, Healthy Families Act, and Comprehensive and Collaborative Resource and Referral System for Children; establishing a moratorium on green burials; regulating submerged closed-loop exchanger systems; establishing a tobacco use prevention account; amending provisions relating to adoptee birth records access; establishing Office of African American Health; establishing Office of American Indian Health; changing certain health board fees; establishing easy enrollment health insurance outreach program; establishing a state-funded cost-sharing reduction program for eligible persons enrolled in certain qualified health plans; setting certain fees; requiring reports; authorizing attorney general and commissioner of health review and enforcement of certain health care transactions; authorizing rulemaking; transferring money; allocating funds for a specific purpose; making forecast adjustments; appropriating money for the Department of Human Services, Department of Health, health-related boards, emergency medical services regulatory board, ombudsperson for families, ombudsperson for American Indian families, Office of the Foster Youth Ombudsperson, Rare Disease Advisory Council, Department of Revenue, Department of Management and Budget, Department of Children, Youth and Families, Department of Commerce, and Health Care Affordability Board; amending Minnesota Statutes 2022, sections 4.045; 10.65, subdivision 2; 13.10, subdivision 5; 13.46, subdivision 4; 13.465, subdivision 8; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16A.151, subdivision 2; 43A.08, subdivision 1a; 62A.02, subdivision 1; 62A.045; 62A.15, subdivision 4, by adding a subdivision; 62A.30, by adding subdivisions; 62A.673, subdivision 2; 62J.497, subdivisions 1, 3; 62J.692, subdivisions 1, 3, 4, 5, 8; 62J.824; 62J.84, subdivisions 2, 3, 4, 6, 7, 8, 9, by adding

subdivisions; 62K.10, subdivision 4; 62K.15; 62U.04, subdivisions 4, 5, 5a, 11, by adding subdivisions; 62U.10, subdivision 7; 103I.005, subdivisions 17a, 20a, by adding a subdivision; 103I.208, subdivision 2; 119B.011, subdivisions 2, 5, 13, 19a; 119B.025, subdivision 4; 119B.03, subdivision 4a; 119B.125, subdivisions 1, 1a, 1b, 2, 3, 4, 6, 7; 119B.13, subdivisions 1, 6; 119B.16, subdivisions 1a, 1c, 3; 119B.161, subdivisions 2, 3; 119B.19, subdivision 7; 121A.335, subdivisions 3, 5, by adding a subdivision; 144.05, by adding a subdivision; 144.122; 144.1501, subdivisions 1, 2, 3, 4, 5; 144.1506, subdivision 4; 144.218, subdivisions 1, 2; 144.225, subdivision 2; 144.2252; 144.226, subdivisions 3, 4; 144.566; 144.608, subdivision 1; 144.651, by adding a subdivision; 144.653, subdivision 5; 144.7055; 144.7067, subdivision 1; 144.9501, subdivision 9; 144E.001, subdivision 1, by adding a subdivision; 144E.35; 145.4716, subdivision 3; 145.87, subdivision 4; 145.924; 145A.131, subdivisions 1, 2, 5; 145A.14, by adding a subdivision; 147A.08; 148.56, subdivision 1; 148B.392, subdivision 2; 150A.08, subdivisions 1, 5; 150A.091, by adding a subdivision; 150A.13, subdivision 10; 151.065, subdivisions 1, 2, 3, 4, 6; 151.071, subdivision 2; 151.555; 151.74, subdivisions 3, 4; 152.126, subdivisions 4, 5, 6, 9; 245.095; 245.4663, subdivision 4; 245.4889, subdivision 1; 245.735, subdivisions 3, 6, by adding a subdivision; 245A.02, subdivision 2c; 245A.04, subdivisions 1, 7a; 245A.05; 245A.055, subdivision 2; 245A.06, subdivisions 1, 2, 4; 245A.07, subdivision 3; 245A.16, by adding a subdivision; 245A.50, subdivisions 3, 4, 5, 6, 9; 245C.02, subdivision 13e, by adding subdivisions; 245C.03, subdivisions 1, 1a; 245C.031, subdivision 1; 245C.04, subdivision 1; 245C.05, subdivisions 1, 2c, 4; 245C.08, subdivision 1; 245C.10, subdivisions 2, 2a, 3, 4, 5, 6, 8, 9, 9a, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21; 245C.15, subdivision 2, by adding a subdivision; 245C.17, subdivisions 2, 3, 6; 245C.21, subdivisions 1a, 2; 245C.22, subdivision 7; 245C.23, subdivisions 1, 2; 245C.24, subdivision 2; 245C.30, subdivision 2; 245C.32, subdivision 2; 245E.06, subdivision 3; 245G.03, subdivision 1; 245H.01, subdivision 3, by adding a subdivision; 245H.03, subdivisions 2, 4; 245H.06, subdivisions 1, 2; 245H.07, subdivisions 1, 2; 245I.011, subdivision 3; 245I.20, subdivisions 10, 13, 14, 16; 254B.02, subdivision 5; 256.01, by adding a subdivision; 256.014, subdivisions 1, 2; 256.046, subdivision 3; 256.0471, subdivision 1; 256.962, subdivision 5; 256.9655, by adding a subdivision; 256.969, subdivisions 2b, 9, 25, by adding a subdivision; 256.983, subdivision 5; 256B.04, by adding a subdivision; 256B.055, subdivision 17; 256B.056, subdivision 7; 256B.0625, subdivisions 9, 13, 13c, 13f, 13g, 28b, 30, 31, 34, 49, by adding subdivisions; 256B.0631, subdivision 2, by adding a subdivision; 256B.0941, by adding a subdivision; 256B.196, subdivision 2; 256B.69, subdivisions 4, 5a, 6d, 28, 36, by adding subdivisions; 256B.692, subdivision 1; 256B.75; 256B.758; 256B.76, as amended; 256B.761; 256B.764; 256D.01, subdivision 1a; 256D.024, subdivision 1; 256D.03, by adding a subdivision; 256D.06, subdivision 5; 256D.44, subdivision 5; 256D.63, subdivision 2; 256E.34, subdivision 4; 256E.35, subdivisions 1, 2, 3, 4a, 6, 7; 256I.03, subdivisions 7, 13; 256I.04, subdivision 1; 256I.06, subdivisions 6, 8, by adding a subdivision; 256J.08, subdivisions 71, 79; 256J.11, subdivision 1; 256J.21, subdivisions 3, 4; 256J.26, subdivision 1; 256J.33, subdivisions 1, 2; 256J.35; 256J.37, subdivisions 3, 3a; 256J.425, subdivisions 1, 4, 5, 7; 256J.46, subdivisions 1, 2, 2a; 256J.95, subdivision 19; 256L.03, subdivision 5; 256L.04, subdivisions 7a, 10, by adding a subdivision; 256L.07, subdivision 1; 256L.15, subdivision 2; 256N.26, subdivision 12; 256P.01, by adding subdivisions; 256P.02, subdivision 2, by adding subdivisions; 256P.04, subdivisions 4, 8; 256P.06, subdivision 3, by adding a subdivision; 256P.07, subdivisions 1, 2, 3, 4, 6, 7, by adding subdivisions; 259.83, subdivisions 1, 1a, 1b, by adding a subdivision; 260.761, subdivision 2, as amended; 260C.007, subdivisions 6, 14; 260C.317, subdivision 4; 260C.80, subdivision 1; 260E.01; 260E.02, subdivision 1; 260E.03, subdivision 22, by adding subdivisions; 260E.09; 260E.14, subdivisions 2, 5; 260E.17, subdivision 1; 260E.18; 260E.20, subdivision 2; 260E.24, subdivisions 2, 7; 260E.33, subdivision 1; 260E.35, subdivision 6; 270B.14, subdivision 1, by adding a subdivision; 297F.10,

subdivision 1; 403.161, subdivisions 1, 3, 5, 6, 7; 403.162, subdivisions 1, 2, 5; 518A.31; 518A.32, subdivisions 3, 4; 518A.34; 518A.41; 518A.42, subdivisions 1, 3; 518A.65; 518A.77; 524.5-118; 609B.425, subdivision 2; 609B.435, subdivision 2; Laws 2017, First Special Session chapter 6, article 5, section 11, as amended; Laws 2021, First Special Session chapter 7, article 6, section 26; article 16, sections 2, subdivision 32, as amended; 3, subdivision 2, as amended; article 17, section 5, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62A; 62D; 62J; 62Q; 62V; 103I; 119B; 144; 144E; 145; 148; 245; 245C; 256B; 256E; 256K; 256N; 256P; 260; 290; proposing coding for new law as Minnesota Statutes, chapter 143; repealing Minnesota Statutes 2022, sections 62J.692, subdivisions 4a, 7, 7a; 119B.03, subdivision 4; 137.38, subdivision 1; 144.059, subdivision 10; 144.212, subdivision 11; 245C.02, subdivision 14b; 245C.031, subdivisions 5, 6, 7; 245C.032; 245C.11, subdivision 3; 245C.30, subdivision 1a; 256.8799; 256.9864; 256B.0631, subdivisions 1, 2, 3; 256B.69, subdivision 5c; 256J.08, subdivisions 10, 53, 61, 62, 81, 83; 256J.30, subdivisions 5, 7, 8; 256J.33, subdivisions 3, 4, 5; 256J.34, subdivisions 1, 2, 3, 4; 256J.37, subdivision 10; 256J.425, subdivision 6; 259.83, subdivision 3; 259.89; 260C.637.

Senate File No. 2995 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 26, 2023

Senator Wiklund moved that the Senate do not concur in the amendments by the House to S.F. No. 2995, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 3035: A bill for an act relating to state government; establishing the biennial budget for the Department of Employment and Economic Development, Explore Minnesota, Department of Labor and Industry, Workers' Compensation Court of Appeals, and Bureau of Mediation Services; modifying miscellaneous policy provisions; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 15.71, by adding subdivisions; 15.72, by adding a subdivision; 116J.5492, subdivisions 8, 10; 116J.55, subdivisions 1, 5, 6; 116J.871, subdivision 2; 116J.8748, subdivisions 3, 4, 6, by adding a subdivision; 116L.361, subdivision 7; 116L.362, subdivision 1; 116L.364, subdivision 3; 116L.56, subdivision 2; 116L.561, subdivision 5; 116L.562, subdivision 2; 116U.05; 116U.10; 116U.15; 116U.20; 116U.30; 116U.35; 175.16, subdivision 1; 177.26, subdivisions 1, 2; 177.27, subdivisions 4, 7; 178.01; 178.011, subdivision 7; 178.03, subdivision 1; 178.11; 179.86, subdivisions 1, 3, by adding subdivisions; 181.14, subdivision 1; 181.635, subdivisions 1, 2, 3, 4, 6; 181.85, subdivisions 2, 4; 181.86, subdivision 1; 181.87, subdivisions 2, 3, 7; 181.88; 181.89, subdivision 2, by adding a subdivision; 181.9435, subdivision 1; 181.9436; 182.654, subdivision 11; 182.666, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 326B.092, subdivision 6; 326B.096; 326B.103, subdivision 13, by adding subdivisions; 326B.106, subdivisions 1, 4, by adding a subdivision; 326B.802, subdivision 15; 337.01, subdivision 3; 337.05, subdivision

1; 341.21, subdivisions 2a, 2b, 2c, 4f, 7, by adding a subdivision; 341.221; 341.25; 341.27; 341.28, subdivisions 2, 3, by adding subdivisions; 341.30, subdivision 4; 341.32, subdivision 2; 341.321; 341.33; 341.355; 469.40, subdivision 11; 469.47, subdivisions 1, 5, 6; Laws 2021, First Special Session chapter 10, article 2, section 24; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 116U; 179; 181; 182; 341; repealing Minnesota Statutes 2022, section 177.26, subdivision 3.

There has been appointed as such committee on the part of the House:

Hassan; Xiong; Nelson, M.; Berg and Olson, L.

Senate File No. 3035 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 26, 2023

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Boldon, designee of the Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. Nos. 2887, S.F. Nos. 2819, 2212, and 2219.

