

STATE OF MINNESOTA

# Journal of the Senate

NINETY-THIRD LEGISLATURE

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SEVENTY-FIFTH DAY

St. Paul, Minnesota, Saturday, May 20, 2023

The Senate met at 4:00 p.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.

The members of the Senate paused for a moment of silent prayer and reflection.

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.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 19, 2023

The Honorable Bobby Joe Champion  
President of the Senate

Dear Senator Champion:

I respectfully submit the attached list of Notaries Public for 2022 to the Senate for confirmation as required by Article V, Section 3 of the Minnesota Constitution and Minnesota Statutes 2022, section 359.01.

Sincerely,  
Tim Walz, Governor

May 19, 2023

The Honorable Bobby Joe Champion  
President of the Senate

Dear President Champion:

I have received, approved, signed, and deposited in the Office of the Secretary of State, Chapter 52, S.F. No. 2909.

Sincerely,  
Tim Walz, Governor

May 19, 2023

The Honorable Melissa Hortman  
Speaker of the House of Representatives

The Honorable Bobby Joe Champion  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2023 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2023	Date Filed 2023
2909		52	12:32 p.m. May 19	May 19
	1999	40	1:00 p.m. May 19	May 19
	2204	42	1:02 p.m. May 19	May 19
	1126	44	1:02 p.m. May 19	May 19
	3100	45	1:03 p.m. May 19	May 19
	782	46	1:04 p.m. May 19	May 19
	2950	47	1:04 p.m. May 19	May 19
	1234	48	1:04 p.m. May 19	May 19
	1486	49	1:05 p.m. May 19	May 19
	2988	51	1:06 p.m. May 19	May 19

Sincerely,  
Steve Simon  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2934, and repassed said bill in accordance with the report of the Committee, so adopted.

**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.

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

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 19, 2023

### REPORTS OF COMMITTEES

Senator Dziejdzic moved that the Committee Report at the Desk be now adopted. The motion prevailed.

#### **Senator Dziejdzic, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 2369** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2369	2319				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2369 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2369, the third engrossment; and insert the language after the enacting clause of S.F. No. 2319, the third engrossment; further, delete the title of H.F. No. 2369, the third engrossment; and insert the title of S.F. No. 2319, the third engrossment.

And when so amended H.F. No. 2369 will be identical to S.F. No. 2319, and further recommends that H.F. No. 2369 be given its second reading and substituted for S.F. No. 2319, 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. No. 2369 was read the second time.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

#### **Senators Eichorn, Farnsworth, Hauschild, and Hawj introduced--**

**S.F. No. 3350:** A bill for an act relating to arts and cultural heritage; appropriating money for purchasing Wizard of Oz ruby slippers.

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

**Senators Hoffman, Abeler, Klein, Morrison, and Housley introduced--**

**S.F. No. 3351:** A bill for an act relating to insurance; requiring coverage for orthotic and prosthetic devices; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce and Consumer Protection.

**Senator McEwen introduced--**

**S.F. No. 3352:** A bill for an act relating to public safety; prohibiting the sale or transfer of a semiautomatic military-style assault weapon; authorizing a buyback program for these weapons; appropriating money; amending Minnesota Statutes 2022, section 624.712, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Judiciary and Public Safety.

**Senators Abeler, Hoffman, and Mathews introduced--**

**S.F. No. 3353:** A bill for an act relating to state government; creating an exclusion to protected classes; proposing coding for new law in Minnesota Statutes, chapter 645.

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

**Senators Lang, Maye Quade, Coleman, and Lieske introduced--**

**S.F. No. 3354:** A bill for an act relating to public safety; modifying crime of sexual extortion to include the dissemination of private images when a person's intimate parts are exposed; providing for notice and education regarding the crime; providing for a report; amending Minnesota Statutes 2022, section 609.3458; proposing coding for new law in Minnesota Statutes, chapter 121A.

Referred to the Committee on Judiciary and Public Safety.

**Senators Miller, Wesenberg, Utke, Frentz, and Cwodzinski introduced--**

**S.F. No. 3355:** A bill for an act relating to natural resources; creating Outdoor School for All grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 84.

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

**Senators Utke, Wesenberg, Mathews, Koran, and Drazkowski introduced--**

**S.F. No. 3356:** A bill for an act relating to elections; providing for the designation and election of presidential electors; amending Minnesota Statutes 2022, sections 208.03; 208.05.

Referred to the Committee on Elections.

**MOTIONS AND RESOLUTIONS**

Senator Rarick moved that the name of Senator Westrom be added as a co-author to S.F. No. 3340. The motion prevailed.

**Senator Miller introduced --**

**Senate Resolution No. 57:** A Senate resolution celebrating the 100th anniversary of the Portland Prairie 4-H Club.

Referred to the Committee on Rules and Administration.

**RECESS**

Senator Dziejdzic 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.

**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. No. 1900.

**SPECIAL ORDER**

**H.F. No. 1900:** A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, article XI, section 14; providing for the renewal of the environment and natural resources trust fund; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116P; proposing coding for new law as Minnesota Statutes, chapter 116X.

Senator Hawj moved to amend H.F. No. 1900 as follows:

Page 2, after line 23, insert:

"Sec. 2. Minnesota Statutes 2022, section 116P.03, is amended to read:

**116P.03 TRUST FUND NOT TO SUPPLANT EXISTING FUNDING; APPROPRIATIONS.**

(a) The trust fund may not be used as a substitute for traditional sources of funding environmental and natural resources activities, but the trust fund shall supplement the traditional sources, including those sources used to support the criteria in section 116P.08, subdivision 1. The trust fund must be used primarily to support activities whose benefits become available only over an extended period of time.

