

STATE OF MINNESOTA

Journal of the Senate

NINETY-THIRD LEGISLATURE

FIFTY-FOURTH DAY

St. Paul, Minnesota, Friday, April 21, 2023

The Senate met at 10:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Kunesh 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. Sara E. Morse.

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

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 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. 1955: A bill for an act relating to state government; establishing a budget for the Department of Agriculture, the Board of Animal Health, the Agricultural Utilization Research Institute, and the Office of Broadband Development; making policy and technical changes to agriculture provisions; making policy and technical changes to broadband provisions; providing civil penalties; appropriating money; requiring reports; transferring money to the border-to-border broadband fund account; creating the grain indemnity account; transferring money to the grain indemnity account; amending Minnesota Statutes 2022, sections 17.1016, subdivision 2; 17.133, subdivision 2; 28A.152, subdivision 2; 41A.14, subdivision 2; 41A.19; 116J.395, subdivision 7; 116J.396, subdivision 2; 223.16, by adding a subdivision; 223.17, subdivisions 6, 7, 7a; 223.175; 223.19; 232.22, subdivision 5; Laws 2021, First Special Session chapter 3, article 1, section 2, subdivision 5, as amended; Laws 2022, chapter 95, article 2, section 29, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 17; 116J; 223; repealing Minnesota Statutes 2022, sections 17.055, subdivision 2; 41A.12, subdivision 4; 41A.21; 223.17, subdivisions 4, 8; 232.22, subdivisions 4, 6, 6a, 7.

Senate File No. 1955 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 20, 2023

Senator Putnam moved that the Senate do not concur in the amendments by the House to S.F. No. 1955, 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.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 917, 2335, and 2887.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 19, 2023

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1587.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 20, 2023

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 917: A bill for an act relating to housing; prohibiting discrimination based on participation in public assistance; prohibiting pet declawing and devocalization; prohibiting certain fees; requiring certain inspections; providing for certain notice; providing for certain penalties; providing right to counsel in certain cases; providing for lease covenants and repairs in residential tenancy; providing for renewal and termination of lease in certain cases; providing for residential evictions; providing for expungement of certain eviction cases; amending Minnesota Statutes 2022, sections 363A.09, subdivisions 1, 2, by adding a subdivision; 363A.21, subdivision 1; 484.014, subdivisions 2, 3; 504B.135; 504B.161, subdivision 1; 504B.178, subdivision 4; 504B.211, subdivisions 2, 6; 504B.285, subdivision 5; 504B.291, subdivision 1; 504B.321; 504B.331; 504B.335; 504B.345, subdivision 1, by adding a subdivision; 504B.361, subdivision 1; 504B.371, subdivisions 3, 4, 5, 7; 504B.375, subdivision 1; 504B.381, subdivisions 1, 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 504B.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1298, now on General Orders.

H.F. No. 2335: A bill for an act relating to housing; establishing budget for Minnesota Housing Finance Agency; modifying various housing policy and finance provisions; expanding and establishing certain homeownership, manufactured home, and rent assistance programs; expanding requirements, uses, and amount of housing infrastructure bonds; establishing metropolitan region sales tax; establishing local affordable housing aid; establishing requirements for nonprofit grantees; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 82.75, subdivision 8; 297A.99, subdivision 1; 327C.095, subdivisions 12, 13, 16; 462.357, subdivision 1; 462A.05, subdivision 14, by adding subdivisions; 462A.201, subdivision 2; 462A.2035, subdivision 1b; 462A.204, subdivisions 3, 8; 462A.21, subdivision 3b; 462A.22, subdivision 1; 462A.33, subdivision 2, by adding a subdivision; 462A.36, subdivision 4, by adding a subdivision; 462A.37, subdivisions 1, 2, 4, 5, by adding subdivisions; 462A.38, subdivision 1; 462A.39, subdivisions 2, 5; 469.002, subdivision 12, by adding a subdivision; 473.145; 500.20, subdivision 2a; Laws 2021, First Special Session chapter 8, article 1, section 3, subdivision 11; Laws 2023, chapter 20, section 1; proposing coding for new law in Minnesota Statutes, chapters 297A; 462A; 477A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2566, now on General Orders.

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.

Referred to the Committee on Finance.