SPECIAL ORDER

H.F. No. 2887: A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation purposes, including Department of Transportation, Department of Public Safety, and Metropolitan Council activities; modifying prior appropriations; authorizing the sale and issuance of state bonds; modifying various policy and finance provisions; establishing metropolitan region sales and use tax; requiring Metropolitan Council to implement and enforce transit safety measures; authorizing administrative citations; establishing criminal penalties; establishing an advisory committee, a task force, and a working group; establishing pilot programs; requiring a study; requiring reports; transferring money; amending Minnesota Statutes 2022, sections 13.69, subdivision 1; 43A.17, by adding a subdivision; 151.37, subdivision 12; 161.088, subdivisions 1, 2, 4, 5, as amended, by adding subdivisions; 161.45, subdivisions 1, 2; 161.46, subdivision 2; 163.051, subdivision 1; 168.002, by adding a subdivision; 168.012, by adding a subdivision; 168.013, subdivision 1a; 168.326; 168.327, subdivisions 1, 2, 3, by adding a subdivision; 168.33, subdivision 7; 168.345, subdivision 2; 168.54, subdivision 5; 168A.29, by adding a subdivision; 169.09, subdivision 13, by adding a subdivision; 169.14, by adding a subdivision; 169.345, subdivision 2; 169.475, subdivisions 2, 3; 169.8261; 169.865, subdivision 1a; 171.01, by adding subdivisions; 171.06, subdivisions 2, 3, as amended, 7, by adding subdivisions; 171.061, subdivision 4; 171.0705, by adding a subdivision; 171.13, subdivisions 1, 1a; 171.26; 174.01, by adding a subdivision; 174.03, subdivision 1c; 174.634; 219.015, subdivision 2; 219.1651; 221.0269, by adding a subdivision; 222.37, subdivision 1; 256.9752, by adding a subdivision; 270C.15; 297A.94; 297A.99, subdivision 1; 297A.993, by adding a subdivision; 297B.02, subdivision 1; 297B.03; 297B.09; 299A.01, by

adding a subdivision; 299A.705, subdivision 1; 299D.03, subdivision 5; 299F.60, subdivision 1; 299J.16, subdivision 1; 357.021, subdivisions 6, 7; 473.146, subdivision 1, by adding a subdivision; 473.39, by adding a subdivision; 473.859, by adding a subdivision; 609.855, subdivisions 1, 3, 7, by adding a subdivision; Laws 2021, First Special Session chapter 5, article 1, sections 2, subdivision 2; 4, subdivision 4; article 4, section 143; Laws 2022, chapter 39, section 2; proposing coding for new law in Minnesota Statutes, chapters 4; 160; 161; 168; 169; 171; 174; 297A; 473; proposing coding for new law as Minnesota Statutes, chapter 168E; repealing Minnesota Statutes 2022, sections 168.121, subdivision 5; 168.1282, subdivision 5; 168.1294, subdivision 5; 168.1299, subdivision 4; 168.345, subdivision 1; 299A.705, subdivision 2; 360.915, subdivision 5.

Senator Mitchell moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 48, line 5, delete "50" and insert "30"

Page 48, line 8, delete "50" and insert "70"

The motion prevailed. So the amendment was adopted.

Senator Morrison moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 6, line 13, delete "11,579,000" and insert "12,579,000"

Page 6, line 16, delete "5,212,000" and insert "6,212,000"

Page 6, line 21, delete "\$2,429,000" and insert "\$3,429,000"

Page 19, line 4, delete "139,630,000" and insert "138,630,000"

Page 19, line 10, delete "83,654,000" and insert "82,654,000"

Page 19, delete lines 23 to 25

Page 82, delete section 5

Page 84, delete section 6 and insert:

"Sec. 5. Minnesota Statutes 2022, section 473.145, is amended to read:

473.145 DEVELOPMENT GUIDE.

(a) The Metropolitan Council shall prepare and adopt, after appropriate study and such public hearings as may be necessary, a comprehensive development guide for the metropolitan area. It shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for the orderly and economical development, public and private, of the metropolitan area. The comprehensive development guide shall recognize and encompass physical, social, or economic needs of the metropolitan area and those future developments which will have an impact on the entire area including but not limited to such matters as land use, climate action, parks and open space land needs, the necessity for and location of airports, highways, transit facilities, public hospitals, libraries, schools, and other public buildings.

(b) For the purposes of this section, "climate action" includes goals that meet or exceed the greenhouse gas emissions-reduction goals established by the state under section 216H.02, subdivision 1, and transportation targets established by the commissioner of transportation, including vehicle miles traveled reduction targets established in the statewide multimodal transportation plan under section 174.03, subdivision 1a.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Page 102, delete section 25 and insert:

"Sec. 24. Minnesota Statutes 2022, section 473.859, subdivision 2, is amended to read:

Subd. 2. **Land use plan.** (a) A land use plan shall include the water management plan required by section 103B.235, and shall designate the existing and proposed location, intensity and extent of use of land and water, including lakes, wetlands, rivers, streams, natural drainage courses, and adjoining land areas that affect water natural resources, for agricultural, residential, commercial, industrial and other public and private purposes, or any combination of such purposes.

(b) A land use plan shall contain a protection element, as appropriate, for historic sites, the matters listed in the water management plan required by section 103B.235, and an element for protection and development of access to direct sunlight for solar energy systems.

(c) A land use plan shall also include a housing element containing standards, plans and programs for providing adequate housing opportunities to meet existing and projected local and regional housing needs, including but not limited to the use of official controls and land use planning to promote the availability of land for the development of low and moderate income housing.

(d) A land use plan shall also include the local government's goals, intentions, and priorities concerning aggregate and other natural resources, transportation infrastructure, land use compatibility, habitat, agricultural preservation, and other planning priorities, considering information regarding supply from the Minnesota Geological Survey Information Circular No. 46.

(e) A land use plan shall also include forecasts pertaining to greenhouse gas emissions and vehicle miles traveled that are generated from activity that occurs within the local government's jurisdiction, including from transportation, land use, energy use, solid waste, livestock, and agriculture, and the estimated impact of strategies that reduce or naturally sequester greenhouse gas emissions across sectors. The forecasts under this paragraph must analyze both efficient land use and compact growth scenarios.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 25. Minnesota Statutes 2022, section 473.859, is amended by adding a subdivision to read:

Subd. 7. **Climate action.** The council must specify how climate action information required pursuant to subdivision 2 and section 473.145 must be incorporated into comprehensive plan content.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Page 111, delete section 37

Page 139, delete section 18 and insert:

"Sec. 18. [161.178] TRANSPORTATION GREENHOUSE GAS EMISSIONS IMPACT ASSESSMENT.

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

(b) "Assessment" means the capacity expansion impact assessment under this section.

(c) "Capacity expansion project" means a project for trunk highway construction or reconstruction that:

(1) is a major highway project, as defined in section 174.56, subdivision 1, paragraph (b); and

(2) adds highway traffic capacity or provides for grade separation at an intersection, excluding auxiliary lanes with a length of less than 2,500 feet.

(d) "Greenhouse gas emissions" includes those emissions described in section 216H.01, subdivision 2.

Subd. 2. **Project assessment.** (a) Prior to inclusion of a capacity expansion project in the state transportation improvement program, the commissioner, a metropolitan planning organization, or the project sponsor must perform a capacity expansion impact assessment of the project. Following the assessment, the commissioner must determine if the project conforms with:

(1) the greenhouse gas emissions reduction targets under section 174.01, subdivision 3; and

(2) the vehicle miles traveled reduction targets established in the statewide multimodal transportation plan under section 174.03, subdivision 1a.

(b) If the commissioner determines that the capacity expansion project is not in conformance with paragraph (a), the commissioner must:

(1) alter the scope or design of the project and perform a revised assessment that meets the requirements under this section;

(2) interlink sufficient impact mitigation as provided in subdivision 4; or

(3) halt project development and disallow inclusion of the project in the state transportation improvement program.

Subd. 3. **Assessment requirements.** (a) The commissioner must establish a process to perform capacity expansion impact assessments. An assessment must provide for the determination under subdivision 2.

(b) Analysis under an assessment must include but is not limited to estimates resulting from the project for the following:

- (1) greenhouse gas emissions over a period of 20 years; and
- (2) a net change in vehicle miles traveled for the affected network.

Subd. 4. **Impact mitigation.** (a) To provide for impact mitigation, the commissioner must interlink the capacity expansion project as provided in this subdivision.

(b) Impact mitigation is sufficient under subdivision 2, paragraph (b), if the capacity expansion project is interlinked to mitigation actions such that the total greenhouse gas emissions reduction from the mitigation actions, after accounting for the greenhouse gas emissions otherwise resulting from the capacity expansion project, is consistent with meeting the targets specified under subdivision 2, paragraph (a). Each comparison under this paragraph must be performed over equal comparison periods.

(c) A mitigation action consists of a project, program, or operations modification in one or more of the following areas:

(1) transit expansion, including but not limited to regular route bus, arterial bus rapid transit, highway bus rapid transit, rail transit, and intercity passenger rail;

(2) transit service improvements, including but not limited to increased service level, transit fare reduction, and transit priority treatments;

(3) active transportation infrastructure;

(4) micromobility infrastructure and service, including but not limited to shared vehicle services;

(5) transportation demand management, including but not limited to vanpool and shared vehicle programs, remote work, and broadband access expansion;

(6) parking management, including but not limited to parking requirements reduction or elimination and parking cost adjustments;

(7) land use, including but not limited to residential and other density increases, mixed-use development, and transit-oriented development; and

(8) natural systems, including but not limited to prairie restoration, reforestation, and urban green space.

(d) A mitigation action may be identified as interlinked to the capacity expansion project if:

- (1) there is a specified project, program, or modification;

(2) the necessary funding sources are identified and sufficient amounts are committed;

(3) the mitigation is localized as provided in subdivision 5; and

(4) procedures are established to ensure that the mitigation action remains in substantially the same form or a revised form that continues to meet the calculation under paragraph (b).

Subd. 5. **Impact mitigation; localization.** (a) A mitigation action under subdivision 4 must be localized in the following priority order:

(1) within or associated with at least one of the communities impacted by the capacity expansion project;

(2) if there is not a reasonably feasible location under clause (1), in areas of persistent poverty or historically disadvantaged communities, as measured and defined in federal law, guidance, and notices of funding opportunity;

(3) if there is not a reasonably feasible location under clauses (1) and (2), in the region of the capacity expansion project; or

(4) if there is not a reasonably feasible location under clauses (1) to (3), on a statewide basis.

(b) The commissioner must include an explanation regarding the feasibility and rationale for each mitigation action located under paragraph (a), clauses (2) to (4).

Subd. 6. **Public information.** The commissioner must publish information regarding capacity expansion impact assessments on the department's website. The information must include:

(1) identification of capacity expansion projects; and

(2) for each project, a summary that includes an overview of the expansion impact assessment, the impact determination by the commissioner, and project disposition, including a review of any mitigation actions.

EFFECTIVE DATE; APPLICATION. This section is effective February 1, 2025. This section does not apply to a capacity expansion project that, before February 1, 2025: (1) is included in the state transportation improvement program; or (2) has been submitted for approval of the geometric layout."

Page 163, lines 3, 5, and 7, delete "benchmarks" and insert "targets"

Page 164, line 23, delete "the day following final enactment" and insert "February 1, 2025,"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 41 and nays 26, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Murphy cast the affirmative vote on behalf of the following Senators: Dziedzic, Port, Seeberger, and Xiong.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Anderson	Drazkowski	Howe	Limmer	Wesenberg
Bahr	Duckworth	Jasinski	Lucero	Westrom
Coleman	Eichorn	Johnson	Mathews	
Dahms	Farnsworth	Koran	Rarick	
Dornink	Green	Kreun	Utke	
Draheim	Gruenhagen	Lieske	Weber	

The motion prevailed. So the amendment was adopted.

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 11, line 15, delete "28,750,000" and insert "25,500,000"

Page 11, delete lines 21 and 22 and insert:

"The base for this appropriation is \$25,500,000 in fiscal year 2026 and \$73,106,000 in fiscal year 2027."

Page 11, line 23, delete "267,808,000" and insert "265,756,000" and delete "291,004,000" and insert "282,683,000"

Page 11, line 24, delete "\$264,808,000" and insert "\$262,756,000"

Page 11, line 25, delete "\$288,004,000" and insert "\$279,683,000"

Page 33, delete lines 28 to 31 and insert:

"(b) This appropriation is available in the amounts of:

(1) \$100,000,000 in fiscal year 2024;

(2) \$100,000,000 in fiscal year 2025;

(3) \$75,000,000 in fiscal year 2026; and

(4) \$75,000,000 in fiscal year 2027."

Page 34, delete lines 20 to 23 and insert:

"(b) This appropriation is available in the amounts of:

(1) \$56,000,000 in fiscal year 2024;

(2) \$50,000,000 in fiscal year 2025;

(3) \$50,000,000 in fiscal year 2026; and

(4) \$44,000,000 in fiscal year 2027."

Page 35, delete lines 6 to 9 and insert:

"(b) This appropriation is available in the amounts of:

(1) \$156,000 in fiscal year 2024;

(2) \$150,000 in fiscal year 2025;

(3) \$125,000 in fiscal year 2026; and

(4) \$119,000 in fiscal year 2027."

The motion prevailed. So the amendment was adopted.

Senator Kreun moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 34, after line 32, insert:

"(d) Of the amount in fiscal year 2024, \$56,000,000 is for one or more grants to the city of Blaine, Anoka County, or both for the predesign, right-of-way acquisition, design, engineering, and construction of intersection improvements along Trunk Highway 65 at 99th Avenue Northeast; 105th Avenue Northeast; Anoka County State-Aid Highway 12; 109th Avenue Northeast; 117th Avenue Northeast; and the associated frontage roads and backage roads within the trunk highway system.

(e) Of the amount in fiscal year 2025, \$30,000,000 is for a grant to Anoka County

to complete the preliminary engineering, environmental documentation, final design, right-of-way acquisition, construction, and construction administration of a third travel lane in each direction of marked U.S. Highway 10 from east of the interchange with Hanson Boulevard to Round Lake Boulevard in the city of Coon Rapids."