(b) The commission must determine the amount of the state budget spent from traditional sources to fund environmental and natural resources activities before and after the trust fund is established and include a comparison of the amount in the report under section 116P.09, subdivision 7.

(c) For the fiscal year beginning July 1, 2007, and each year thereafter, the amount of the environment and natural resources trust fund that is available for appropriation under this chapter and under the terms of the Minnesota Constitution, article XI, section 14, shall be appropriated by law.

(d) The amount appropriated from the environment and natural resources trust fund may be spent only for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. Recommendations made by the commission under this chapter must be consistent with the Minnesota Constitution, article XI, section 14; this chapter; and the strategic plan adopted under section 116P.08, subdivision 3, and must demonstrate a direct benefit to the state's environment and natural resources.

(e) The amount available for appropriation from the environment and natural resources trust fund under this chapter each year of a biennium, commencing on July 1 in each odd-numbered year and ending on and including June 30 in the next odd-numbered year, is 5.5 percent of the market value of the fund on June 30 one year before the start of the biennium.

**EFFECTIVE DATE.** If the constitutional amendment in article 1, section 1, is approved by the voters at the 2024 general election, this section is effective January 1, 2025."

Page 3, delete section 3 and insert:

**"Sec. 4. [116X.03] ENVIRONMENT AND NATURAL RESOURCES TRUST FUND COMMUNITY GRANT PROGRAM.**

Subdivision 1. Grants. (a) Beginning July 1, 2025, each fiscal year 1.5 percent of the market value of the environment and natural resources trust fund on June 30 one year before the start of the biennium is available for appropriation to the commissioner of natural resources to provide grants under this section for the benefit of current residents and future generations. The commissioner must award grants under this section for purposes authorized under Minnesota Constitution, article XI, section 14, and expand the number and diversity of recipients who benefit from the environment and natural resources trust fund, especially in communities that have been adversely affected by pollution and environmental degradation.

(b) A grant may be awarded under this section only for:

(1) helping adversely impacted communities respond to environmental degradation and related health concerns;

(2) education and awareness related to stewardship of air, land, water, forests, fish, wildlife, and other natural resources; or

(3) preserving or enhancing air, land, water, and other natural resources that otherwise may be substantially impaired or destroyed in any area of the state.

(c) A grant awarded under this section must provide measurable results and may not be awarded to a for-profit business.

(d) Money appropriated from the trust fund under this subdivision must supplement the traditional sources of funding for environment and natural resources activities and may not be used as a substitute.

(e) Any appropriated funds under this subdivision that are not encumbered before the appropriation expires must be credited to the principal of the trust fund.

(f) The commissioner may not award a grant under this section to the Department of Natural Resources.

Subd. 2. **Capital projects and land acquisition.** Notwithstanding section 116P.011, the requirements of sections 116P.15 to 116P.21 apply to grants awarded under this section, except that where those sections require a grantee to obtain approval of the Legislative-Citizen Commission on Minnesota Resources for a proposed action a grantee must instead obtain the approval of the commissioner of natural resources.

Subd. 3. **Administrative expenses.** Up to five percent of the money appropriated to the commissioner for grants under this section may be used by the commissioner for administration, outreach, grant monitoring, and advisory council operational support.

Subd. 4. **Return of grant money.** The commissioner must require a recipient of a grant under this section to return all money awarded to the recipient if the recipient does not use the money in accordance with the applicable agreement.

Subd. 5. **Reporting.** By February 1 each year, the commissioner must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources on the administration of this section during the previous fiscal year, including administrative expenses and the grants awarded.

**EFFECTIVE DATE.** If the constitutional amendment in article 1, section 1, is approved by the voters at the 2024 general election, this section is effective January 1, 2025."

Page 4, line 23, before "Ojibwe" insert "Minnesota"

Page 4, line 24, before "Dakota" insert "Minnesota"

Page 5, after line 30, insert:

"Subd. 5. **Open meetings.** Meetings of the advisory council must be open to the public and are subject to chapter 13D."



Page 6, delete sections 6 and 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Eichorn moved to amend H.F. No. 1900 as follows:

Page 2, delete article 2

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:

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

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

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Boldon cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hoffman, Mann, Maye Quade, Pha, and Port.

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

Senator Westrom moved to amend H.F. No. 1900 as follows:

Page 1, line 20, delete "any facility or system" and insert "any commercial facility or commercial system"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 33, as follows:

Those who voted in the affirmative were:

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

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

Those who voted in the negative were:

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

Pursuant to Rule 40, Senator Boldon cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Hoffman, Mann, Maye Quade, Pha, Port, Rest, and Wiklund.

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

H.F. No. 1900 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 29, as follows:

Those who voted in the affirmative were:

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

Pursuant to Rule 40, Senator Boldon cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Mann, Maye Quade, Pha, and Port.

Those who voted in the negative were:

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

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

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

**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.

**MEMBERS EXCUSED**

Senator Abeler was excused from the Session of today at 6:00 p.m. Senators Pratt and Rest were excused from the Session of today from 6:30 to 6:40 p.m. Senator Johnson was excused from the Session of today from 6:30 to 7:30 p.m.

**ADJOURNMENT**

Senator Dziedzic moved that the Senate do now adjourn until 12:00 noon, Sunday, May 21, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate



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