H.F. No. 1587: A bill for an act relating to agriculture; modifying restricted species provisions; prohibiting certain provisions in carbon storage contracts; prohibiting false labeling of certain pesticide-treated plants as pollinator friendly; modifying genetically engineered organisms provisions; modifying nursery and plant protection provisions; modifying provisions regulating the dairy industry; modifying control and eradication of nonnative Phragmites; amending Minnesota Statutes 2022, sections 17.457; 17.710; 17.983, subdivision 1; 18.78, subdivision 2; 18F.01; 18F.02, by adding subdivisions; 18F.07; 18F.13; 18G.02, subdivisions 2, 6, 14, 15, 16, 20, 22, 24, 30, by adding a subdivision; 18G.03, subdivision 1; 18G.04, subdivision 2; 18G.05; 18G.06, subdivisions 2, 5; 18G.10, subdivisions 4, 5, 6; 18G.11, subdivision 1; 18G.12, subdivisions 1, 2; 18H.02, subdivisions 2, 3, 8, 9, 12, 12b, 12c, 14, 16, 18, 20, 24, 24a, 25, 26, 28, 32, 33, by adding a subdivision; 18H.03, subdivision 6; 18H.04; 18H.05; 18H.06, subdivision 2; 18H.07, subdivision 4, by adding a subdivision; 18H.08, subdivision 1; 18H.09; 18H.10; 18H.12; 18H.13; 18H.14; 18H.15; 18H.18; 32D.02, subdivision 2; 32D.09, subdivision 2; 34A.04, subdivision 1; repealing Minnesota Statutes 2022, sections 17.984; 18F.02, subdivisions 2, 9; 18F.12; 18G.02, subdivisions 12, 17, 21, 25, 29; 18H.02, subdivisions 10, 12a, 29, 31, 32a, 34; 18H.06, subdivision 1; 32D.03, subdivision 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2128, now on General Orders.

REPORTS OF COMMITTEES

Senator Kunesh moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H.F. No. 2497 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.
2497	2684				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2497 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2497, the fourth engrossment; and insert the language after the enacting clause of S.F. No. 2684, the third engrossment; further, delete the title of H.F. No. 2497, the fourth engrossment; and insert the title of S.F. No. 2684, the third engrossment.

And when so amended H.F. No. 2497 will be identical to S.F. No. 2684, and further recommends that H.F. No. 2497 be given its second reading and substituted for S.F. No. 2684, 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 Dzedzic, from the Committee on Rules and Administration, to which was referred

H.F. No. 2292 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.
2292	2373				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2292 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2292, the second engrossment; and insert the language after the enacting clause of S.F. No. 2373; further, delete the title of H.F. No. 2292, the second engrossment; and insert the title of S.F. No. 2373.

And when so amended H.F. No. 2292 will be identical to S.F. No. 2373, and further recommends that H.F. No. 2292 be given its second reading and substituted for S.F. No. 2373, 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.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2497 and 2292 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senators Green, Utke, Wesenberg, Gruenhagen, and Bahr introduced--

S.F. No. 3295: A bill for an act relating to state government; establishing a State Boundary Adjustment Planning Commission; requiring a report.

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

MOTIONS AND RESOLUTIONS

Senator Draheim moved that the name of Senator Mann be added as a co-author to S.F. No. 228. The motion prevailed.

RECESS

Senator Kunesh 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 Dziedzic 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. 1955: Senators Putnam, Kupec, and Westrom.

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Kunesh, 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. 16, 366, and 146.

SPECIAL ORDER

H.F. No. 16: A bill for an act relating to health; prohibiting conversion therapy with children or vulnerable adults; prohibiting medical assistance coverage for conversion therapy; prohibiting the misrepresentation of conversion therapy services or products; amending Minnesota Statutes 2022, sections 256B.0625, by adding a subdivision; 325F.69, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 214.

Senator Dibble moved that the amendment made to H.F. No. 16 by the Committee on Rules and Administration in the report adopted February 27, 2023, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Rasmusson moved to amend H.F. No. 16 as follows:

Page 2, after line 28, insert:

"Sec. 4. NONSEVERABILITY.

If any provision of this act is found to be unconstitutional and void, the remaining provisions of this act are void.

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

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 34, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Lang, Lieske, 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 Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Latz, Mann, Mohamed, and Rest.

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

H.F. No. 16 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Latz, Mohamed, and Rest.