The motion prevailed. So the amendment was adopted.

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 166, after line 21, insert:

"Sec. 44. **[174.59] OPERATION COSTS FOR CENTRAL OFFICE BUILDING.**

The cost of operation and maintenance of the central office building for the Department of Transportation, or so much thereof as is properly attributable to the Department of Transportation, must be paid as follows:

- (1) 50 percent from the trunk highway fund, from available departmental resources; and
- (2) 50 percent from the general fund, for which an amount sufficient is appropriated from the general fund to the commissioner.

EFFECTIVE DATE. This section is effective July 1, 2027."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 41, line 26, after the semicolon, insert "and"

Page 41, delete lines 27 to 31

Page 41, line 32, delete "(x)" and insert "(y)" and delete "2033" and insert "2028"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Dornink	Farnsworth	Jasinski	Lieske
Anderson	Draheim	Green	Johnson	Limmer
Bahr	Drazkowski	Gruenhagen	Koran	Lucero
Coleman	Duckworth	Housley	Kreun	Mathews
Dahms	Eichorn	Howe	Lang	Miller

Nelson	Rasmusson	Weber	Westrom
Rarick	Utke	Wesenberg	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative 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 Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Frentz, Mann, Port, Seeberger, and Xiong.

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

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 33, after line 4, insert:

"(g) \$91,819,000 in fiscal year 2024 and \$212,159,000 in fiscal year 2025 are transferred from the general fund to the highway user tax distribution fund. The base for this transfer is \$290,410,000 in fiscal year 2026 and \$322,300,000 in fiscal year 2027.

(h) \$17,417,000 in fiscal year 2024 and \$19,000,000 in fiscal year 2025 are transferred from the general fund to the small cities assistance account under Minnesota Statutes, section 162.145.

(i) \$17,417,000 in fiscal year 2024 and \$19,000,000 in fiscal year 2025 are transferred from the general fund to the larger cities assistance account under Minnesota Statutes, section 162.146.

(j) \$17,417,000 in fiscal year 2024 and \$19,000,000 in fiscal year 2025 are transferred from the general fund to the town road account under Minnesota Statutes, section 162.081.

(k) \$200,362,000 in fiscal year 2024 and \$310,475,000 in fiscal year 2025 are

transferred from the general fund to the metropolitan area transit account under Minnesota Statutes, section 16A.88. The base for this transfer is \$320,103,000 in fiscal year 2026 and \$329,344,000 in fiscal year 2027.

(1) \$41,038,000 in fiscal year 2024 and \$63,591,000 in fiscal year 2025 are transferred from the general fund to the county state-aid highway fund. The base for this transfer is \$65,563,000 in fiscal year 2026 and \$67,456,000 in fiscal year 2027. The commissioner of transportation must allocate the funds transferred under this paragraph to the metropolitan counties, as defined in Minnesota Statutes, section 473.121, subdivision 4, as follows:

(1) 50 percent apportioned among the counties so that each county receives of such amount the percentage that its population, as defined in Minnesota Statutes, section 477A.011, subdivision 3, bears to the total population of the counties receiving funds under this paragraph; and

(2) 50 percent apportioned among the counties so that each county receives of such amount the percentage that its money needs, as defined under Minnesota Statutes, section 162.07, subdivision 2, bears to the sum of the money needs of all the individual counties receiving funds under this paragraph."

Page 37, delete section 5

Page 43, delete section 9

Page 44, delete section 10

Page 46, delete sections 11 and 13

Page 52, line 6, reinstate the stricken language

Page 52, delete lines 7 and 8

Page 52, line 9, delete "(3)" and insert "(2)"

Page 52, line 31, delete the new language and reinstate the stricken language

Page 53, delete lines 6 to 16

Page 53, lines 17 and 27, delete "(h)" and insert "(f)"

Page 53, lines 21 and 28, delete "(i)" and insert "(g)"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative 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	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative 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 Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Frentz, Mann, Port, Seeberger, and Xiong.

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

Senator Hauschild moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 34, after line 32, insert:

"(d) Of the amount in fiscal year 2024, \$11,000,000 is for the preliminary engineering, environmental documentation, final design, right-of-way acquisition, and construction of marked Trunk Highway 61 through the city of Two Harbors in Lake

County. This appropriation does not require a nonstate contribution."

The motion prevailed. So the amendment was adopted.

Senator Coleman moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 44, line 24, before "The" insert "(a)"

Page 44, line 26, delete "metropolitan area or to a destination in the" and insert "authorized area, as determined in paragraph (b), or to a destination in the authorized area"

Page 44, line 27, delete everything before the period

Page 44, after line 27, insert:

"(b) The council must impose the metropolitan sales tax only within the portions of the metropolitan area in which, at the 2024 general election, a majority of the voters in that county who vote on the question to impose the metropolitan sales tax, vote in favor of imposition of the tax. Inclusion or exclusion under this paragraph is determined separately for each county based on the voters in that county."

Page 45, line 29, delete "October 1, 2023" and insert "January 1, 2025"

Page 48, line 22, delete "October 1, 2023" and insert "January 1, 2025"

CALL OF THE SENATE

Senator Jasinski imposed a call of the Senate for the balance of the proceedings on the Coleman amendment to H.F. No. 2887. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Coleman amendment.

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Boldon	Dibble	Gustafson	Klein	Mann
Carlson	Dziedzic	Hauschild	Kunesh	Marty
Champion	Fateh	Hawj	Kupec	Maye Quade
Cwodzinski	Frentz	Hoffman	Latz	McEwen

Mitchell
Mohamed
Morrison

Murphy
Oumou Verbeten
Pappas

Pha
Port
Putnam

Rest
Seeberger
Westlin

Wiklund
Xiong

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Frentz, Mann, Port, Seeberger, and Xiong.

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

Senator Howe moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 47, after line 30, insert:

"(d) The council is prohibited from expending sales tax revenue on the Southwest light rail transit project, also referred to as the Green Line extension."

Senator Howe moved to amend the Howe amendment to H.F. No. 2887 as follows:

Page 1, after line 2, insert:

"Page 47, line 27, delete everything after "174.48"

Page 47, line 28, delete everything before the period"

Page 1, line 4, delete "the Southwest" and insert "any"

Page 1, line 5, after "transit" insert "or passenger rail" and delete ", also referred to as the Green Line extension"

The question was taken on adoption of the Howe amendment to the Howe amendment.

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

Those who voted in the affirmative were:

Abeler
Anderson
Bahr
Coleman
Dahms
Dornink
Draheim

Drazkowski
Duckworth
Eichorn
Farnsworth
Green
Gruenhagen
Housley

Howe
Jasinski
Johnson
Koran
Kreun
Lang
Lieske

Limmer
Lucero
Mathews
Miller
Nelson
Pratt
Rarick

Rasmusson
Utke
Weber
Wesenberg
Westrom

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Boldon
Carlson
Champion
Cwodzinski
Dibble
Dziedzic
Fateh

Frentz
Gustafson
Hauschild
Hawj
Hoffman
Klein
Kunesh

Kupec
Latz
Mann
Marty
Maye Quade
McEwen
Mitchell

Mohamed
Morrison
Murphy
Oumou Verbeten
Pappas
Pha
Port

Putnam
Rest
Seeberger
Westlin
Wiklund
Xiong

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziezic, Frentz, Mann, Port, Seeberger, and Xiong.

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

The question was taken on the adoption of the first Howe amendment.

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

Those who voted in the affirmative 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	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziezic, Frentz, Mann, Port, Seeberger, and Xiong.

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

Senator Coleman moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 149, after line 14, insert:

"(g) A pregnant person experiencing any of the conditions described in paragraph (f) is eligible for parking privileges pursuant to this section."

Page 149, line 15, strike "(g)" and insert "(h)"

Page 149, line 17, strike "(h)" and insert "(i)"

Page 149, line 18, strike "(i)" and insert "(j)"

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 139, after line 3, insert:

"Sec. 18. Minnesota Statutes 2022, section 161.14, is amended by adding a subdivision to read:

Subd. 102. Deputy Josh Owen Memorial Overpass. The overpass at the junction of marked Trunk Highway 29 and marked Trunk Highway 55 in Pope County is designated as "Deputy Josh Owen Memorial Overpass." Subject to section 161.139, the commissioner must adopt a suitable design to mark the overpass and erect appropriate signs."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 5, line 22, delete "52,455,000" and insert "2,455,000"

Page 6, delete lines 1 to 12

Page 19, line 4, delete "139,630,000" and insert "89,630,000"

Page 19, line 10, delete "83,654,000" and insert "33,654,000"

Page 19, delete lines 14 to 22

Page 33, after line 4, insert:

"(g) \$50,000,000 in fiscal year 2024 is transferred from the general fund to the small cities assistance account under Minnesota Statutes, section 162.145.

"(h) \$50,000,000 in fiscal year 2024 is transferred from the general fund to the town road account under Minnesota Statutes, section 162.081."

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative 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	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Boldon	Cwodzinski	Fateh	Hauschild	Klein
Carlson	Dibble	Frentz	Hawj	Kunesh
Champion	Dziedzic	Gustafson	Hoffman	Kupec

Latz
Mann
Marty
Maye Quade

McEwen
Mitchell
Mohamed
Morrison

Murphy
Oumou Verbeten
Pappas
Pha

Port
Putnam
Rest
Seeberger

Westlin
Wiklund
Xiong

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Frentz, Mann, Port, Seeberger, and Xiong.

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

Senator Kreun moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 19, line 4, delete "139,630,000" and insert "132,630,000" and delete "88,630,000" and insert "95,630,000"

Page 19, line 10, delete "83,654,000" and insert "76,654,000" and delete "32,654,000" and insert "39,654,000"

Page 19, line 14, delete "\$50,000,000" and insert "\$36,000,000"

Page 19, after line 25, insert:

"\$7,000,000 in each year is for staff and equipment costs of additional sworn officers for the Metro Transit Police Department. These are onetime appropriations."

Senator Kreun moved to amend the second Kreun amendment to H.F. No. 2887 as follows:

Page 1, after line 2, insert:

"Page 5, line 31, delete "\$4,876,000" and insert "\$376,000"

Page 1, delete line 12 and insert:

"Page 32, line 21, delete "\$2,799,000" and insert "\$299,000" and delete "\$2,800,000" and insert "\$300,000"

The question was taken on the adoption of the Kreun amendment to the second Kreun amendment.

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

Those who voted in the affirmative were:

Abeler
Anderson
Bahr
Coleman
Dahms
Dornink
Draheim

Drazkowski
Duckworth
Eichorn
Farnsworth
Green
Gruenhagen
Housley

Howe
Jasinski
Johnson
Koran
Kreun
Lang
Lieske

Limmer
Lucero
Mathews
Miller
Nelson
Pratt
Rarick

Rasmusson
Utke
Weber
Wesenberg
Westrom

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative 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 Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, Port, Seeberger, and Xiong.

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

The question was taken on the adoption of the second Kreun amendment.

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

Those who voted in the affirmative 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	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative 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 Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, Port, Seeberger, and Xiong.

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

Senator Howe moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 37, after line 9, insert:

"Sec. 5. Minnesota Statutes 2022, section 163.051, subdivision 1, is amended to read:

Subdivision 1. **Tax authorized.** (a) Except as provided in paragraph (c), the board of commissioners of each county is authorized to levy by resolution a wheelage tax at the rate specified in paragraph (b), on each motor vehicle that is kept in such county when not in operation and that is subject to annual registration and taxation under chapter 168. The board may provide by resolution for collection of the wheelage tax by county officials or it may request that the tax be collected by the state registrar of motor vehicles. The state registrar of motor vehicles shall collect such tax on behalf of the county if requested, as provided in subdivision 2.

(b) The wheelage tax under this section is at the rate of up to \$20 per year, in any increment of a whole dollar, as specified by each county that authorizes the tax.

(c) The following vehicles are exempt from the wheelage tax:

- (1) motorcycles, as defined in section 169.011, subdivision 44;
- (2) motorized bicycles, as defined in section 169.011, subdivision 45; ~~and~~
- (3) motorized foot scooters, as defined in section 169.011, subdivision 46; and
- (4) vehicles that meet the requirements under section 168.012, subdivision 13.

(d) For any county that authorized the tax prior to May 24, 2013, the wheelage tax continues at the rate provided under paragraph (b).

EFFECTIVE DATE. This section is effective the day following final enactment and applies to taxes payable for a registration period starting on or after January 1, 2024.

Sec. 6. Minnesota Statutes 2022, section 168.012, is amended by adding a subdivision to read:

Subd. 13. Vehicles registered by certain veterans. (a) A passenger automobile, one-ton pickup truck, motorcycle, or recreational vehicle registered by a veteran with a total service-connected disability, as defined in section 171.01, subdivision 51, is not subject to:

- (1) registration taxes under this chapter;
- (2) administrative fees imposed under subdivision 1c;
- (3) filing fees imposed under section 168.33, subdivision 7; or
- (4) plate and validation sticker fees imposed under this chapter, including but not limited to:
 - (i) fees under section 168.12, subdivision 5;
 - (ii) fees identified in any section authorizing special plates; and
 - (iii) transfer fees.

(b) The fees identified under paragraph (a), clause (4), do not include:

- (1) a fee for personalized plates under section 168.12, subdivision 2a; or

(2) a required contribution or donation for a special plate, including but not limited to a contribution under sections 168.1255, subdivision 1, clause (6); 168.129, subdivision 1, clause (5); 168.1295, subdivision 1, paragraph (a), clause (5); 168.1296, subdivision 1, paragraph (a), clause (5); and 168.1299, subdivision 1, clause (3).

EFFECTIVE DATE. This section is effective the day following final enactment and applies to taxes and fees payable for a registration period starting on or after January 1, 2024."

Page 39, after line 25, insert:

"Sec. 9. Minnesota Statutes 2022, section 168A.29, is amended by adding a subdivision to read:

Subd. 4. **Exemption; vehicles for certain veterans.** The department must not impose any fee under subdivision 1 if the certificate of title is being issued to a person and for a vehicle meeting the requirements under section 168.012, subdivision 13.

EFFECTIVE DATE. This section is effective January 1, 2024.

Sec. 10. Minnesota Statutes 2022, section 171.01, is amended by adding a subdivision to read:

Subd. 51. **Veteran with a total service-connected disability.** "Veteran with a total service-connected disability" means a veteran, as defined in section 197.447, who provides satisfactory evidence to the commissioner demonstrating that the veteran has received a 100 percent total and permanent service-connected disability rating as adjudicated by the United States Veterans Administration or the retirement board of one of the several branches of the armed forces.

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

Sec. 11. Minnesota Statutes 2022, section 171.06, is amended by adding a subdivision to read:

Subd. 2c. **Exemption; certain veterans.** For an applicant who is a veteran with a total service-connected disability, the commissioner shall not impose:

(1) a license or endorsement fee, including fees and surcharges specified under:

(i) subdivisions 2 and 2a; and

(ii) section 171.02, subdivision 3;

(2) a filing fee under subdivision 2 or section 171.061, subdivision 4; or

(3) a fee for an identification card under section 171.07, subdivision 3 or 3a.

EFFECTIVE DATE. This section is effective January 1, 2024."

Page 46, after line 9, insert:

"Sec. 17. Minnesota Statutes 2022, section 297B.03, is amended to read:

297B.03 EXEMPTIONS.

There is specifically exempted from the provisions of this chapter and from computation of the amount of tax imposed by it the following:

(1) purchase or use, including use under a lease purchase agreement or installment sales contract made pursuant to section 465.71, of any motor vehicle by the United States and its agencies and instrumentalities and by any person described in and subject to the conditions provided in section 297A.67, subdivision 11;

(2) purchase or use of any motor vehicle by any person who was a resident of another state or country at the time of the purchase and who subsequently becomes a resident of Minnesota, provided the purchase occurred more than 60 days prior to the date such person began residing in the state of Minnesota and the motor vehicle was registered in the person's name in the other state or country;

(3) purchase or use of any motor vehicle by any person making a valid election to be taxed under the provisions of section 297A.90;

(4) purchase or use of any motor vehicle previously registered in the state of Minnesota when such transfer constitutes a transfer within the meaning of section 118, 331, 332, 336, 337, 338, 351, 355, 368, 721, 731, 1031, 1033, or 1563(a) of the Internal Revenue Code, as amended through December 16, 2016;

(5) purchase or use of any vehicle owned by a resident of another state and leased to a Minnesota-based private or for-hire carrier for regular use in the transportation of persons or property in interstate commerce provided the vehicle is titled in the state of the owner or secured party, and that state does not impose a sales tax or sales tax on motor vehicles used in interstate commerce;

(6) purchase or use of a motor vehicle by a private nonprofit or public educational institution for use as an instructional aid in automotive training programs operated by the institution. "Automotive training programs" includes motor vehicle body and mechanical repair courses but does not include driver education programs;

(7) purchase of a motor vehicle by an ambulance service licensed under section 144E.10 when that vehicle is equipped and specifically intended for emergency response or for providing ambulance service;

(8) purchase of a motor vehicle by or for a public library, as defined in section 134.001, subdivision 2, as a bookmobile or library delivery vehicle;

(9) purchase of a ready-mixed concrete truck;

(10) purchase or use of a motor vehicle by a town for use exclusively for road maintenance, including snowplows and dump trucks, but not including automobiles, vans, or pickup trucks;

(11) purchase or use of a motor vehicle by a corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes, except a public school, university, or library, but only if the vehicle is:

(i) a truck, as defined in section 168.002, a bus, as defined in section 168.002, or a passenger automobile, as defined in section 168.002, if the automobile is designed and used for carrying more than nine persons including the driver; and

(ii) intended to be used primarily to transport tangible personal property or individuals, other than employees, to whom the organization provides service in performing its charitable, religious, or educational purpose;

(12) purchase of a motor vehicle for use by a transit provider exclusively to provide transit service is exempt if the transit provider is either (i) receiving financial assistance or reimbursement under section 174.24 or 473.384, or (ii) operating under section 174.29, 473.388, or 473.405;

(13) purchase or use of a motor vehicle by a qualified business, as defined in section 469.310, located in a job opportunity building zone, if the motor vehicle is principally garaged in the job opportunity building zone and is primarily used as part of or in direct support of the person's operations carried on in the job opportunity building zone. The exemption under this clause applies to sales, if the purchase was made and delivery received during the duration of the job opportunity building zone. The exemption under this clause also applies to any local sales and use tax;

(14) purchase of a leased vehicle by the lessee who was a participant in a lease-to-own program from a charitable organization that is:

(i) described in section 501(c)(3) of the Internal Revenue Code; and

(ii) licensed as a motor vehicle lessor under section 168.27, subdivision 4; ~~and~~

(15) purchase of a motor vehicle used exclusively as a mobile medical unit for the provision of medical or dental services by a federally qualified health center, as defined under title 19 of the Social Security Act, as amended by Section 4161 of the Omnibus Budget Reconciliation Act of 1990; and

(16) purchase of a motor vehicle by a veteran having a total service-connected disability, as defined in section 171.01, subdivision 51.

EFFECTIVE DATE. This section is effective for sales and purchases made after June 30, 2024."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Pursuant to Rule 7.4, Senator Dibble questioned whether the Howe amendment was in order. The President ruled the amendment was out of order.

Senator Howe 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 Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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	

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Housley, Lang, and Miller.

So the decision of the President was sustained.

Senator Howe moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 46, line 4, after the period, insert "This paragraph does not apply to vehicles described in paragraph (c)."

Page 46, after line 7, insert:

"(c) There is imposed an excise tax of 6.5 percent on commercial vehicles with a gross vehicle weight rating of greater than 10,000 pounds purchased or acquired, either in or outside of the state of Minnesota, which is required to be registered under the laws of this state."

Pursuant to Rule 7.4, Senator Dibble questioned whether the Howe amendment was in order. The President ruled the amendment was out of order.

Senator Howe 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 Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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	

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Housley, Lang, and Miller.

So the decision of the President was sustained.

Senator Coleman moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 147, after line 10, insert:

"Sec. 27. Minnesota Statutes 2022, section 169.14, is amended by adding a subdivision to read:

Subd. 5j. **Interstate Highway 35E.** The commissioner must designate the maximum speed limit on marked Interstate Highway 35E in the city of St. Paul, from its intersection with West Seventh Street to its intersection with marked Interstate Highway 94, as 55 miles per hour. Any speed in excess of the speed designated in this subdivision is unlawful.

EFFECTIVE DATE. This section is effective on the date the commissioner erects the appropriate signs designating the speed limit, which must occur on or before August 1, 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

Senator Lucero moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 53, line 14, delete "\$7,000,000" and insert "\$3,000,000"

Page 53, after line 16, insert:

"(h) Notwithstanding apportionment and distribution requirements under section 162.081, in fiscal year 2024, \$4,000,000 of the revenue deposited in the town road account under paragraph (f), clause (3), must be allocated among townships with a population greater than 1,500 and less than or equal to 10,000 according to the last two federal decennial censuses. The allocation must be based on proportional population."

Page 53, lines 17 and 27, delete "(h)" and insert "(i)"

Page 53, lines 21 and 28, delete "(i)" and insert "(j)"

Senator Lucero moved to amend the Lucero amendment to H.F. No. 2887 as follows:

Page 1, delete lines 3 to 11 and insert:

"Page 53, delete lines 13 to 16 and insert:

"(g) Notwithstanding apportionment and distribution requirements under section 162.081, in fiscal year 2024, \$7,000,000 of the revenue deposited in the town road account under paragraph (f), clause (3), must be allocated among townships with a population greater than 1,500 according to the last two federal decennial censuses. The allocation must be based on proportional population."

The question was taken on the adoption of the Lucero amendment to the Lucero amendment.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

The question was taken on the adoption of the first Lucero amendment.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

Senator Lucero moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 53, line 14, delete "\$7,000,000" and insert "\$3,000,000"

Page 53, after line 16, insert:

"(h) Notwithstanding apportionment and distribution requirements under section 162.081, in fiscal year 2024, \$4,000,000 of the revenue deposited in the town road account under paragraph (f), clause (3), must be allocated based on proportional population among the following townships:

- (1) Big Lake Township in Sherburne County;
- (2) Baldwin Township in Sherburne County;
- (3) Livonia Township in Sherburne County;
- (4) Becker Township in Sherburne County;
- (5) Thomson Township in Carlton County;
- (6) Linwood Township in Anoka County;
- (7) Chisago Lake Township in Chisago County;
- (8) La Grand Township in Douglas County;
- (9) Marion Township in Olmsted County;
- (10) West Lakeland Township in Washington County;
- (11) Northern Township in Beltrami County;
- (12) Orrock Township in Sherburne County;
- (13) New Market Township in Scott County;
- (14) Spring Lake Township in Scott County;
- (15) Bradford Township in Isanti County;
- (16) Watab Township in Benton County;
- (17) Rockford Township in Wright County;
- (18) Lake Eunice Township in Becker County;
- (19) Lake View Township in Becker County;
- (20) Grand Lake Township in St. Louis County;
- (21) Lakewood Township in St. Louis County;
- (22) Baytown Township in Washington County;
- (23) Denmark Township in Washington County;
- (24) Solway Township in St. Louis County;

(25) Detroit Township in Becker County;

(26) Gnesen Township in St. Louis County;

(27) Minden Township in Benton County;

(28) Silver Creek Township in Lake County; and

(29) Duluth Township in St. Louis County."

Page 53, lines 17 and 27, delete "(h)" and insert "(i)"

Page 53, lines 21 and 28, delete "(i)" and insert "(j)"

Senator Lucero moved to amend the third Lucero amendment to H.F. No. 2887 as follows:

Page 1, delete lines 3 to 28 and insert:

"Page 53, delete lines 13 to 16 and insert:

"(g) Notwithstanding apportionment and distribution requirements under section 162.081, in fiscal year 2024, \$7,000,000 of the revenue deposited in the town road account under paragraph (f), clause (3), must be allocated based on proportional population among the following townships:

(1) White Bear Township in Ramsey County;

(2) Big Lake Township in Sherburne County;

(3) Baldwin Township in Sherburne County;

(4) Livonia Township in Sherburne County;

(5) Becker Township in Sherburne County;

(6) Thomson Township in Carlton County;

(7) Linwood Township in Anoka County;

(8) Chisago Lake Township in Chisago County;

(9) La Grand Township in Douglas County;

(10) Marion Township in Olmsted County;

(11) West Lakeland Township in Washington County;

(12) Northern Township in Beltrami County;

(13) Orrock Township in Sherburne County;

(14) New Market Township in Scott County;

- (15) Spring Lake Township in Scott County;
(16) Bradford Township in Isanti County;
(17) Watab Township in Benton County;
(18) Rockford Township in Wright County;
(19) Lake Eunice Township in Becker County;
(20) Lake View Township in Becker County;
(21) Grand Lake Township in St. Louis County;
(22) Lakewood Township in St. Louis County;
(23) Baytown Township in Washington County;
(24) Denmark Township in Washington County;
(25) Solway Township in St. Louis County;
(26) Detroit Township in Becker County;
(27) Gnesen Township in St. Louis County;
(28) Minden Township in Benton County;
(29) Silver Creek Township in Lake County; and
(30) Duluth Township in St. Louis County."

Page 2, delete lines 1 to 11

The question was taken on the adoption of the Lucero amendment to the third Lucero amendment.