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

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Bahr, Howe, Jasinski, Lang, Lieske, Pratt, and Westrom.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 366: A bill for an act relating to health care; limiting the release of health records in cases related to reproductive health; prohibiting certain acts by certain health-related licensing boards; prohibiting disqualification on background study for accessing or providing reproductive health care; preventing the enforcement of certain judgments related to reproductive health; restricting the enforcement of subpoenas issued in cases related to reproductive health; creating a cause of action for penalties and court costs for lawsuits related to reproductive health; prohibiting extradition of persons charged in another state for acts committed or services received in Minnesota related to reproductive health; amending Minnesota Statutes 2022, sections 147.091, by adding a subdivision; 147A.13, by adding a subdivision; 148.261, by adding a subdivision; 245C.15, by adding a subdivision; 629.01; 629.02; 629.05; 629.06; 629.13; 629.14; proposing coding for new law in Minnesota Statutes, chapters 144; 548; 604.

Senator Morrison moved to amend H.F. No. 366 as follows:

Page 3, after line 26, insert:

"Sec. 5. Minnesota Statutes 2022, section 151.071, is amended by adding a subdivision to read:

Subd. 2b. **Reproductive health care services.** (a) For purposes of this subdivision, "reproductive health care services" has the meaning given in section 147.091, subdivision 1c.

(b) Notwithstanding subdivision 1 and subdivision 2, clause (3), (6), or (7), the board shall not refuse to grant a license to an applicant for licensure or impose disciplinary action against a pharmacist, pharmacy technician, or pharmacist intern solely on one or more of the following grounds:

(1) the applicant or a pharmacist, pharmacy technician, or pharmacist intern provided or assisted in the provision of reproductive health care services in a manner that is lawful in this state and that is within the applicable scope of practice;

(2) the applicant or a pharmacist, pharmacy technician, or pharmacist intern was convicted in another jurisdiction of a felony resulting from conduct specified in clause (1); or

(3) the applicant or a pharmacist, pharmacy technician, or pharmacist intern was subject to disciplinary action in another jurisdiction or was refused a license to practice pharmacy in another jurisdiction resulting from conduct specified in clause (1).

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 34 and nays 28, as follows:

Those who voted in the affirmative 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
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Latz, Mohamed, and Rest.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Lang, Lieske, Miller, Pratt, and Westrom.

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend H.F. No. 366 as follows:

Page 1, line 19, delete "the human reproductive"

Page 1, line 20, delete everything before "pregnancy"

Page 2, line 8, delete everything after the first "to"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Koran, Lang, Lieske, Miller, Pratt, and Westrom.

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 Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Latz, Mohamed, and Rest.

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

Senator Utke moved to amend H.F. No. 366 as follows:

Page 2, delete sections 2 and 3

Page 3, delete sections 4 and 5

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 29 and nays 34, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Koran, Lang, Lieske, Miller, Pratt, and Westrom.

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 Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Latz, Mohamed, and Rest.

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

Senator Utke moved to amend H.F. No. 366 as follows:

Pages 5 to 7, delete sections 8 to 13

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 35, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Koran, Lang, Lieske, Miller, Weber, and Westrom.

Those who voted in the negative were:

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

Rest Seeberger Westlin Wiklund Xiong

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Latz, Mohamed, and Rest.

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

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

H.F. No. 366 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 34 and nays 29, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Mohamed, and Rest.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Koran, Lang, Lieske, Miller, Pratt, Weber, and Westrom.

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

SPECIAL ORDER

H.F. No. 146: A bill for an act relating to children; preventing the use of subpoenas to gather information for out-of-state laws interfering in the use of gender-affirming health care; amending child custody and child welfare provisions related to out-of-state laws interfering in the use of gender-affirming health care; amending provisions related to warrants, arrests, and extraditions related to out-of-state laws on gender-affirming health care; amending Minnesota Statutes 2022, sections 518D.201; 518D.204; 518D.207; 629.02; 629.05; 629.06; 629.13; 629.14; proposing coding for new law in Minnesota Statutes, chapters 260; 543.

Senator Maye Quade moved that the amendment made to H.F. No. 146 by the Committee on Rules and Administration in the report adopted April 12, 2023, pursuant to Rule 45, be stricken.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Mohamed, and Rest.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Koran, Lang, Lieske, Miller, Pratt, Weber, and Westrom.

The motion prevailed. So the amendment was stricken.