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

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Boldon	Champion	Dibble	Fateh	Gustafson
Carlson	Cwodzinski	Dziedzic	Frentz	Hauschild

Hawj	Kupec	McEwen	Oumou Verbeten	Rest
Hoffman	Latz	Mitchell	Pappas	Seeberger
Klein	Mann	Mohamed	Pha	Westlin
Kreun	Marty	Morrison	Port	Wiklund
Kunesh	Maye Quade	Murphy	Putnam	Xiong

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

The question was taken on the adoption of the third Lucero amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 5, line 22, delete "52,455,000" and insert "2,455,000"

Page 6, delete lines 1 to 12

Page 19, line 4, delete "139,630,000" and insert "89,630,000"

Page 19, line 10, delete "83,654,000" and insert "33,654,000"

Page 19, delete lines 14 to 22

Senator Howe moved to amend the sixth Jasinski amendment to H.F. No. 2887 as follows:

Page 1, after line 2, insert:

"Page 11, line 15, delete "25,000,000" and insert "26,089,000""

Page 1, after line 7, insert:

"Page 32, after line 13, insert:

"Sec. 13. **APPROPRIATION.**

\$11,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation to complete the preliminary engineering, environmental documentation, final design, right-of-way acquisition, and construction, including pedestrian, all-terrain vehicle, and snowmobile tunnels, of marked Trunk Highway 61 through the city of Two Harbors in Lake County. This appropriation does not require a nonstate contribution.

Sec. 14. APPROPRIATION; MARKED TRUNK HIGHWAY 9 IMPROVEMENTS; SPRING PRAIRIE TOWNSHIP.

(a) \$10,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to Spring Prairie Township to predesign, design, construct, furnish, and equip the construction of a two-lane paved road at 70th Avenue North in Spring Prairie Township from marked Trunk Highway 9 to 170th Street North.

(b) \$10,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation to predesign, design, construct, furnish, and equip deceleration lanes on marked Trunk Highway 9 near the intersection of 70th Avenue North in Spring Prairie Township.

Sec. 15. APPROPRIATION; STREET IMPROVEMENTS; HAWLEY.

(a) \$1,630,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to the city of Hawley to predesign, design, engineer, construct, and equip the construction of 5th Street in the city of Hawley, from marked U.S. Highway 10 to 15th Avenue North.

(b) \$970,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to the city of Hawley to predesign, design, engineer, construct, and equip the reconstruction of 8th Street in the city of Hawley, from marked U.S. Highway 10 to O'Donnell Street, including the construction of a culvert at the intersection of 8th Street and marked U.S. Highway 10.

Sec. 16. APPROPRIATION; BARNESVILLE; 13TH STREET RECONSTRUCTION.

\$2,200,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to the city of Barnesville to design and reconstruct 13th Street in the city of Barnesville as a paved road from Trunk Highway 34 to 9th Avenue Southeast. This appropriation does not require a nonstate contribution.

Sec. 17. APPROPRIATION; LAKE ELMO; CIVIL AIR PATROL HANGAR.

\$250,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to the city of Lake Elmo to construct, renovate, and equip a hangar for the Civil Air Patrol at the Lake Elmo Airport. This appropriation is onetime and is available until June 30, 2027.

Sec. 18. APPROPRIATION; COTTAGE GROVE.

\$7,111,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for a grant to the city of Cottage Grove for predesign, design, construction, and associated infrastructure improvements along Cottage View Drive and Ravine Parkway between East Point Douglas Road and Washington County State-Aid Highway 19 in Cottage Grove. This project includes construction of roadways; pedestrian and bicycle facilities; and sanitary sewer, water distribution, and drainage systems.

Sec. 19. APPROPRIATION; HENNEPIN COUNTY; RAILROAD CROSSING SAFETY IMPROVEMENTS.

\$450,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for one or more grants to Hennepin County, the city of Medina, the city of Independence, or a combination thereof, to design, engineer, and construct railroad crossing safety improvements at Town Line Road in the city of Medina and the city of Independence.

Sec. 20. APPROPRIATION; TRUNK HIGHWAY 55.

\$43,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for acquisition of right-of-way, engineering, and construction to reconstruct marked Trunk Highway 55 as a four-lane divided highway from a point near Hennepin County Road 118, known as Arrowhead Drive, in Medina to Hennepin County State-Aid Highway 19 near the city of Loretto.

Sec. 21. APPROPRIATION; U.S. HIGHWAY 169 INTERCHANGE; MAPLE GROVE.

\$12,300,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for predesign, right-of-way acquisition, design, engineering, and construction of capacity and safety improvements to the interchange at U.S. Highway 169 and Hennepin County State-Aid Highway 130 in Maple Grove. This appropriation does not require a nonstate match. This is a onetime appropriation and is available until June 30, 2026."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

The question was taken on the adoption of the Howe amendment to the sixth Jasinski amendment.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Dornink	Duckworth	Green	Howe
Bahr	Draheim	Eichorn	Gruenhagen	Jasinski
Coleman	Drazkowski	Farnsworth	Housley	Johnson

Koran	Lieske	Mathews	Pratt	Utke
Kupec	Limmer	Miller	Rarick	Wesenberg
Lang	Lucero	Nelson	Rasmusson	Westrom

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

Senator Nelson moved to amend the sixth Jasinski amendment to H.F. No. 2887 as follows:

Page 1, after line 2, insert:

"Page 11, line 15, delete "25,000,000" and insert "25,175,000""

Page 1, after line 7, insert:

"Page 32, after line 13, insert:

"Sec. 13. APPROPRIATION; OLMSTED COUNTY; U.S. HIGHWAY 14 AND COUNTY STATE-AID HIGHWAY 44.

\$42,100,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation to acquire property, conduct environmental analysis, predesign, design, engineer, acquire right-of-way, construct, furnish, and equip an interchange at marked U.S. Highway 14 and County State-Aid Highway 44, including the flyover at 7th Street NW, in Olmsted County and associated infrastructure and road work to accommodate the interchange.

Sec. 14. APPROPRIATION; MARKED TRUNK HIGHWAY 73; CROMWELL.

\$42,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for engineering, right-of-way acquisition, and construction to realign portions of marked Trunk Highway 73 south of the city of Cromwell. This is a onetime appropriation and is available until June 30, 2025.

Sec. 15. APPROPRIATION; RAIL GRADE SEPARATION PROJECTS; MOORHEAD.

\$10,000,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for one or more rail grade separation projects in the city of Moorhead in accordance with Minnesota Statutes, section 219.016. This appropriation is in addition to the amount appropriated

in Laws 2020, Fifth Special Session chapter 3, article 2, section 2, subdivision 2, for the same purpose.

Sec. 16. APPROPRIATION; ANOKA COUNTY; RICE CREEK NORTH REGIONAL TRAIL.

\$5,725,000 in fiscal year 2024 is appropriated from the general fund to the Metropolitan Council for a grant to Anoka County to construct multiuse trails in Circle Pines and Lino Lakes that are within, or generally parallel to and within, the Rice Creek North Regional Trail corridor. The trails include bridges, separated trails, elevated walkways, and paved pathways. This appropriation does not require a nonstate contribution."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

The question was taken on the adoption of the Nelson amendment to the sixth Jasinski amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

Senator Jasinski withdrew his sixth amendment.

Senator Lucero moved to amend the Morrison amendment to H.F. No. 2887, adopted by the Senate April 27, 2023, as follows:

Page 1, after line 27, insert:

"(c) The climate action chapter added to the development guide described in paragraph (a) must also include policies that describe how activities related to meeting greenhouse gas emissions-reduction goals may interact with labor conditions in countries other than the United States of America where critical materials are mined for use in renewable energy or electric vehicle products. For the purpose of this paragraph, "labor conditions" includes, but is not limited to, slave labor, child labor, livable wages, human trafficking, and sexual assault."

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative 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	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative 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 Morrison cast the negative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

Senator Jasinski moved to amend H.F. No. 2887, the unofficial engrossment, as follows:

Page 188, after line 11, insert:

"Sec. 64. **SENATOR SCOTT J. NEWMAN SCENIC BOULEVARD.**

Notwithstanding Minnesota Statutes, section 10.49, Whiskey Road in Saint Louis County is renamed as "Senator Scott J. Newman Scenic Boulevard."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2887 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 36 and nays 31, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Housley, Lang, and Miller.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2744: A bill for an act relating to commerce; establishing a biennial budget for Department of Commerce; modifying various provisions governing insurance; regulating virtual currency activities; providing for reports relating to retail sales of intermediate blends of gasoline and biofuel; prohibiting excessive price increases by pharmaceutical manufacturers; establishing a Prescription Drug Affordability Board; establishing a student loan advocate position; regulating money transmitters; making technical changes; establishing penalties; authorizing administrative rulemaking; requiring reports; appropriating money; transferring money; amending Minnesota Statutes 2022, sections 46.131, subdivision 11; 60A.14, subdivision 1; 62A.152, subdivision 3;

62D.02, by adding a subdivision; 62D.095, subdivisions 2, 3, 4, 5; 62K.10, subdivision 4; 62Q.19, subdivision 1; 62Q.46, subdivisions 1, 3; 62Q.47; 62Q.81, subdivision 4, by adding a subdivision; 151.071, subdivisions 1, 2; 239.791, subdivision 8; 256B.0631, subdivision 1; 256L.03, subdivision 5; Laws 2022, chapter 93, article 1, section 2, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 53B; 58B; 62J; 62Q; 62W; repealing Minnesota Statutes 2022, sections 53B.01; 53B.02; 53B.03; 53B.04; 53B.05; 53B.06; 53B.07; 53B.08; 53B.09; 53B.10; 53B.11; 53B.12; 53B.13; 53B.14; 53B.15; 53B.16; 53B.17; 53B.18; 53B.19; 53B.20; 53B.21; 53B.22; 53B.23; 53B.24; 53B.25; 53B.26; 53B.27, subdivisions 1, 2, 5, 6, 7.

Senate File No. 2744 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 27, 2023

Senator Klein moved that the Senate do not concur in the amendments by the House to S.F. No. 2744, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

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

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

APPOINTMENTS

Senator Dziejdzic from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 2909: Senators Latz, Oumou Verbeten, Pappas, Seeberger, and Westlin.

S.F. No. 2744: Senators Klein, Seeberger, and Rasmusson.

S.F. No. 2995: Senators Wiklund, Morrison, Boldon, Kupec, and Abeler.

Senator Dziejdzic moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

S.F. No. 2819: A bill for an act relating to human services; modifying the procedure for sanctions; modifying background studies conducted by the Department of Human Services; modifying definitions; prohibiting prone restraints in licensed or certified facilities; modifying child care safety provisions; modifying infant safety provisions; modifying foster care and child care training

requirements; making technical changes to Northstar Care for Children assessment rate effective dates; making technical changes to relative search requirements and termination of parental rights; making technical corrections to child support provision; amending Minnesota Statutes 2022, sections 62V.05, subdivision 4a; 122A.18, subdivision 8; 245A.02, subdivisions 5a, 10b, by adding a subdivision; 245A.04, subdivisions 1, 4, 7; 245A.041, by adding a subdivision; 245A.05; 245A.07, subdivisions 1, 2a, 3; 245A.10, subdivisions 3, 4; 245A.11, by adding a subdivision; 245A.14, subdivision 4; 245A.1435; 245A.146, subdivision 3; 245A.16, subdivisions 1, 9, by adding a subdivision; 245A.18, subdivision 2; 245A.52, subdivisions 1, 2, 3, 5, by adding subdivisions; 245A.66, by adding a subdivision; 245C.02, subdivisions 6a, 11c, by adding subdivisions; 245C.03, subdivisions 1, 1a, 4, 5, 5a; 245C.031, subdivisions 1, 4; 245C.05, subdivision 1, by adding a subdivision; 245C.07; 245C.10, subdivision 4; 245C.30, subdivision 2; 245C.31, subdivision 1; 245C.33, subdivision 4; 245E.06, subdivision 3; 245G.13, subdivision 2; 245H.03, by adding a subdivision; 245H.05; 245H.08, subdivisions 4, 5; 245H.13, subdivisions 3, 7, 9; 256.9685, subdivisions 1a, 1b; 256.9686, by adding a subdivision; 256B.04, subdivision 15; 256B.064; 256B.27, subdivision 3; 256N.24, subdivision 12; 260C.221, subdivision 1; 260C.317, subdivision 3; 518A.43, subdivision 1b; 524.5-118, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 119B; 245A; repealing Minnesota Statutes 2022, sections 245A.144; 245A.175; 245A.22; 245C.02, subdivision 9; 245C.301; 256.9685, subdivisions 1c, 1d; 256D.63, subdivision 1; 518A.59; Minnesota Rules, parts 2960.3070; 2960.3210; 9502.0425, subparts 5, 10; 9505.0505, subpart 18; 9505.0520, subpart 9b.

Senator Wiklund moved to amend S.F. No. 2819 as follows:

Page 2, line 3, after "GENERAL" insert "POLICY"

Page 10, line 28, reinstate the stricken "and"

Page 10, line 29, delete the new language and reinstate the stricken language

Page 10, delete line 30

Page 16, lines 25 and 29, delete "(5)" and insert "(6)"

Page 16, line 31, delete "(6)" and insert "(7)"

Page 17, line 25, delete "or"

Page 17, line 30, strike the period and insert "; or"

Page 17, after line 30, insert:

"(7) suspension is necessary under subdivision 2a, paragraph (b), clause (2)."

Page 20, line 7, delete "Paragraph (a), clause (7)," and insert "This section"

Page 45, line 13, delete "For"

Page 45, delete lines 14 to 16

Page 45, line 27, delete "caregivers" and insert "staff persons"

Page 46, line 18, delete the second comma and insert "or" and delete ", or caregiver"

Page 46, line 21, delete the comma and insert "or"

Page 46, line 22, delete ", or caregiver"

Page 46, line 26, delete the first comma and insert "or" and delete everything after "person"

Page 46, line 27, delete everything before "transporting"

Page 50, line 32, delete "care" and insert "contact" and after the period, insert "This subdivision does not apply to child care background study subjects under subdivision 6a."

Page 51, line 7, delete "care" and insert "contact" and after the period, insert "This subdivision does not apply to child care background study subjects under subdivision 6a."

Page 72, lines 2 to 4, delete the new language

Page 74, lines 11 to 13, delete the new language

Page 76, line 15, after "SERVICES" insert "POLICY"

The motion prevailed. So the amendment was adopted.

Senator Utke moved to amend S.F. No. 2819 as follows:

Page 76, after line 15, insert:

"Section 1. Minnesota Statutes 2022, section 119B.125, subdivision 6, is amended to read:

Subd. 6. **Record-keeping requirement.** (a) As a condition of payment, all providers receiving child care assistance payments must:

(1) keep accurate and legible daily attendance records at the site where services are delivered for children receiving child care assistance; and

(2) make those records available immediately to the county or the commissioner upon request. Any records not provided to a county or the commissioner at the date and time of the request are deemed inadmissible if offered as evidence by the provider in any proceeding to contest an overpayment or disqualification of the provider.

(b) As a condition of payment, attendance records must be completed daily and include the date, the first and last name of each child in attendance, and the times when each child is dropped off and picked up. To the extent possible, the times that the child was dropped off to and picked up from the child care provider must be entered by the person dropping off or picking up the child. The daily attendance records must be retained at the site where services are delivered for six years after the date of service.

(c) A county or the commissioner may deny or revoke a provider's authorization to receive child care assistance payments under section 119B.13, subdivision 6, paragraph (d), pursue a fraud disqualification under section 256.98, take an action against the provider under chapter 245E, or

establish an attendance record overpayment under paragraph (d) against a current or former provider, when the county or the commissioner knows or has reason to believe that the provider has not complied with the record-keeping requirement in this subdivision.

(d) To calculate an attendance record overpayment under this subdivision, the commissioner or county agency shall subtract the maximum daily rate from the total amount paid to a provider for each day that a child's attendance record is missing, unavailable, incomplete, inaccurate, or otherwise inadequate.

(e) The commissioner shall develop criteria for a county to determine an attendance record overpayment under this subdivision.

(f) Records that are not produced immediately under paragraph (a), unless a delay is agreed upon by the commissioner and provider, shall not be valid for purposes of establishing a child's attendance and shall result in an overpayment under paragraph (d).

Sec. 2. Minnesota Statutes 2022, section 119B.125, subdivision 7, is amended to read:

Subd. 7. **Failure to comply with attendance record requirements.** (a) In establishing an overpayment claim for failure to provide attendance records in compliance with subdivision 6, the county or commissioner is limited to the six years prior to the date the county or the commissioner requested the attendance records.

(b) The commissioner ~~may~~ must periodically audit child care providers to determine compliance with subdivision 6.

(c) When the commissioner or county establishes an overpayment claim against a current or former provider, the commissioner or county must provide notice of the claim to the provider. A notice of overpayment claim must specify the reason for the overpayment, the authority for making the overpayment claim, the time period in which the overpayment occurred, the amount of the overpayment, and the provider's right to appeal.

(d) The commissioner or county shall seek to recoup or recover overpayments paid to a current or former provider.

(e) When a provider has been disqualified or convicted of fraud under section 256.98, theft under section 609.52, or a federal crime relating to theft of state funds or fraudulent billing for a program administered by the commissioner or a county, recoupment or recovery must be sought regardless of the amount of overpayment.

Sec. 3. Minnesota Statutes 2022, section 256.98, subdivision 8, is amended to read:

Subd. 8. **Disqualification from program.** (a) Any person found to be guilty of wrongfully obtaining assistance by a federal or state court or by an administrative hearing determination, or waiver thereof, through a disqualification consent agreement, or as part of any approved diversion plan under section 401.065, or any court-ordered stay which carries with it any probationary or other conditions, in the Minnesota family investment program and any affiliated program to include the diversionary work program and the work participation cash benefit program, the Supplemental Nutrition Assistance Program (SNAP), the general assistance program, housing support under

chapter 256I, or the Minnesota supplemental aid program shall be disqualified from that program. In addition, any person disqualified from the Minnesota family investment program shall also be disqualified from SNAP. The needs of that individual shall not be taken into consideration in determining the grant level for that assistance unit:

- (1) for one year after the first offense;
- (2) for two years after the second offense; and
- (3) permanently after the third or subsequent offense.

The period of program disqualification shall begin on the date stipulated on the advance notice of disqualification without possibility of postponement for administrative stay or administrative hearing and shall continue through completion unless and until the findings upon which the sanctions were imposed are reversed by a court of competent jurisdiction. The period for which sanctions are imposed is not subject to review. The sanctions provided under this subdivision are in addition to, and not in substitution for, any other sanctions that may be provided for by law for the offense involved. A disqualification established through hearing or waiver shall result in the disqualification period beginning immediately unless the person has become otherwise ineligible for assistance. If the person is ineligible for assistance, the disqualification period begins when the person again meets the eligibility criteria of the program from which they were disqualified and makes application for that program.

(b) A family receiving assistance through child care assistance programs under chapter 119B with a family member who is found to be guilty of wrongfully obtaining child care assistance by a federal court, state court, or an administrative hearing determination or waiver, through a disqualification consent agreement, as part of an approved diversion plan under section 401.065, or a court-ordered stay with probationary or other conditions, is disqualified from child care assistance programs. ~~The disqualifications must be for periods of one year and two years for the first and second offenses, respectively. Subsequent violations must result in~~ based on a finding or action by a federal or state court is a permanent disqualification. The disqualification based on an administrative hearing determination or waiver, through a disqualification consent agreement, as part of an approved diversion plan under section 401.065, or a court-ordered stay with probationary or other conditions must be for a period of two years for the first offense and a permanent disqualification for the second offense. During the disqualification period, disqualification from any child care program must extend to all child care programs and must be immediately applied.

(c) A provider caring for children receiving assistance through child care assistance programs under chapter 119B is disqualified from receiving payment for child care services from the child care assistance program under chapter 119B when the provider is found to have wrongfully obtained child care assistance by a federal court, state court, or an administrative hearing determination or waiver under section 256.046, through a disqualification consent agreement, as part of an approved diversion plan under section 401.065, or a court-ordered stay with probationary or other conditions. ~~The disqualification must be for a period of three years for the first offense. Any subsequent violation must result in~~ based on a finding or action by a federal or state court is a permanent disqualification. The disqualification based on an administrative hearing determination or waiver under section 256.045, as part of an approved diversion plan under section 401.065, or a court-ordered stay with probationary or other conditions must be for a period of two years for the first offense and a permanent

disqualification for the second offense. The disqualification period must be imposed immediately after a determination is made under this paragraph. During the disqualification period, the provider is disqualified from receiving payment from any child care program under chapter 119B.

(d) Any person found to be guilty of wrongfully obtaining MinnesotaCare for adults without children and upon federal approval, all categories of medical assistance and remaining categories of MinnesotaCare, except for children through age 18, by a federal or state court or by an administrative hearing determination, or waiver thereof, through a disqualification consent agreement, or as part of any approved diversion plan under section 401.065, or any court-ordered stay which carries with it any probationary or other conditions, is disqualified from that program. The period of disqualification is one year after the first offense, two years after the second offense, and permanently after the third or subsequent offense. The period of program disqualification shall begin on the date stipulated on the advance notice of disqualification without possibility of postponement for administrative stay or administrative hearing and shall continue through completion unless and until the findings upon which the sanctions were imposed are reversed by a court of competent jurisdiction. The period for which sanctions are imposed is not subject to review. The sanctions provided under this subdivision are in addition to, and not in substitution for, any other sanctions that may be provided for by law for the offense involved."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

The motion prevailed. So the amendment was adopted.

Senator Utke moved to amend S.F. No. 2819 as follows:

Page 76, after line 15, insert:

"Section 1. Minnesota Statutes 2022, section 245A.03, subdivision 2, is amended to read:

Subd. 2. **Exclusion from licensure.** (a) This chapter does not apply to:

(1) residential or nonresidential programs that are provided to a person by an individual who is related unless the residential program is a child foster care placement made by a local social services agency or a licensed child-placing agency, except as provided in subdivision 2a;

(2) nonresidential programs that are provided by an unrelated individual to persons from a single related family;

(3) residential or nonresidential programs that are provided to adults who do not misuse substances or have a substance use disorder, a mental illness, a developmental disability, a functional impairment, or a physical disability;

(4) sheltered workshops or work activity programs that are certified by the commissioner of employment and economic development;

(5) programs operated by a public school for children 33 months or older;

(6) nonresidential programs primarily for children that provide care or supervision for periods of less than three hours a day while the child's parent or legal guardian is in the same building as the nonresidential program or present within another building that is directly contiguous to the building in which the nonresidential program is located;

(7) nursing homes or hospitals licensed by the commissioner of health except as specified under section 245A.02;

(8) board and lodge facilities licensed by the commissioner of health that do not provide children's residential services under Minnesota Rules, chapter 2960, mental health or substance use disorder treatment;

(9) homes providing programs for persons placed by a county or a licensed agency for legal adoption, unless the adoption is not completed within two years;

(10) programs licensed by the commissioner of corrections;

(11) recreation programs for children or adults that are operated or approved by a park and recreation board whose primary purpose is to provide social and recreational activities;

(12) programs operated by a school as defined in section 120A.22, subdivision 4; YMCA as defined in section 315.44; YWCA as defined in section 315.44; or JCC as defined in section 315.51, whose primary purpose is to provide child care or services to school-age children;

(13) Head Start nonresidential programs which operate for less than 45 days in each calendar year;

(14) noncertified boarding care homes unless they provide services for five or more persons whose primary diagnosis is mental illness or a developmental disability;

(15) programs for children such as scouting, boys clubs, girls clubs, and sports and art programs, and nonresidential programs for children provided for a cumulative total of less than 30 days in any 12-month period;

(16) residential programs for persons with mental illness, that are located in hospitals;

(17) the religious instruction of school-age children; Sabbath or Sunday schools; or the congregative care of children by a church, congregation, or religious society during the period used by the church, congregation, or religious society for its regular worship;

(18) camps licensed by the commissioner of health under Minnesota Rules, chapter 4630;

(19) mental health outpatient services for adults with mental illness or children with emotional disturbance;

(20) residential programs serving school-age children whose sole purpose is cultural or educational exchange, until the commissioner adopts appropriate rules;

(21) community support services programs as defined in section 245.462, subdivision 6, and family community support services as defined in section 245.4871, subdivision 17;

(22) the placement of a child by a birth parent or legal guardian in a preadoptive home for purposes of adoption as authorized by section 259.47;

(23) settings registered under chapter 144D which provide home care services licensed by the commissioner of health to fewer than seven adults;

(24) substance use disorder treatment activities of licensed professionals in private practice as defined in section 245G.01, subdivision 17;

(25) consumer-directed community support service funded under the Medicaid waiver for persons with developmental disabilities when the individual who provided the service is:

(i) the same individual who is the direct payee of these specific waiver funds or paid by a fiscal agent, fiscal intermediary, or employer of record; and

(ii) not otherwise under the control of a residential or nonresidential program that is required to be licensed under this chapter when providing the service;

(26) a program serving only children who are age 33 months or older, that is operated by a nonpublic school, for no more than four hours per day per child, with no more than 20 children at any one time, and that is accredited by:

(i) an accrediting agency that is formally recognized by the commissioner of education as a nonpublic school accrediting organization; or

(ii) an accrediting agency that requires background studies and that receives and investigates complaints about the services provided.

A program that asserts its exemption from licensure under item (ii) shall, upon request from the commissioner, provide the commissioner with documentation from the accrediting agency that verifies: that the accreditation is current; that the accrediting agency investigates complaints about services; and that the accrediting agency's standards require background studies on all people providing direct contact services;

(27) a program operated by a nonprofit organization incorporated in Minnesota or another state that serves youth in kindergarten through grade 12; provides structured, supervised youth development activities; and has learning opportunities take place before or after school, on weekends, or during the summer or other seasonal breaks in the school calendar. A program exempt under this clause is not eligible for child care assistance under chapter 119B. A program exempt under this clause must:

(i) have a director or supervisor on site who is responsible for overseeing written policies relating to the management and control of the daily activities of the program, ensuring the health and safety of program participants, and supervising staff and volunteers;

(ii) have obtained written consent from a parent or legal guardian for each youth participating in activities at the site; and

(iii) have provided written notice to a parent or legal guardian for each youth at the site that the program is not licensed or supervised by the state of Minnesota and is not eligible to receive child care assistance payments;

(28) a county that is an eligible vendor under section 254B.05 to provide care coordination and comprehensive assessment services; ~~or~~

(29) a recovery community organization that is an eligible vendor under section 254B.05 to provide peer recovery support services; or

(30) family child care that is provided by an unrelated individual to families that do not receive child care assistance. A program exempted under this clause shall not serve more than:

(i) ten children overall;

(ii) six children under school age;

(iii) a combined total of three infants and toddlers; or

(iv) two infants.