Senator Abeler moved to amend H.F. No. 146 as follows:

Page 2, delete section 3

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 30 and nays 33, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Koran, Lang, Lieske, Miller, Pratt, Weber, and Westrom.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Mohamed, and Rest.

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

Senator Gruenhagen moved to amend H.F. No. 146 as follows:

Page 5, after line 28, insert:

"Gender-affirming health care does not include treatments that, for a minor, may result in permanent loss of sexual function, permanent sterilization, or permanent change to the bone density or structure of a person's bone, including but not limited to, puberty blockers, cross-sex hormones, and gender reassignment surgery."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Lang, Lieske, Miller, Pratt, Weber, and Westrom.

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 Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Mohamed, and Rest.

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

CALL OF THE SENATE

Senator Maye Quade imposed a call of the Senate for the balance of the proceedings on the Maye Quade amendment to H.F. No. 146. The Sergeant at Arms was instructed to bring in the absent members.

Senator Maye Quade moved to amend H.F. No. 146 as follows:

Page 5, after line 6, insert:

"Sec. 5. Minnesota Statutes 2022, section 518D.311, is amended to read:

518D.311 WARRANT TO TAKE PHYSICAL CUSTODY OF CHILD.

(a) Upon the filing of a petition seeking enforcement of a child custody determination, the petitioner may file a verified application for the issuance of a warrant to take physical custody of the child if the child is immediately likely to suffer serious physical harm or be removed from this state.

(b) If the court, upon the testimony of the petitioner or other witness, finds that the child is imminently likely to suffer serious physical harm or be removed from this state, it may issue a warrant to take physical custody of the child. The petition must be heard on the next judicial day after the warrant is executed unless that date is impossible. In that event, the court shall hold the hearing on the first judicial day possible. The application for the warrant must include the statements required by section 518D.308, paragraph (b).

(c) A warrant to take physical custody of a child must:

(1) recite the facts upon which a conclusion of imminent serious physical harm or removal from the jurisdiction is based;

(2) direct law enforcement officers to take physical custody of the child immediately; and

(3) provide for the placement of the child pending final relief.

(d) The respondent must be served with the petition, warrant, and order immediately after the child is taken into physical custody.

(e) A warrant to take physical custody of a child is enforceable throughout this state. If the court finds on the basis of the testimony of the petitioner or other witness that a less intrusive remedy is not effective, it may authorize law enforcement officers to enter private property to take physical custody of the child. If required by exigent circumstances of the case, the court may authorize law enforcement officers to make a forcible entry at any hour.

(f) The court may impose conditions upon placement of a child to ensure the appearance of the child and the child's custodian.

(g) For purposes of this section, serious physical harm includes the provision of gender-affirming care, as defined in section 543.23, paragraph (b).

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

Sec. 6. Minnesota Statutes 2022, section 518D.313, is amended to read:

518D.313 RECOGNITION AND ENFORCEMENT.

(a) A court of this state shall accord full faith and credit to an order issued by another state and consistent with this chapter which enforces a child custody determination by a court of another state unless the order has been vacated, stayed, or modified by a court having jurisdiction to do so under sections 518D.201 to 518D.210 and this section.

(b) A court of this state has jurisdiction to vacate, stay, or modify a child custody determination of a court of another state if the parent or guardian allows the child to access gender-affirming care, as defined in section 543.23, paragraph (b). The court must vacate, stay, or modify the child custody determination to the extent necessary to prevent a parent from allowing the child to access gender-affirming care.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 0 and nays 62, as follows:

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Frentz cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Mohamed, and Rest.

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Bahr, Duckworth, Howe, Jasinski, Lang, Lieske, Miller, Pratt, Weber, and Westrom.

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

H.F. No. 146 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Frentz cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Hauschild, Hawj, Mohamed, and Rest.

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senators: Bahr, Coleman, Duckworth, Howe, Jasinski, Lang, Lieske, Miller, Pratt, Weber, and Westrom.

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Senators Draheim, Housley, and Nelson were excused from the Session of today. Senator Coleman was excused from the session of today from 10:00 a.m. to 4:20 p.m. Senators Pratt and Westrom were excused from the Session of today from 11:10 a.m. to 12:30 p.m.

ADJOURNMENT

Senator Kunesh moved that the Senate do now adjourn until 11:00 a.m., Monday, April 24, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate

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