(b) For purposes of paragraph (a), clause (6), a building is directly contiguous to a building in which a nonresidential program is located if it shares a common wall with the building in which the nonresidential program is located or is attached to that building by skyway, tunnel, atrium, or common roof.

(c) Except for the home and community-based services identified in section 245D.03, subdivision 1, nothing in this chapter shall be construed to require licensure for any services provided and funded

according to an approved federal waiver plan where licensure is specifically identified as not being a condition for the services and funding."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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	
Draskowski	Howe	Limmer	Rasmusson	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Abeler	Fateh	Kunesh	Mitchell	Port
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

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

RECONSIDERATION

Having voted on the prevailing side, Senator Hawj moved that the vote whereby the first Utke amendment to S.F. No. 2819 was adopted on April 27, 2023, be now reconsidered.

The question was taken on the adoption of the Hawj motion.

The roll was called, and there were yeas 55 and nays 12, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Fateh	Jasinski	Lang
Boldon	Dornink	Frentz	Johnson	Latz
Carlson	Draheim	Gustafson	Klein	Lieske
Champion	Duckworth	Hauschild	Koran	Mann
Coleman	Dziedzic	Hawj	Kreun	Marty
Cwodzinski	Eichorn	Hoffman	Kunesh	Maye Quade
Dahms	Farnsworth	Housley	Kupec	McEwen

Miller	Murphy	Pha	Rarick	Weber
Mitchell	Nelson	Port	Rasmusson	Westlin
Mohamed	Oumou Verbeten	Pratt	Rest	Wiklund
Morrison	Pappas	Putnam	Seeberger	Xiong

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Anderson	Green	Limmer	Utke
Bahr	Gruenhagen	Lucero	Wesenberg
Drazkowski	Howe	Mathews	Westrom

The motion prevailed. So the vote was reconsidered.

The question was taken on the adoption of the first Utke amendment.

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

Those who voted in the affirmative 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	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative 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 Morrison cast the negative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

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

S.F. No. 2819 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 43 and nays 24, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Port, Seeberger, and Xiong.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Anderson	Drazkowski	Gruenhagen	Lieske	Rasmusson
Bahr	Duckworth	Howe	Lucero	Weber
Dahms	Eichorn	Jasinski	Mathews	Wesenberg
Dornink	Farnsworth	Johnson	Pratt	Westrom
Draheim	Green	Koran	Rarick	

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

SPECIAL ORDER

S.F. No. 2212: A bill for an act relating to the Department of Health and Department of Human Services; amending various record and notification requirements; providing for over-the-counter hearing aids; adopting guidelines for physical standards of hospitals; modifying regulations related to lead; amending provisions for administering opiate antagonists; amending transporting requirements for medical cannabis; establishing and modifying grant programs; amending Minnesota Statutes 2022, sections 62J.17, subdivision 5a; 62Q.675; 62U.04, subdivision 11; 144.1481, subdivision 1; 144.2151; 144.222; 144.382, by adding subdivisions; 144.55, subdivision 3; 144.6535, subdivisions 1, 2, 4; 144.9501, subdivisions 17, 26a, 26b, by adding subdivisions; 144.9505, subdivisions 1, 1g, 1h; 144.9508, subdivision 2; 148.512, subdivisions 10a, 10b, by adding subdivisions; 148.513, by adding a subdivision; 148.515, subdivision 6; 148.5175; 148.5195, subdivision 3; 148.5196, subdivision 1; 148.5197; 148.5198; 151.37, subdivision 12; 152.29, subdivision 3a; 153A.13, subdivisions 3, 4, 5, 6, 7, 9, 10, 11, by adding subdivisions; 153A.14, subdivisions 1, 2, 2h, 2i, 2j, 4, 4a, 4b, 4c, 4e, 6, 9, 11, by adding a subdivision; 153A.15, subdivisions 1, 2, 4; 153A.17; 153A.175; 153A.18; 153A.20; 245.4661, subdivision 9; 245.469, subdivision 3; 256.478, by adding subdivisions; 256B.056, by adding a subdivision; 256B.0622, subdivision 8; 256B.0625, subdivision 3a; 256B.0946, subdivision 6; 256B.0947, subdivision 7a; 256D.02, by adding a subdivision; 256D.07; 256I.03, subdivision 15, by adding a subdivision; 256I.04, subdivision 2; 256I.06, subdivision 3; 256I.09; 256J.08, subdivision 21; 256J.09, subdivision 3; 256J.95, subdivision 5; 256P.01, by adding a subdivision; 256P.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 245; repealing Minnesota Statutes 2022, sections 144.9505, subdivision 3; 153A.14, subdivision 5; 256I.03, subdivision 6; Minnesota Rules, parts 4640.1500; 4640.1600; 4640.1700; 4640.1800; 4640.1900; 4640.2000; 4640.2100; 4640.2200; 4640.2300; 4640.2400; 4640.2500; 4640.2600; 4640.2700; 4640.2800; 4640.2900; 4640.3000; 4640.3100; 4640.3200; 4640.3300; 4640.3400; 4640.3500; 4640.3600; 4640.3700; 4640.3800; 4640.3900; 4640.4000; 4640.4100;

4640.4200; 4640.4300; 4640.6100; 4640.6200; 4640.6300; 4640.6400; 4645.0300; 4645.0400; 4645.0500; 4645.0600; 4645.0700; 4645.0800; 4645.0900; 4645.1000; 4645.1100; 4645.1200; 4645.1300; 4645.1400; 4645.1500; 4645.1600; 4645.1700; 4645.1800; 4645.1900; 4645.2000; 4645.2100; 4645.2200; 4645.2300; 4645.2400; 4645.2500; 4645.2600; 4645.2700; 4645.2800; 4645.2900; 4645.3000; 4645.3100; 4645.3200; 4645.3300; 4645.3400; 4645.3500; 4645.3600; 4645.3700; 4645.3800; 4645.3805; 4645.3900; 4645.4000; 4645.4100; 4645.4200; 4645.4300; 4645.4400; 4645.4500; 4645.4600; 4645.4700; 4645.4800; 4645.4900; 4645.5100; 4645.5200.

Senator Utke moved to amend S.F. No. 2212 as follows:

Page 15, line 15, delete "who perform" and insert "or an adult individual who is related to the property owner who performs"

Page 15, line 16, delete "their own" and insert "the"

The motion prevailed. So the amendment was adopted.

S.F. No. 2212 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 38 and nays 29, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Murphy cast the affirmative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Morrison, Port, Seeberger, and Xiong.

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

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Lang and Miller.

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

SPECIAL ORDER

S.F. No. 2219: A bill for an act relating to commerce; authorizing administrative rulemaking; prohibiting price gouging; establishing notice requirements; prescribing penalties; modifying provisions governing emergency closures; eliminating certain examination requirements; modifying and adding provisions governing the sale of certain motor vehicles; regulating nonbank mortgage servicers; requiring a report; modifying provisions governing life insurance; specifying provisions for third-party payers and dental providers; establishing time limitations for civil actions under certain motor vehicle insurance policies; changing investment limit for small corporate offerings; directing rulemaking; amending provisions related to utility billing practices in manufactured home parks; modifying telecommunications pricing plans; modifying the definition of cost; eliminating prohibition on below cost sales of gasoline; increasing the civil penalties for unlawful robocalls; modifying provisions relating to digital fair repair; requiring direct-to-consumer genetic testing companies to provide disclosure notices and obtain consent; modifying limitations on credit card surcharges; providing remedies to debtors with coerced debt; amending Minnesota Statutes 2022, sections 8.31, subdivision 1; 47.0153, subdivision 1; 53C.01, subdivision 12c, by adding a subdivision; 53C.08, subdivision 1a; 61A.031; 61A.60, subdivision 3; 62Q.735, subdivisions 1, 5; 62Q.76, by adding a subdivision; 62Q.78, by adding subdivisions; 65B.49, by adding a subdivision; 80A.50; 103G.291, subdivision 4; 237.066; 325D.01, subdivision 5; 325E.31; 325F.662, subdivisions 2, 3; 325G.051, subdivision 1; 327C.015, subdivision 17, by adding subdivisions; 327C.04, subdivisions 1, 2, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 58; 65A; 325E; 325F; 332; repealing Minnesota Statutes 2022, sections 48.10; 325D.71; 327C.04, subdivision 4; Minnesota Rules, parts 2675.2610, subparts 1, 3, 4; 2675.2620, subparts 1, 2, 3, 4, 5; 2675.2630, subpart 3.

Senator Rasmusson moved to amend S.F. No. 2219 as follows:

Page 26, delete section 23 and insert:

"Sec. 23. Minnesota Statutes 2022, section 325D.01, subdivision 5, is amended to read:

Subd. 5. **Cost.** The term "cost," as applied to the wholesale or retail vendor, means:

(1) the actual current delivered invoice or replacement cost, whichever is lower, without deducting customary cash discounts, plus any excise or sales taxes imposed on such commodity, goods, wares or merchandise subsequent to the purchase thereof and prior to the resale thereof, plus the cost of doing business at that location by the vendor;

(2) where a manufacturer publishes a list price and discounts, in determining such "cost" the manufacturer's published list price then currently in effect, less the published trade discount but without deducting the customary cash discount, plus any excise or sales taxes imposed on such commodity, goods, wares or merchandise subsequent to the purchase thereof and prior to the resale thereof, plus the cost of doing business by the vendor shall be prima facie evidence of "cost"; and

(3) for purposes of gasoline offered for sale by way of posted price or indicating meter by a retailer, at a retail location where gasoline is dispensed into passenger automobiles and trucks by the consumer, "cost" means either:

(i) the average terminal price on the day, at the terminal from which the most recent supply of gasoline delivered to the retail location was acquired, plus all applicable state and federal excise taxes and fees; or

(ii) the actual current delivered invoice or replacement cost of the gasoline, whichever is lower, plus all applicable state and federal excise taxes and fees, plus the lesser of six percent or eight cents.

Sec. 24. Minnesota Statutes 2022, section 325D.71, is amended to read:

325D.71 UNLAWFUL GASOLINE SALES.

Any offer for sale of gasoline by a retailer by way of posted price or indicating meter that is below cost, as defined by section 325D.01, subdivision 5, clause (3), is a violation of section 325D.04, except that the criminal penalties in section 325D.071 do not apply. In addition to the penalties for violations and the remedies provided for injured parties set forth elsewhere in this chapter, the commissioner of commerce may use the authority under section 45.027 for the purpose of preventing violations of this section. A retailer who sells gasoline at the same or higher legally posted price of a competitor in the same market area, on the same day, is not in violation of this section.

A retailer who offers gasoline for sale at a price below cost as part of a promotion at an individual location for no more than three days in any calendar quarter is not in violation of this section.

A retailer who offers gasoline for sale at a price below cost through the use of coupons, loyalty programs, membership-based pricing programs, or promotions or programs of similar import is not in violation of this section."

Page 52, delete section 47 and insert:

"Sec. 47. **REPEALER.**

Minnesota Statutes 2022, section 48.10, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Draheim moved to amend S.F. No. 2219 as follows:

Page 26, line 31, delete "\$100,000" and insert "\$50,000"

The motion prevailed. So the amendment was adopted.

Senator Kupec moved to amend S.F. No. 2219 as follows:

Page 29, delete section 26 and insert:

"Sec. 26. **[325E.72] DIGITAL FAIR REPAIR.**

Subdivision 1. **Short title.** This act may be cited as the "Digital Fair Repair Act."

Subd. 2. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Authorized repair provider" means an individual or business who is unaffiliated with an original equipment manufacturer and who has: (1) an arrangement with the original equipment manufacturer, for a definite or indefinite period, under which the original equipment manufacturer grants to the individual or business a license to use a trade name, service mark, or other proprietary identifier to offer diagnostic, maintenance, or repair services for digital electronic equipment under the name of the original equipment manufacturer; or (2) an arrangement with the original equipment manufacturer to offer diagnostic, maintenance, or repair services for digital electronic equipment on behalf of the original equipment manufacturer. An original equipment manufacturer that offers diagnostic, maintenance, or repair services for the original equipment manufacturer's digital electronic equipment is considered an authorized repair provider with respect to the digital electronic equipment if the original equipment manufacturer does not have an arrangement described in this paragraph with an unaffiliated individual or business.

(c) "Contractor" has the meaning given in section 326B.31, subdivision 14.

(d) "Cybersecurity" means the practice of protecting networks, devices, and data from unauthorized access or criminal use and the practice of ensuring confidentiality, integrity, and availability of information.

(e) "Digital electronic equipment" or "equipment" means any hardware product that depends, in whole or in part, on digital electronics embedded in or attached to the product in order for the product to function, for which the original equipment manufacturer makes available tools, parts, or documentation to authorized repair providers.

(f) "Documentation" means a manual, diagram, reporting output, service code description, schematic diagram, or similar information made available by an original equipment manufacturer to an authorized repair provider to facilitate diagnostic, maintenance, or repair services for digital electronic equipment.

(g) "Embedded software" means any programmable instructions provided on firmware delivered with digital electronic equipment, or with a part for the equipment, in order to operate the equipment. Embedded software includes all relevant patches and fixes made by the manufacturer of the equipment or part in order to operate the equipment.

(h) "Fair and reasonable terms" means, with respect to:

(1) parts for digital electronic equipment offered by an original equipment manufacturer:

(i) costs that are fair to both parties; and

(ii) terms under which an original equipment manufacturer offers the part to an authorized repair provider and which:

(A) is not conditioned on or imposing a substantial obligation to use or restrict the use of the part to diagnose, maintain, or repair digital electronic equipment sold, leased, or otherwise supplied

by the original equipment manufacturer, including a condition that the owner or independent repair provider become an authorized repair provider of the original equipment manufacturer; or

(B) a requirement that a part be registered, paired with, or approved by the original equipment manufacturer or an authorized repair provider before the part is operational or prohibit an original equipment manufacturer from imposing any additional cost or burden that is not reasonably necessary or is designed to be an impediment on the owner or independent repair provider;

(2) tools, software, and documentation for digital electronic equipment offered by an original equipment manufacturer:

(i) costs that are equivalent to the lowest actual cost for which the original equipment manufacturer offers the tool, software, or documentation to an authorized repair provider, including any discount, rebate, or other financial incentive offered to an authorized repair provider; and

(ii) terms that are equivalent to the most favorable terms under which an original equipment manufacturer offers the tool, software, or documentation to an authorized repair provider, including the methods and timeliness of delivery of the tool, software, or documentation, do not impose on an owner or an independent repair provider:

(A) a substantial obligation to use or restrict the use of the tool, software, or documentation to diagnose, maintain, or repair digital electronic equipment sold, leased, or otherwise supplied by the original equipment manufacturer, including a condition that the owner or independent repair provider become an authorized repair provider of the original equipment manufacturer; or

(B) a requirement that a tool be registered, paired with, or approved by the original equipment manufacturer or an authorized repair provider before the part or tool is operational; and

(3) documentation offered by an original equipment manufacturer: that the documentation is made available by the original equipment manufacturer at no charge, except that when the documentation is requested in physical printed form, a charge may be included for the reasonable actual costs of preparing and sending the copy.

(i) "Independent repair provider" means an individual or business operating in Minnesota that: (1) does not have an arrangement described in paragraph (b) with an original equipment manufacturer; (2) is not affiliated with any individual or business that has an arrangement described in paragraph (b); and (3) is engaged in providing diagnostic, maintenance, or repair services for digital electronic equipment. An original equipment manufacturer or, with respect to the original equipment manufacturer, an individual or business that has an arrangement with the original equipment manufacturer or is affiliated with an individual or business that has an arrangement with that original equipment manufacturer, is considered an independent repair provider for purposes of the instances the original equipment manufacturer engages in diagnostic, maintenance, or repair services for digital electronic equipment that is not manufactured by or sold under the name of the original equipment manufacturer.

(j) "Manufacturer of motor vehicle equipment" means a business engaged in the business of manufacturing or supplying components used to manufacture, maintain, or repair a motor vehicle.

(k) "Motor vehicle" means a vehicle that is: (1) designed to transport persons or property on a street or highway; and (2) certified by the manufacturer under (i) all applicable federal safety and emissions standards, and (ii) all requirements for distribution and sale in the United States. Motor vehicle does not include a recreational vehicle or an auto home equipped for habitation.

(l) "Motor vehicle dealer" means an individual or business that, in the ordinary course of business: (1) is engaged in the business of selling or leasing new motor vehicles to an individual or business pursuant to a franchise agreement; (2) has obtained a license under section 168.27; and (3) is engaged in providing diagnostic, maintenance, or repair services for motor vehicles or motor vehicle engines pursuant to a franchise agreement.

(m) "Motor vehicle manufacturer" means a business engaged in the business of manufacturing or assembling new motor vehicles.

(n) "Original equipment manufacturer" means any individual or business that, in the normal course of business, is engaged in the business of selling or leasing to any individual or business new digital electronic equipment manufactured by or on behalf of the original equipment manufacturer.

(o) "Owner" means an individual or business that owns or leases digital electronic equipment purchased or used in Minnesota.

(p) "Part" means any replacement part or assembly of parts, either new or used, made available by an original equipment manufacturer to authorized repair providers to facilitate the maintenance or repair of digital electronic equipment manufactured or sold by the original equipment manufacturer.

(q) "Tool" means any software program, hardware implement, or other apparatus used for diagnosis, maintenance, or repair of digital electronic equipment, including software or other mechanisms that provide, program, pair a part, calibrate functionality, or perform any other function required to repair the original equipment or part back to fully functional condition, including updates.

(r) "Trade secret" has the meaning given in section 325C.01, subdivision 5.

(s) "Video game console" means a computing device, such as a console machine, a handheld console device, or another device or system, and its components and peripherals, that is primarily used by consumers for playing video games but which is neither a general nor an all-purpose computer. A general or all-purpose computer includes but is not limited to a desktop computer, laptop, tablet, or cell phone.

Subd. 3. **Requirements.** (a) For digital electronic equipment and parts for the equipment sold or used in Minnesota, an original equipment manufacturer must make available to any independent repair provider or to the owner of digital electronic equipment manufactured by or on behalf of, or sold by, the original equipment manufacturer, on fair and reasonable terms, documentation, parts, and tools, inclusive of any updates to information or embedded software, for diagnostic, maintenance, or repair purposes. Nothing in this section requires an original equipment manufacturer to make available a part, a tool, or documentation if it is no longer available to the original equipment manufacturer.

(b) Such parts, tools, and documentation shall be made available within 60 days after the first sale of the digital electronic equipment in Minnesota.

Subd. 4. **Enforcement by attorney general.** A violation of this section is an unlawful practice under section 325D.44. All remedies, penalties, and authority granted to the attorney general under section 8.31 are available to the attorney general to enforce this section.

Subd. 5. **Limitations.** (a) Nothing in this section requires an original equipment manufacturer to divulge a trade secret or license any intellectual property to an owner or an independent service provider, except as necessary to provide documentation, parts, and tools on fair and reasonable terms.

(b) Nothing in this section alters the terms of any arrangement described in subdivision 2, paragraph (b), including but not limited to the performance or provision of warranty or recall repair work by an authorized repair provider on behalf of an original equipment manufacturer pursuant to the arrangement, in force between an authorized repair provider and an original equipment manufacturer. A provision in the terms of an arrangement described in subdivision 2, paragraph (b), that purports to waive, avoid, restrict, or limit the original equipment manufacturer's obligations to comply with this section is void and unenforceable.

(c) Nothing in this section requires an original equipment manufacturer or an authorized repair provider to provide to an owner or independent repair provider access to information, other than documentation, that is provided by the original equipment manufacturer to an authorized repair provider pursuant to the terms of an arrangement described in subdivision 2, paragraph (b).

(d) Nothing in this section requires an original equipment manufacturer or authorized repair provider to make available any parts, tools, or documentation for the purpose of making modifications to any digital electronic equipment.

(e) Nothing in this section shall be construed to require the original equipment manufacturer to sell service parts if the service parts are no longer provided by the original equipment manufacturer or made available to authorized repair providers of the original equipment manufacturer.

(f) Nothing in this section shall require an original manufacturer to make available special documentation, tools, and parts that would disable or override antitheft security measures set by the owner of the equipment without the owner's authorization.

(g) Nothing in this section shall apply if the original equipment manufacturer provides equivalent or better, readily available replacement equipment at no charge to the customer.

(h) Nothing in this section requires the original manufacturer to provide access to parts, tools, or documentation for work that is required to be done or supervised by an individual or contractor licensed under chapter 326B or with any individual or contractor who does not possess the relevant license required for that work.

Subd. 6. **Exclusions.** (a) Nothing in this section applies to: (1) a motor vehicle manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer acting in that capacity; or (2) any product or service of a motor vehicle manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer acting in that capacity.

(b) Nothing in this section applies to manufacturers or distributors of a medical device as defined in the Federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 301 et seq., or a

digital electronic product or software manufactured for use in a medical setting including diagnostic, monitoring, or control equipment or any product or service that the manufacturer or distributor of a medical device offers.

(c) Nothing in this section applies to manufacturers, distributors, importers, or dealers of any off-road or nonroad equipment, including without limitation farm and utility tractors; farm implements; farm machinery; forestry equipment; industrial equipment; utility equipment; construction equipment; compact construction equipment; road-building equipment; electronic vehicle charging infrastructure equipment; mining equipment; turf, yard, and garden equipment; outdoor power equipment; portable generators; marine, all-terrain sports, and recreational vehicles, including without limitation racing vehicles; stand-alone or integrated stationary or mobile internal combustion engines; generator sets and fuel cell power; power tools; and any tools, technology, attachments, accessories, components, and repair parts for any of the foregoing.

(d) Nothing in this section shall be construed to require any original equipment manufacturer or authorized repair provider to make available any parts, tools, or documentation required for the diagnosis, maintenance, or repair of a video game console and its components and peripherals.

(e) Nothing in this section applies to an energy storage system, as defined in section 216B.2422, subdivision 1, paragraph (f).

(f) Nothing in this section requires an original equipment manufacturer to make available parts, documentation, or tools related to cybersecurity, except as necessary for the repair or maintenance of equipment.

Subd. 7. **Liability, defenses, and warranties.** No original equipment manufacturer or authorized repair provider shall be liable for any damage or injury caused to any digital electronic equipment, person, or property that occurs as a result of repair, diagnosis, maintenance, or modification performed by an independent repair provider or owner, including but not limited to any indirect, incidental, special, or consequential damages; any loss of data, privacy, or profits; or an inability to use, or reduced functionality of, the digital electronic equipment.

Subd. 8. **Applicability.** This section applies to equipment sold on or after July 1, 2017.

EFFECTIVE DATE. This section is effective July 1, 2024."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rasmusson moved to amend the Kupec amendment to S.F. No. 2219 as follows:

Page 6, line 31, delete everything after "cybersecurity" and insert a period

Page 6, delete line 32

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Kupec amendment, as amended.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Dziedzic	Johnson	Maye Quade	Rarick
Anderson	Eichorn	Klein	McEwen	Rasmusson
Bahr	Farnsworth	Koran	Miller	Rest
Boldon	Fateh	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	

Pursuant to Rule 40, Senator Murphy cast the affirmative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Morrison, Port, Seeberger, and Xiong.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

The motion prevailed. So the Kupec amendment, as amended, was adopted.

Senator Frentz moved to amend S.F. No. 2219 as follows:

Page 27, after line 1, insert:

"Sec. 25. Minnesota Statutes 2022, section 325E.66, is amended by adding a subdivision to read:

Subd. 1a. **Prices and rates.** Upon the occurrence of a weather event classified as a severe thunderstorm pursuant to the criteria established by the National Oceanic and Atmospheric Administration, a residential building contractor operating within the geographic region impacted by the weather event and repairing damage caused by the weather event shall not:

(1) charge an unconscionably excessive price for labor in comparison to the market price charged for comparable services in the geographic region impacted by the weather event; or

(2) charge an insurance company a rate that exceeds what the residential building contractor otherwise charges members of the general public.

Sec. 26. Minnesota Statutes 2022, section 325E.66, subdivision 2, is amended to read:

Subd. 2. **Private remedy.** If a residential contractor violates subdivision 1 or 1a, the insured or the applicable insurer may bring an action against the residential contractor in a court of competent jurisdiction for damages sustained by the insured or insurer as a consequence of the residential contractor's violation.

Sec. 27. Minnesota Statutes 2022, section 325E.66, subdivision 3, is amended to read:

Subd. 3. **Public enforcement.** The commissioner of labor and industry shall enforce ~~this section~~ subdivision 1 under sections 326B.081 to 326B.085."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Dahms moved to amend S.F. No. 2219 as follows:

Page 36, line 5, after the second comma, insert "but less than 200,000 miles,"

Page 36, line 28, reinstate the stricken language and strike "75,000" and insert "200,000"

Page 38, line 23, reinstate the stricken language and strike "75,000" and insert "200,000"

Page 38, lines 24 and 30, reinstate the stricken language and delete the new language

The motion prevailed. So the amendment was adopted.

S.F. No. 2219 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 49 and nays 18, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Murphy cast the affirmative vote on behalf of the following Senators: Boldon, Dziedzic, Mann, McEwen, Morrison, Port, Seeberger, and Xiong.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Anderson	Drazkowski	Gruenhagen	Lieske	Utke
Bahr	Duckworth	Howe	Lucero	Wesenberg
Dornink	Eichorn	Koran	Mathews	
Draheim	Green	Kreun	Pratt	

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

MEMBERS EXCUSED

Senator Johnson was excused from the Session of today from 4:05 to 4:10 p.m. Senator Kreun was excused from the Session of today from 4:30 to 4:40 p.m.

ADJOURNMENT

Senator Hawj moved that the Senate do now adjourn until 10:00 a.m., Friday, April 28, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate