

STATE OF MINNESOTA

SPECIAL SESSION — 2021

 SIXTEENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, JUNE 30, 2021

The House of Representatives convened at 12:00 noon and was called to order by Melissa Hortman, Speaker of the House.

The members of the House paused for a brief meditation or moment of reflection.

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

The roll was called and the following members were present:

Acomb	Davnie	Hansen, R.	Lee	Nelson, N.	Schomacker
Agbaje	Demuth	Hanson, J.	Liebling	Neu Brindley	Schultz
Akland	Dettmer	Hassan	Lillie	Noor	Scott
Albright	Drazkowski	Hausman	Lippert	Novotny	Stephenson
Anderson	Ecklund	Heinrich	Lislegard	O'Driscoll	Sundin
Backer	Edelson	Heintzeman	Long	Olson, B.	Swedzinski
Bahner	Elkins	Her	Lucero	Olson, L.	Theis
Bahr	Erickson	Hertaus	Lueck	O'Neill	Thompson
Baker	Feist	Hollins	Mariani	Pelowski	Torkelson
Becker-Finn	Fischer	Hornstein	Marquart	Petersburg	Urdahl
Bennett	Franke	Howard	Masin	Pfarr	Vang
Berg	Franson	Huot	McDonald	Pierson	Wazlawik
Bernardy	Frazier	Igo	Mekeland	Pinto	West
Bierman	Frederick	Johnson	Miller	Poston	Winkler
Bliss	Freiberg	Jordan	Moller	Pryor	Wolgamott
Boe	Garofalo	Jurgens	Moran	Quam	Xiong, J.
Boldon	Gomez	Keeler	Morrison	Raleigh	Xiong, T.
Burkel	Green	Kiel	Mortensen	Rasmusson	Youakim
Carlson	Greenman	Klevorn	Mueller	Reyer	Spk. Hortman
Christensen	Grossell	Koegel	Munson	Richardson	
Daniels	Gruenhagen	Kotyza-Witthuhn	Murphy	Robbins	
Daudt	Haley	Koznick	Nash	Sandell	
Davids	Hamilton	Kresha	Nelson, M.	Sandstede	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

MOTIONS AND RESOLUTIONS

TAKEN FROM THE TABLE

Winkler moved that H. F. No. 9 be taken from the table. The motion prevailed.

H. F. No. 9 was again reported to the House.

Haley moved to amend H. F. No. 9, the first engrossment, as follows:

Page 5, delete section 3

Page 12, delete section 9

Page 18, delete section 14

Page 60, after line 31, insert:

"Sec. 12. **SALES TAX EXEMPTION FOR CERTAIN PURCHASES RELATED TO COVID-19.**

(a) Notwithstanding Minnesota Statutes, section 289A.50, or any law to the contrary, the sale and purchase of any materials, supplies, or equipment used in this state by a restaurant to adapt to health guidelines or any executive order related to COVID-19 is exempt from sales and use taxes imposed under Minnesota Statutes, chapter 297A. For the purposes of this section, "restaurant" means an establishment used as, maintained as, advertised as, or held out to be an operation that prepares, serves, or otherwise provides food or beverages, or both, for human consumption, which operates from a location for more than 21 days annually. Restaurant does not include food carts, mobile food units, grocery stores, convenience stores, gas stations, bakeries, or delis.

(b) The maximum refund allowed under this section is \$1,000 per federal employer identification number or Minnesota sales and use tax account number, whichever number is used to file sales tax returns. A business using a consolidated return to report sales tax information from more than one restaurant location, as provided in Minnesota Statutes, section 289A.11, subdivision 1, paragraph (a), is eligible for a refund of up to \$1,000, per restaurant location reported.

(c) The tax on the gross receipts from the sale of the items exempt under paragraph (a) must be imposed and collected as if the sale were taxable and the rate under Minnesota Statutes, section 297A.62, subdivision 1, applied. Refunds for eligible purchases must not be issued until after June 30, 2021.

(d) Upon application on forms prescribed by the commissioner, a refund equal to the tax paid on the gross receipts of the exempt items or \$1,000, whichever is less, must be paid to the applicant. Only the owner of the restaurant may apply for the refund. The application must include sufficient information to permit the commissioner to verify the tax paid and that the applicant is the owner of the restaurant.

EFFECTIVE DATE; APPLICATION. This section is effective retroactively from March 1, 2020, and applies to sales and purchases made after February 29, 2020, and before January 1, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Haley amendment and the roll was called. There were 63 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Baker	Franke	Igo	Mortensen	Pfarr	Torkelson
Bennett	Franson	Johnson	Mueller	Pierson	Urdahl
Bliss	Garofalo	Jurgens	Munson	Poston	West
Boe	Green	Kiel	Nash	Quam	
Burkel	Grossell	Koznick	Nelson, N.	Raleigh	
Daniels	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Ecklund	Hassan	Lee	Murphy	Stephenson
Agbaje	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Bahner	Elkins	Her	Lillie	Noor	Thompson
Becker-Finn	Feist	Hollins	Lippert	Olson, L.	Vang
Berg	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Bernardy	Frazier	Howard	Long	Pinto	Winkler
Bierman	Frederick	Huot	Mariani	Pryor	Wolgamott
Boldon	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Carlson	Gomez	Keeler	Masin	Richardson	Xiong, T.
Christensen	Greenman	Klevorn	Moller	Sandell	Youakim
Davids	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	

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

Neu Brindley moved to amend H. F. No. 9, the first engrossment, as follows:

Page 5, delete section 3

Page 12, delete section 9

Page 18, delete section 14

Page 115, line 6, delete "\$20,000,000" and insert "For aids payable in 2021 and 2022, \$4,950,000 is annually appropriated from the general fund to the commissioner of revenue to make payments required under this section. For aids payable in 2023 and thereafter, \$24,950,000"

Page 115, line 25, delete "2023" and insert "2021"

A roll call was requested and properly seconded.

The question was taken on the Neu Brindley amendment and the roll was called. There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson
Albright	Davids	Haley	Lucero	Novotny	Robbins
Anderson	Demuth	Hamilton	Lueck	O'Driscoll	Sandell
Backer	Dettmer	Heinrich	McDonald	Olson, B.	Schomacker
Bahr	Drazkowski	Heintzeman	Mekeland	O'Neill	Scott
Baker	Erickson	Hertaus	Miller	Petersburg	Swedzinski
Bennett	Franke	Igo	Mortensen	Pfarr	Theis
Bliss	Franson	Johnson	Mueller	Pierson	Torkelson
Boe	Garofalo	Jurgens	Munson	Poston	Urdahl
Burkel	Green	Kiel	Nash	Quam	West
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Thompson
Agbaje	Elkins	Her	Lillie	Noor	Vang
Bahner	Feist	Hollins	Lippert	Olson, L.	Wazlawik
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Winkler
Berg	Frazier	Howard	Long	Pinto	Wolgamott
Bernardy	Frederick	Huot	Mariani	Pryor	Xiong, J.
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, T.
Boldon	Gomez	Keeler	Masin	Richardson	Youakim
Carlson	Greenman	Klevorn	Moller	Sandstede	Spk. Hortman
Christensen	Hansen, R.	Koegel	Moran	Schultz	
Davnie	Hanson, J.	Kotzya-Witthuhn	Morrison	Stephenson	
Ecklund	Hassan	Lee	Murphy	Sundin	

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

Nash moved to amend H. F. No. 9, the first engrossment, as follows:

Page 5, delete section 3

Page 12, delete section 9

Page 18, delete section 14

Page 60, after line 2, insert:

"Sec. 10. **[297A.816] VENDOR ALLOWANCE.**

Subdivision 1. Eligibility. A retailer may retain a portion of sales tax collected as a vendor allowance in compensation for the costs of collecting and administering the tax under this chapter. This section applies only if the tax minus the vendor allowance is both reported and remitted to the commissioner in a timely fashion as required under chapter 289A.

Subd. 2. Tax not eligible for allowance. Use taxes paid by the retailer on the retailer's own purchases and local sales and use taxes collected by the retailer are not included in calculating the vendor allowance under this section.

Subd. 3. Calculation of allowance; maximum amounts. (a) The amount of the vendor allowance is equal to the sum of 0.10 percent of the tax collected in the reporting period, up to \$250. The vendor allowance must not reduce the tax owed in the reporting period to less than zero.

(b) Notwithstanding section 297A.62, subdivision 4, the amount retained under this section must be calculated only on collections of the tax imposed under section 297A.62, subdivision 1.

EFFECTIVE DATE. This section is effective for sales taxes remitted after June 30, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Nash amendment and the roll was called. There were 64 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson
Albright	Dauids	Haley	Lucero	Novotny	Robbins
Anderson	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Backer	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Bahr	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Baker	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotzya-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

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

O'Neill moved to amend H. F. No. 9, the first engrossment, as follows:

Page 5, delete section 3

Page 12, delete section 9

Page 16, after line 10, insert:

"(e) No later than September 1, 2021, the commissioner of revenue must estimate and publish on its website the amount by which the credit limit under paragraph (b), clause (4) could be increased for taxable years beginning in 2021 with a resulting decrease in general fund revenues of \$9,900,000.

(f) For taxable years beginning after December 31, 2020, and before January 1, 2022, the credit under this section must be calculated by substituting the amount calculated under paragraph (e) for \$500 in paragraph (b), clause (4)."

Page 18, delete section 14

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The Speaker called Wolgamott to the Chair.

The question was taken on the O'Neill amendment and the roll was called. There were 64 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Sandell
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Schomacker
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Scott
Bahr	Erickson	Hertaus	Miller	Petersburg	Swedzinski
Baker	Franke	Igo	Mortensen	Pfarr	Theis
Bennett	Franson	Johnson	Mueller	Pierson	Torkelson
Bliss	Garofalo	Jurgens	Munson	Poston	Urdahl
Boe	Green	Kiel	Nash	Quam	West
Burkel	Grossell	Koznick	Nelson, N.	Raleigh	
Daniels	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Ecklund	Hassan	Lee	Murphy	Sundin
Agbaje	Edelson	Hausman	Liebling	Nelson, M.	Thompson
Bahner	Elkins	Her	Lillie	Noor	Vang
Becker-Finn	Feist	Hollins	Lippert	Olson, L.	Wazlawik
Berg	Fischer	Hornstein	Lislegard	Pelowski	Winkler
Bernardy	Frazier	Howard	Long	Pinto	Wolgamott
Bierman	Frederick	Huot	Mariani	Pryor	Xiong, J.
Boldon	Freiberg	Jordan	Marquart	Reyer	Xiong, T.
Carlson	Gomez	Keeler	Masin	Richardson	Youakim
Christensen	Greenman	Klevorn	Moller	Sandstede	Spk. Hortman
Davids	Hansen, R.	Koegel	Moran	Schultz	
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Stephenson	

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

Robbins moved to amend H. F. No. 9, the first engrossment, as follows:

Page 5, delete section 3

Page 12, delete section 9

Page 18, delete section 14

Page 22, after line 30, insert:

"Sec. 18. **K-12 CREDIT; SPECIAL RULE FOR TAX YEAR 2021.**

(a) No later than September 1, 2021, the commissioner of revenue must estimate and publish on its website the amount by which the maximum credit under Minnesota Statutes, section 290.0674, subdivision 2, could be increased for taxable years beginning in 2021 with a resulting decrease in general fund revenues of \$9,900,000.

(b) For taxable years beginning after December 31, 2020, and before January 1, 2022, the credit under Minnesota Statutes, section 290.0674, must be calculated by substituting the amount estimated under paragraph (a) of this section for \$1,000 in section 290.0674, subdivision 2."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Robbins amendment and the roll was called. There were 63 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Baker	Franke	Igo	Mortensen	Pfarr	Torkelson
Bennett	Franson	Johnson	Mueller	Pierson	Urdahl
Bliss	Garofalo	Jurgens	Munson	Poston	West
Boe	Green	Kiel	Nash	Quam	
Burkel	Grossell	Koznick	Nelson, N.	Raleigh	
Daniels	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Boldon	Elkins	Greenman	Hornstein	Kotzya-Witthuhn
Agbaje	Carlson	Feist	Hansen, R.	Howard	Lee
Bahner	Christensen	Fischer	Hanson, J.	Huot	Liebling
Becker-Finn	Davids	Frazier	Hassan	Jordan	Lillie
Berg	Davnie	Frederick	Hausman	Keeler	Lippert
Bernardy	Ecklund	Freiberg	Her	Klevorn	Lislegard
Bierman	Edelson	Gomez	Hollins	Koegel	Long

Mariani	Morrison	Pelowski	Sandell	Thompson	Xiong, J.
Marquart	Murphy	Pinto	Sandstede	Vang	Xiong, T.
Masin	Nelson, M.	Pryor	Schultz	Wazlawik	Youakim
Moller	Noor	Reyer	Stephenson	Winkler	Spk. Hortman
Moran	Olson, L.	Richardson	Sundin	Wolgamott	

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

Dauids moved to amend H. F. No. 9, the first engrossment, as follows:

Page 22, after line 30, insert:

"Sec. 18. **DEPENDENT CARE CREDIT; SPECIAL RULES FOR TAX YEAR 2021.**

For taxable years beginning after December 31, 2020, and before January 1, 2022, the commissioner of revenue must calculate the credit under Minnesota Statutes, section 290.067, according to the following rules:

(1) the credit amount under subdivision 1, paragraph (a), equals 1.29 multiplied by the dependent care credit for which the taxpayer is eligible pursuant to the provisions of section 21 of the Internal Revenue Code; and

(2) for a married couple with amounts deemed to be employment related expenses paid for a child under subdivision 1, paragraph (c), the amount deemed to be employment related expenses paid for a child equals 1.29 multiplied by the amount of the maximum limit for one qualified individual under sections 21(c) and (d) of the Internal Revenue Code."

Page 185, delete section 29

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Davids amendment and the roll was called. There were 64 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson
Albright	Dauids	Haley	Lucero	Novotny	Robbins
Anderson	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Backer	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Bahr	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Baker	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotzya-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

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

Jurgens moved to amend H. F. No. 9, the first engrossment, as follows:

Page 5, delete section 3

Page 11, after line 18, insert:

"Sec. 8. Minnesota Statutes 2020, section 290.0132, subdivision 26, is amended to read:

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

(b) For married taxpayers filing a joint return and surviving spouses, the maximum subtraction equals ~~\$5,150~~ \$5,510. The maximum subtraction is reduced by 20 percent of provisional income over ~~\$78,180~~ \$80,270. In no case is the subtraction less than zero.

(c) For single or head-of-household taxpayers, the maximum subtraction equals ~~\$4,020~~ \$4,300. The maximum subtraction is reduced by 20 percent of provisional income over ~~\$61,080~~ \$62,710. In no case is the subtraction less than zero.

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

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

(f) The commissioner shall adjust the maximum subtraction and threshold amounts in paragraphs (b) to (d) as provided in section 270C.22. The statutory year is taxable year ~~2019~~ 2021. The maximum subtraction and threshold amounts as adjusted must be rounded to the nearest \$10 amount. If the amount ends in \$5, the amount is rounded up to the nearest \$10 amount.

EFFECTIVE DATE. This section is effective for taxable years beginning after December 31, 2020."

Page 12, delete section 9

Page 18, delete section 14

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Jurgens amendment and the roll was called. There were 64 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson
Albright	Dauids	Haley	Lucero	Novotny	Robbins
Anderson	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Backer	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Bahr	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Baker	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotzya-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

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

Hertaus moved to amend H. F. No. 9, the first engrossment, as follows:

Page 111, after line 7, insert:

"Section 1. Minnesota Statutes 2020, section 477A.03, subdivision 2a, is amended to read:

Subd. 2a. **Cities.** For aids payable in 2016 and 2017, the total aid paid under section 477A.013, subdivision 9, is \$519,398,012. For aids payable in 2018 and 2019, the total aid paid under section 477A.013, subdivision 9, is \$534,398,012. For aids payable in 2020, the total aid paid under section 477A.013, subdivision 9, is \$560,398,012.

For aids payable in 2021 ~~and thereafter~~ and 2022, the total aid payable under section 477A.013, subdivision 9, is ~~\$564,398,012~~ \$567,498,012. For aids payable in 2023 and thereafter, the total aid payable under section 477A.013, subdivision 9, is \$564,398,012.

EFFECTIVE DATE. This section is effective beginning with aids payable in 2021 and thereafter."

Page 185, delete section 29

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Hertaus amendment and the roll was called. There were 63 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Davids	Haley	Lucero	Novotny	Robbins
Albright	Demuth	Hamilton	Lueck	O'Driscoll	Schomacker
Anderson	Dettmer	Heinrich	McDonald	Olson, B.	Scott
Backer	Drazkowski	Heintzeman	Mekeland	O'Neill	Swedzinski
Bahr	Erickson	Hertaus	Miller	Petersburg	Theis
Bennett	Franke	Igo	Mortensen	Pfarr	Torkelson
Bliss	Franson	Johnson	Mueller	Pierson	Urdahl
Boe	Garofalo	Jurgens	Munson	Poston	West
Burkel	Green	Kiel	Nash	Quam	
Daniels	Grossell	Koznick	Nelson, N.	Raleigh	
Daudt	Gruenhagen	Kresha	Neu Brindley	Rasmusson	

Those who voted in the negative were:

Acomb	Edelson	Hausman	Liebling	Nelson, M.	Sundin
Agbaje	Elkins	Her	Lillie	Noor	Thompson
Bahner	Feist	Hollins	Lippert	Olson, L.	Vang
Becker-Finn	Fischer	Hornstein	Lislegard	Pelowski	Wazlawik
Berg	Frazier	Howard	Long	Pinto	Winkler
Bernardy	Frederick	Huot	Mariani	Pryor	Wolgamott
Bierman	Freiberg	Jordan	Marquart	Reyer	Xiong, J.
Boldon	Gomez	Keeler	Masin	Richardson	Xiong, T.
Carlson	Greenman	Klevorn	Moller	Sandell	Youakim
Christensen	Hansen, R.	Koegel	Moran	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Kotyza-Witthuhn	Morrison	Schultz	
Ecklund	Hassan	Lee	Murphy	Stephenson	

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

Haley moved to amend H. F. No. 9, the first engrossment, as follows:

Page 183, after line 13, insert:

"Sec. 23. **MINNESOTA PREMIUM SECURITY PLAN ADMINISTERED THROUGH THE 2023 BENEFIT YEAR.**

The Minnesota Comprehensive Health Association must administer the Minnesota premium security plan through the 2023 benefit year.

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

A roll call was requested and properly seconded.

The question was taken on the Haley amendment and the roll was called. There were 57 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Gruenhagen	Kresha	Olson, B.	Schomacker
Albright	Dauids	Haley	Lueck	O'Neill	Scott
Anderson	Demuth	Hamilton	McDonald	Petersburg	Swedzinski
Backer	Dettmer	Heintzeman	Mekeland	Pfarr	Theis
Baker	Erickson	Hertaus	Mueller	Pierson	Torkelson
Bennett	Franke	Igo	Nash	Poston	Urdahl
Bliss	Franson	Johnson	Nelson, N.	Quam	West
Boe	Garofalo	Jurgens	Neu Brindley	Raleigh	
Burkel	Green	Kiel	Novotny	Rasmusson	
Daniels	Grossell	Koznick	O'Driscoll	Robbins	

Those who voted in the negative were:

Acomb	Ecklund	Hausman	Liebling	Mortensen	Schultz
Agbaje	Edelson	Heinrich	Lillie	Munson	Stephenson
Bahner	Elkins	Her	Lippert	Murphy	Sundin
Bahr	Feist	Hollins	Lislegard	Nelson, M.	Thompson
Becker-Finn	Fischer	Hornstein	Long	Noor	Vang
Berg	Frazier	Howard	Lucero	Olson, L.	Wazlawik
Bernardy	Frederick	Huot	Mariani	Pelowski	Winkler
Bierman	Freiberg	Jordan	Marquart	Pinto	Wolgamott
Boldon	Gomez	Keeler	Masin	Pryor	Xiong, J.
Carlson	Greenman	Klevorn	Miller	Reyer	Xiong, T.
Christensen	Hansen, R.	Koegel	Moller	Richardson	Youakim
Davnie	Hanson, J.	Kotzya-Witthuhn	Moran	Sandell	Spk. Hortman
Drazkowski	Hassan	Lee	Morrison	Sandstede	

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

Winkler moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Erickson was excused for the remainder of today's session.

MOTIONS AND RESOLUTIONS, Continued

Marquart moved to amend H. F. No. 9, the first engrossment, as follows:

Page 19, line 26, delete "FUND" and insert "ACCOUNT"

Page 57, after line 4, insert:

"Sec. 6. Minnesota Statutes 2020, section 297A.71, subdivision 52, is amended to read:

Subd. 52. **Construction; certain local government facilities.** (a) Materials and supplies used in and equipment incorporated into the construction, reconstruction, upgrade, expansion, or remodeling of the following local government owned facilities are exempt:

(1) a new fire station, which includes firefighting, emergency management, public safety training, and other public safety facilities in the city of Monticello if materials, supplies, and equipment are purchased after January 31, 2019, and before January 1, 2022;

(2) a new fire station, which includes firefighting and public safety training facilities and public safety facilities, in the city of Inver Grove Heights if materials, supplies, and equipment are purchased after June 30, 2018, and before January 1, 2021;

(3) a fire station and police station, including access roads, lighting, sidewalks, and utility components, on or adjacent to the property on which the fire station or police station are located that are necessary for safe access to and use of those buildings, in the city of Minnetonka if materials, supplies, and equipment are purchased after May 23, 2019, and before January 1, ~~2021~~ 2022;

(4) the school building in Independent School District No. 414, Minneota, if materials, supplies, and equipment are purchased after January 1, 2018, and before January 1, 2021;

(5) a fire station in the city of Mendota Heights, if materials, supplies, and equipment are purchased after December 31, 2018, and before January 1, 2021; and

(6) a Dakota County law enforcement collaboration center, also known as the Safety and Mental Health Alternative Response Training (SMART) Center, if materials, supplies, and equipment are purchased after June 30, 2019, and before July 1, 2021.

(b) The tax must be imposed and collected as if the rate under section 297A.62, subdivision 1, applied and then refunded in the manner provided in section 297A.75.

(c) The total refund for the project listed in paragraph (a), clause (3), must not exceed \$850,000.

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

Page 60, after line 31, insert:

"Sec. 12. **CITY OF BUFFALO; SALES TAX EXEMPTION FOR CONSTRUCTION MATERIALS.**

Subdivision 1. **Exemption; refund.** (a) Materials and supplies used in and equipment incorporated into the construction of a new fire station, which includes firefighting, emergency management, public safety training, and other public safety facilities in the city of Buffalo, are exempt from sales and use tax imposed under Minnesota Statutes, chapter 297A, if materials, supplies, and equipment are purchased after March 31, 2020, and before July 1, 2021.

(b) The tax must be imposed and collected as if the rate under Minnesota Statutes, section 297A.62, subdivision 1, applied and then refunded in the same manner provided for projects under Minnesota Statutes, section 297A.75, subdivision 1, clause (17). Refunds for eligible purchases must not be issued until after June 30, 2021.

Subd. 2. **Appropriation.** The amount required to pay the refunds under subdivision 1 is appropriated from the general fund to the commissioner of revenue.

EFFECTIVE DATE. This section is effective retroactively from April 1, 2020, and applies to sales and purchases made after March 31, 2020, and before July 1, 2021.

Sec. 13. **CITY OF MAPLEWOOD; SALES TAX EXEMPTION FOR CONSTRUCTION MATERIALS.**

Subdivision 1. **Exemption; refund.** (a) Materials and supplies used in and equipment incorporated into the construction of a new fire station and emergency management operations center, including on-site infrastructure improvements of parking lot, road access, lighting, sidewalks, and utility components in the city of Maplewood are exempt from sales and use tax imposed under Minnesota Statutes, chapter 297A, if materials, supplies, and equipment are purchased after September 30, 2020, and before July 1, 2021.

(b) The tax must be imposed and collected as if the rate under Minnesota Statutes, section 297A.62, subdivision 1, applied and then refunded in the same manner provided for projects under Minnesota Statutes, section 297A.75, subdivision 1, clause (17). Refunds for eligible purchases must not be issued until after June 30, 2021.

Subd. 2. **Appropriation.** The amount required to pay the refunds under subdivision 1 is appropriated from the general fund to the commissioner of revenue.

EFFECTIVE DATE. This section is effective retroactively from August 1, 2020, and applies to sales and purchases made after September 30, 2020, and before July 1, 2021.

Sec. 14. **CITY OF PLYMOUTH; SALES TAX EXEMPTION FOR CONSTRUCTION MATERIALS.**

Subdivision 1. **Exemption; refund.** (a) Materials and supplies used in and equipment incorporated into the following projects in the city of Plymouth are exempt from sales and use tax imposed under Minnesota Statutes, chapter 297A, if materials, supplies, and equipment are purchased after January 1, 2021, and before July 1, 2021:

(1) demolition and replacement of the existing Fire Station No. 2 on its existing site; and

(2) renovation and expansion of Fire Station No. 3.

(b) The tax must be imposed and collected as if the rate under Minnesota Statutes, section 297A.62, subdivision 1, applied and then refunded in the same manner provided for projects under Minnesota Statutes, section 297A.75, subdivision 1, clause (17). Refunds for eligible purchases must not be issued until after June 30, 2021.

Subd. 2. **Appropriation.** The amount required to pay the refunds under subdivision 1 is appropriated from the general fund to the commissioner of revenue.

EFFECTIVE DATE. This section is effective retroactively from January 2, 2021, and applies to sales and purchases made after January 1, 2021, and before July 1, 2021."

Page 173, before line 14, insert:

"Sec. 9. Minnesota Statutes 2020, section 256B.76, subdivision 2, as amended by 2021 First Special Session H. F. No. 33, article 1, section 22, if enacted, is amended to read:

Subd. 2. **Dental reimbursement.** (a) Effective for services rendered on or after October 1, 1992, the commissioner shall make payments for dental services as follows:

(1) dental services shall be paid at the lower of (i) submitted charges, or (ii) 25 percent above the rate in effect on June 30, 1992; and

(2) dental rates shall be converted from the 50th percentile of 1982 to the 50th percentile of 1989, less the percent in aggregate necessary to equal the above increases.

(b) Beginning October 1, 1999, the payment for tooth sealants and fluoride treatments shall be the lower of (1) submitted charge, or (2) 80 percent of median 1997 charges.

(c) Effective for services rendered on or after January 1, 2000, payment rates for dental services shall be increased by three percent over the rates in effect on December 31, 1999.

(d) Effective for services provided on or after January 1, 2002, payment for diagnostic examinations and dental x-rays provided to children under age 21 shall be the lower of (1) the submitted charge, or (2) 85 percent of median 1999 charges.

(e) The increases listed in paragraphs (b) and (c) shall be implemented January 1, 2000, for managed care.

(f) Effective for dental services rendered on or after October 1, 2010, by a state-operated dental clinic, payment shall be paid on a reasonable cost basis that is based on the Medicare principles of reimbursement. This payment shall be effective for services rendered on or after January 1, 2011, to recipients enrolled in managed care plans or county-based purchasing plans.

(g) Beginning in fiscal year 2011, if the payments to state-operated dental clinics in paragraph (f), including state and federal shares, are less than \$1,850,000 per fiscal year, a supplemental state payment equal to the difference between the total payments in paragraph (f) and \$1,850,000 shall be paid from the general fund to state-operated services for the operation of the dental clinics.

(h) Effective for services rendered on or after January 1, 2014, through December 31, 2021, payment rates for dental services shall be increased by five percent from the rates in effect on December 31, 2013. This increase does not apply to state-operated dental clinics in paragraph (f), federally qualified health centers, rural health centers, and Indian health services. Effective January 1, 2014, payments made to managed care plans and county-based purchasing plans under sections 256B.69, 256B.692, and 256L.12 shall reflect the payment increase described in this paragraph.

(i) Effective for services provided on or after January 1, 2017, through December 31, 2021, the commissioner shall increase payment rates by 9.65 percent for dental services provided outside of the seven-county metropolitan area. This increase does not apply to state-operated dental clinics in paragraph (f), federally qualified health centers, rural health centers, or Indian health services. Effective January 1, 2017, payments to managed care plans and county-based purchasing plans under sections 256B.69 and 256B.692 shall reflect the payment increase described in this paragraph.

(j) Effective for services provided on or after July 1, 2017, through December 31, ~~2022~~ 2021, the commissioner shall increase payment rates by 23.8 percent for dental services provided to enrollees under the age of 21. This rate increase does not apply to state-operated dental clinics in paragraph (f), federally qualified health centers, rural health centers, or Indian health centers. This rate increase does not apply to managed care plans and county-based purchasing plans.

(k) Effective for services provided on or after January 1, 2022, the commissioner shall exclude from medical assistance and MinnesotaCare payments for dental services to public health and community health clinics the 20 percent increase authorized under Laws 1989, chapter 327, section 5, subdivision 2, paragraph (b).

(l) Effective for services provided on or after January 1, 2022, the commissioner shall increase payment rates by 98 percent for all dental services. This rate increase does not apply to state-operated dental clinics, federally qualified health centers, rural health centers, or Indian health services.

(m) Managed care plans and county-based purchasing plans shall reimburse providers at a level that is at least equal to the rate paid under fee-for-service for dental services. If, for any coverage year, federal approval is not received for this paragraph, the commissioner must adjust the capitation rates paid to managed care plans and county-based purchasing plans for that contract year to reflect the removal of this provision. Contracts between managed care plans and county-based purchasing plans and providers to whom this paragraph applies must allow recovery of payments from those providers if capitation rates are adjusted in accordance with this paragraph. Payment recoveries must not exceed an amount equal to any increase in rates that results from this provision. If, for any coverage year, federal approval is not received for this paragraph, the commissioner shall not implement this paragraph for subsequent coverage years.

EFFECTIVE DATE. This section is effective at the same time the provision being amended is effective."

Page 183, after line 13, insert:

"Sec. 23. Laws 2021, First Special Session chapter 6, article 1, section 9, is amended to read:

Sec. 9. EXPLORE MINNESOTA TOURISM	\$15,434,000	\$14,523,000
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(a) \$500,000 the first year and \$500,000 the second year must be matched from nonstate sources to develop maximum private sector involvement in tourism. Each \$1 of state incentive must be matched with \$6 of private sector money. "Matched" means revenue to the state or documented cash expenditures directly expended to support Explore Minnesota Tourism programs. Up to one-half of the private sector contribution may be in-kind or soft match. The incentive in fiscal year 2022 is based on fiscal year 2021 private sector contributions. The incentive in fiscal year 2023 is based on fiscal year 2022 private sector contributions. This incentive is ongoing.

(b) Money for marketing grants is available either year of the biennium. Unexpended grant money from the first year is available in the second year.

(c) \$100,000 each year is for a grant to the Northern Lights International Music Festival.

(d) \$1,000,000 the first year is for a recovery grant program, including grants for local and Tribal governments, for tourism, meetings and conventions, and events assistance and promotions. This is a onetime appropriation. Of this amount, \$250,000 is for a grant to the Grand Portage Band to focus tourism to Grand Portage.

Sec. 24. Laws 2021, First Special Session chapter 7, article 9, section 5, the effective date, if enacted, is amended to read:

EFFECTIVE DATE. ~~This section is~~ The changes made by this section to paragraph (c) are effective January 1, 2023. The changes made by this section to paragraphs (h) and (i) are effective the day following final enactment.

EFFECTIVE DATE. This section is effective on or retroactively from July 1, 2021."

Page 184, after line 22, insert:

"Sec. 25. **EFFECTIVE DATES FOR CERTAIN ENACTMENTS.**

(a) Notwithstanding Minnesota Statutes, sections 645.02 and 645.21, or any other law to the contrary, every act finally enacted as a result of the 2021 first special legislative session is effective on or retroactively from July 1, 2021. Except as provided in paragraph (b), if a provision in an act specifies an effective date different than July 1, 2021, for purposes of the provision the effective date specified in the act prevails.

(b) Notwithstanding paragraph (a), Minnesota Statutes, sections 645.02 and 645.21, or any other law to the contrary, if a provision in an act finally enacted as a result of the 2021 first special legislative session appropriates, cancels, transfers, or reallocates a fiscal year 2021 appropriation, the provision is effective on or retroactively from June 30, 2021, or the effective date for the provision provided in the act, whichever is earlier.

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

Page 186, delete section 31

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Marquart moved to amend H. F. No. 9, the first engrossment, as amended, as follows:

Page 153, after line 30, insert:

"Sec. 10. **CITY OF RAMSEY; TAX INCREMENT FINANCING DISTRICT NO. 14; FIVE-YEAR RULE EXTENSION.**

(a) The requirement of Minnesota Statutes, section 469.1763, subdivision 3, that activities must be undertaken within a five-year period from the date of certification of a tax increment financing district, is extended by a two-year period to November 28, 2023, for Tax Increment Financing District No. 14 administered by the city of Ramsey.

(b) The requirements of Minnesota Statutes, section 469.1763, subdivision 4, relating to the use of increment after the expiration of the five-year period under Minnesota Statutes, section 469.1763, subdivision 3, is extended to the 13th year for Tax Increment Financing District No. 14.

EFFECTIVE DATE. This section is effective the day after the governing body of the city of Ramsey and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3."

Page 182, after line 24, insert:

"Sec. 22. Minnesota Statutes 2020, section 469.074, is amended by adding a subdivision to read:

Subd. 4. **Nonprofit corporation creation authority.** The Seaway Port Authority of Duluth may create a corporation as a nonprofit corporation under chapter 317A with the mission of furthering its goals and duties.

Sec. 23. Laws 1963, chapter 305, section 2, as amended by Laws 1998, chapter 404, section 62, is amended to read:

Sec. 2.

The authority created under this act shall consist of 11 directors, seven appointed by the city of Duluth and four appointed by the governor. The directors serve without compensation but may be reimbursed for authorized out-of-pocket expenses incurred in the fulfillment of their duties. The original term of three of the directors shall be for one year; the original term of two of the directors shall be for two years; and the original term of two of the directors shall be for three years, and until their respective successors are appointed and qualified. Subsequent terms of directors appointed by the city shall be for three years. All terms shall expire on June 30 of the appropriate year. Directors appointed by the governor serve at the pleasure of the governor. Whenever a vacancy on such authority shall occur by reason of resignation, death, removal from the city, or removal for failure or neglect to perform duties of a director, such vacancy shall be filled for the unexpired term. All appointments and removal of directors of the authority appointed by the city shall be made by the mayor, with the approval of the city council, evidenced by resolution. Every appointee who shall fail, within ten days after notification of his appointment, to file with the city clerk ~~his~~ the appointee's oath or affirmation to perform faithfully, honestly, and impartially the duties of ~~his~~ the office, shall be deemed to have refused such appointment, and thereupon another person shall be appointed in the manner prescribed in this section.

Sec. 24. Laws 1963, chapter 305, section 3, as amended by Laws 1998, chapter 404, section 63, is amended to read:

Sec. 3.

Subdivision 1. Within 30 days after the members of the authority shall have qualified for office, the authority shall meet and organize, and adopt and thereafter may amend such rules and regulations for the conduct of the authority as the authority shall deem to be in the public interest and most likely to advance, enhance, foster, and promote the use of regional assets, the entertainment and convention center and its facilities for activities, conventions, events, ~~and~~ athletic, and cultural productions. Such rules and regulations shall at all times be in harmony with this act.

Subd. 2. Such directors shall elect from among their number a ~~president chair~~ and a ~~vice-president~~ vice-chair, and shall also elect a treasurer or secretary ~~who may or may not be a member of such authority, or both~~. No two of such offices may be held by one director. The officers shall have the duties and powers usually attendant upon such officers, and such other duties and powers not inconsistent herewith as may be provided by the authority.

Subd. 3. The authority shall select a specific site within the city of Duluth for location of a national class entertainment and convention center, and may spend money appropriated, or otherwise available to it for that purpose, to acquire property for the center and to plan, design, construct, equip, and furnish the center. The authority shall administer, promote, and operate the center as a state facility, but for which the state assumes no financial responsibility or liability beyond the amounts appropriated for the facility.

Sec. 25. Laws 1963, chapter 305, section 4, as amended by Laws 1998, chapter 404, section 64, is amended to read:

Sec. 4.

Subdivision 1. The city treasurer of the city of Duluth shall be the ~~treasurer~~ fiscal agent of the authority. The ~~treasurer~~ fiscal agent shall receive and have the custody of all moneys of the authority from whatever source derived, and the same shall be deemed public funds. The ~~treasurer~~ city of Duluth shall disburse such funds only

upon written orders drawn against such funds, signed by the manager and approved by the ~~president chair~~, or in ~~his~~ the chair's absence, the ~~vice-president vice-chair~~ of such authority; and each order shall state the name of the payee and the nature of the claim for which the same is issued. The ~~treasurer~~ fiscal agent shall keep an account of all monies coming into ~~his~~ the fiscal agent's hands, showing the source of all receipts and the nature, purpose, and authority of all disbursements, and at least four times each year, at times and in a form to be determined by the city council, the authority shall file with the city clerk a financial statement of the authority, showing all receipts and disbursements, the nature of the same, the moneys on hand, and the purposes for which the same are applicable, the credits and assets of the authority, and its outstanding liabilities.

Subd. 2. The authority has the exclusive power to receive, control, and order the expenditure of any and all moneys and funds pertaining to the center operations.

Subd. 3. There are hereby created in the treasury of the city of Duluth a special entertainment and convention center fund, hereinafter referred to as the special fund, and an entertainment and convention center operating fund, hereinafter referred to as the operating fund. The moneys in the special fund shall be used solely for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center. The special fund shall consist of:

(1) All moneys derived from the sale of bonds by the city to provide funds for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(2) All moneys appropriated or made available to the city of Duluth for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(3) The proceeds of all financial aid or assistance by the city or state governments for the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(4) All moneys received from the United States of America to aid in the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

(5) All moneys received as gifts or contributions to the acquisition and preparation of a site, and for the planning, construction, and equipping of the center.

The operating fund shall be used for maintenance, marketing and promotion, operation, or betterment of the center, and for expenses of the authority. The operating fund shall consist of all moneys of the authority derived from any source other than moneys credited to the special fund as hereinabove provided.

Subd. 4. At least once in each year the city auditor shall make, or cause to be made, at the expense of the authority, a complete examination and audit of all books and accounts of the aforesaid authority; and for such purpose the city auditor shall have the authority and power to inspect and examine such books and accounts at any time during regular business hours and such intervals as ~~he may determine~~ determined by the city auditor. One copy of such yearly audit shall be filed by the city auditor with the city clerk as a public document.

Subd. 5. The authority shall annually submit to the governor and the legislature a report detailing its activities and finances for the previous year. The report shall also include a proposed budget for the succeeding two years, showing in reasonable detail estimated operating and nonoperating revenues from all sources, and estimated expenditures for operation, administration, ordinary repair, and debt service.

Subd. 6. The legislative auditor shall make an annual audit of the authority's books and accounts once each year or as often as the legislative auditor's funds and personnel permit.

Sec. 26. Laws 1963, chapter 305, section 5, as amended by Laws 1998, chapter 404, section 65, is amended to read:

Sec. 5.

Subdivision 1. Wherever the word "center" is used in this act, it means the entertainment and convention center complex and its facilities of the city of Duluth, including the land upon which it stands and land appurtenant thereto.

Subd. 2. Notwithstanding anything to the contrary contained in any law, or in the charter of the city of Duluth, or in any ordinance thereof, passed by the city council, or approved by the electors of the city, there is hereby conferred upon such authority the power and duty to contract for and superintend the erection, construction, equipping and furnishing of the center, and to administer, promote, control, direct, manage, and operate the center as a municipal facility.

Sec. 27. Laws 1963, chapter 305, section 8, as amended by Laws 1998, chapter 404, section 67, is amended to read:

Sec. 8.

The authority shall have the power:

To adopt and alter all bylaws and rules and regulations which it shall from time to time deem best for the conduct of the business of the authority, and for the use of the facilities of the authority, and for the purposes of carrying out the objects of this act; but such bylaws, rules, and regulations shall not be in conflict with the terms of this act.

To appoint and remove a manager and such other employees as the authority may deem necessary, who shall not be within the civil service classifications of the city, and to prescribe the duties and fix the compensation and other benefits of such manager and employees, without regard to any provision contained in the charter or any ordinance of the city relating to civil service, or to any provision contained in Minnesota Statutes 1961, Sections 197.45 to 197.47, inclusive.

To procure and provide for a policy or policies of insurance for the defense and indemnification of the city of Duluth, its officers and employees, and directors, manager, and employees of the authority, against claims arising against them out of the performance of duty, whether such claims be groundless, or otherwise. Premiums for any policies of insurance required by this act shall be paid for out of the funds of the entertainment convention center authority.

To implement and carry out the provisions of section 7 of this act.

To utilize the services and facilities of the city so far as the same are offered by appropriate city officials and accepted by the authority, and to pay the city for all charges and costs for such services.

To operate and maintain and to lease from others all facilities necessary or convenient in connection with the center and to contract for the operation and maintenance of any parts thereof or for services to be performed; to lease the whole or parts thereof, and grant concessions, all on such terms and conditions as the authority may determine.

To authorize and direct the city ~~treasurer~~ fiscal agent to invest, in the manner provided by law, any funds held in reserve, or sinking funds, or any funds not required for immediate disbursement.

To fix, alter, charge, and collect rates, fees, and all other charges to be made for all services or facilities furnished by the authority for the use of the center facilities by any persons or public or private agencies utilizing such services or facilities.

To make and execute contracts, agreements, instruments, and other arrangements necessary or convenient to the exercise of its powers.

Sec. 28. Laws 1963, chapter 305, section 9, as amended by Laws 1998, chapter 404, section 68, is amended to read:

Sec. 9.

The manager of the center shall be responsible for the custody and control of all moneys received and collected from the daily operations of the center until such moneys are delivered to the city ~~treasurer~~ fiscal agent and ~~he the~~ fiscal agent shall have obtained a receipt therefor, or until such moneys are deposited in a bank account under control of the city ~~treasurer~~ fiscal agent.

The manager shall give bond in favor of the city of Duluth in a sum equal to twice the amount of money which will probably be in ~~his the manager's~~ hands at any time during any one year, that amount to be determined at least annually by the authority; such bond to be conditioned upon the faithful discharge of ~~his the manager's~~ official duties, and be approved as to form, correctness, and validity by the city attorney, and filed with the city auditor; such bond, however, shall not exceed \$300,000. Premiums for such bonds shall be paid out of funds of the authority.

Sec. 29. Laws 1963, chapter 305, section 10, as amended by Laws 1998, chapter 404, section 69, is amended to read:

Sec. 10.

The authority shall regulate the making of bids and the letting of contracts through procedure established by the authority, subject to the following conditions:

(a) In all cases of work to be done by contract or the purchase of property of any kind, or the rendering of any service to the authority other than professional services, competitive bids shall be secured before any purchase is made or any contract awarded where the amount involved exceeds the sum of ~~\$2,000~~ \$50,000.

(b) All bids shall be sealed when received, shall be opened in public at the hour stated in the notice; and all original bids, together with all documents pertaining to the award of the contract, shall be retained and made a part of the permanent file or record, and shall be open to public inspection.

(c) Purchases of ~~\$2,000~~ \$50,000 or less may, through procedure established by the authority, be delegated to the center manager. Contracts involving more than ~~\$2,000~~ \$50,000 shall be awarded only after authorization by the authority.

(d) The authority may reject, or through procedure established by the authority, authorize the center manager to reject, any and all bids.

(e) Contract shall be let to the lowest responsible bidder, and purchases shall be made from the responsible bidder who offers to furnish the article desired for the lowest sum.

(f) In determining the lowest responsible bidder, in addition to price, the following may be considered:

(1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required.

(2) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.

(3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

(4) The quality of performance of previous contracts or services.

(5) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.

(6) The quality, availability, and adaptability of the supplies or contractual service to the particular use required.

(7) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.

(8) The number and scope of conditions attached to the bid.

(g) Specifications shall not be so prepared as to exclude all but one type or kind, but shall include competitive supplies and equipment; provided, however, that unique or noncompetitive articles which are determined by the authority to be sufficiently superior for the service intended by the authority, may be purchased without regard to other bids."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Lee moved to amend H. F. No. 9, the first engrossment, as amended, as follows:

Page 171, delete section 8 and insert:

"Sec. 8. **[116J.9924] TARGETED COMMUNITY CAPITAL PROJECT GRANT PROGRAM.**

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

(b) "Capital project" or "project" means the acquisition or betterment of buildings or other fixed assets and other improvements of a capital nature.

(c) "Commissioner" means the commissioner of employment and economic development.

(d) "Economically disadvantaged persons or groups" means one or more persons or groups that:

(1) qualify as a low-income person as defined under section 116M.14, subdivision 4a; or

(2) live in a low-income area as defined under section 116M.14, subdivision 4.

(e) "Government entity" means a city, township, county, or any political subdivision, or an American Indian Tribal government entity located within a federally recognized American Indian reservation.

(f) "Nonprofit organization" means a not-for-profit corporation under section 501(c)(3) of the Internal Revenue Code or a Tribal nonprofit under section 7871 of the Internal Revenue Code that serves underserved communities or economically disadvantaged persons or groups.

(g) "Underserved community" means one or more persons or groups that qualify as:

(1) a minority person as defined under section 116M.14, subdivision 6; or

(2) persons with disabilities as defined under section 116M.14, subdivision 9.

Subd. 2. **Grant program established.** (a) The commissioner shall make competitive grants for capital projects to nonprofit organizations and government entities that provide, increase, or expand services to underserved communities or economically disadvantaged persons or groups.

(b) The commissioner shall give priority to applicants under subdivision 3 that:

(1) do not have a history of receiving capital grants from the state;

(2) demonstrate local support for the project;

(3) address needs for an underserved community, an economically disadvantaged area, or people or groups who are economically disadvantaged;

(4) provide community benefits; or

(5) have previously received phased grant funds as described under subdivision 4.

(c) In selecting projects for grants, the commissioner must equitably divide the total appropriation between the metropolitan areas and greater Minnesota.

Subd. 3. **Eligibility.** A prospective grantee under this section must submit a written application to the commissioner in the form, at the time, and in the manner prescribed by the commissioner. The written application must include:

(1) a description of the capital project to be funded by the grant;

(2) the rationale for the project, including a description of the services provided and populations served by the applicant;

(3) the total cost of the project and the cost of individual phases of the project, including but not limited to predesign, design, construction, engineering, furnishing, and equipping;

(4) the requested grant amount;

(5) the property owner of the facility to be improved;

(6) the sources and amounts of state and nonstate funds previously received and committed to the project;

(7) the public purpose achieved by the project;

(8) an estimated timeline of the project; and

(9) any additional information requested by the commissioner.

Subd. 4. **Grant amount; project phasing.** (a) The commissioner shall award grants in an amount not to exceed \$1,500,000 per grant.

(b) A grant awarded under this section must be no less than the amount required to complete one or more phases of the project, less any nonstate funds already committed for such activities.

Subd. 5. **Match.** (a) The commissioner may not award a grant for which the applicant does not provide nonstate funds for the project unless the applicant:

(1) is located in an area with a very low net tax capacity;

(2) the applicant is experiencing hardship; or

(3) the applicant serves underserved communities or economically disadvantaged persons or groups.

(b) For the purposes of this section, "area with a very low net tax capacity" means a city with a net tax capacity per capita that is less than the median net tax capacity per capita among all cities statewide.

Subd. 6. **Applicability of other laws.** The provisions of chapter 16A that apply to general fund appropriations for capital projects also apply to grants under this section. Money granted under this section is available until the project is completed or abandoned subject to section 16A.642.

Subd. 7. **Appropriation; administration and monitoring.** Up to five percent of any appropriation for the program under this section is for administration and monitoring of the program. The commissioner must also use the funds under this subdivision to provide technical assistance, education, and support for program applicants, as needed, and may contract with a third-party to provide such services.

Subd. 8. **Report to the legislature.** On or before January 31, 2022, and every January 31 thereafter, the commissioner must submit a report as required under section 3.195 that details the grants awarded under this section, including the total grants distributed, the recipients of the grants, the services supported by the grants, and any other information the commissioner deems pertinent. A copy of this report must also be sent to the chairs and ranking minority members of the committees of the house of representatives and the senate having jurisdiction over capital investment and economic development.

EFFECTIVE DATE. This section is effective August 1, 2021."

Page 182, line 28, strike "city of St. Paul" and insert "Victoria Theater Arts Center"

Page 182, line 30, delete the new language and strike "construct"

Page 183, lines 3 and 4, strike the old language

Page 183, line 5, strike the old language and delete the new language

Page 183, line 6, strike "systems;" and before "repairs" insert "renovate the exterior envelope, and prepare the site of the historic Victoria Theater. This appropriation includes money for: building acquisition; predesign and design costs; project management fees;" and after "repairs" insert "and improvements"

Page 183, line 7, before "site" insert "and" and after "site" insert "and substructure"

Page 183, line 8, strike everything after "improvements"

Page 183, line 9, strike the old language

Page 183, line 10, strike "capital nature"

Page 185, after line 8, insert:

"Sec. 27. **APPROPRIATION; MEAT PROCESSING BUSINESSES IN REDEVELOPMENT AREA.**

Of an appropriation in fiscal year 2022 for the targeted community capital project grant program under Minnesota Statutes, section 116J.9924, the commissioner of employment and economic development must grant \$6,000,000 for one or more grants to any business engaged in the meat processing industry and currently conducting operations in a building or buildings constructed on or before January 1, 1947, and located in a city of the second class that was designated as a redevelopment area by the United States Department of Commerce under the Public Works and Economic Development Act of 1965, Public Law 89-136, title IV, section 401(a)(4). This appropriation includes: site acquisition costs; relocation costs; predesign; design; sewer, water, and stormwater infrastructure; site preparation; engineering; and the cost of improvements to real property locally zoned to allow a meat processing land use that are incurred by any qualified business under this section. A grantee under this section must work in consultation with a local government unit with jurisdiction over the area where the property is located on activities funded by the grant. This is a onetime appropriation. A grant issued under this section is not subject to the grant requirements under Minnesota Statutes, section 116J.9924.

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 motion prevailed and the amendment was adopted.

Winkler moved to amend H. F. No. 9, the first engrossment, as amended, as follows:

Page 183, after line 13, insert:

"Sec. 23. **COVID-19 PUBLIC HEALTH DISASTER RESPONSE.**

Subdivision 1. **Public health disaster declaration; eligibility for federal assistance.** (a) Notwithstanding any other law to the contrary, the commissioner of human services or the commissioner of health may declare a public health disaster if either commissioner determines that the state must take action to protect the public health, including providing public health services or enforcing existing health and human services laws, as part of the state's response to the ongoing COVID-19 infectious disease outbreak.

(b) The declaration of a public health disaster under this subdivision does not provide any authority in addition to existing law.

Subd. 2. **Expiration.** A public health disaster declared under subdivision 1 expires on the earlier of the following dates:

(1) the date the commissioner of health or the commissioner of human services determines the public health disaster declaration is no longer necessary; or

(2) the public health emergency issued under section 319 of the Public Health Service Act expires, subject to renewal by the United States Secretary of Health and Human Services.

Subd. 3. **Orderly redeployment of state workers.** (a) Until August 1, 2021, the commissioner of management and budget may suspend provisions of all state employee collective bargaining agreements and compensation plans regarding: limitations on the appointing authority's ability to determine employee work schedules and hours of

work; notice periods for changes in work schedules, work hours, or work locations; limitations on supervisor recission of vacation approval; seniority requirements for filling vacancies, reassignment, or distribution of overtime or on-call work; restrictions on appointment, assignment, or reassignment, including reassignment between job classifications; and notice requirements for seasonal layoff and recall. Until August 1, 2021, executive branch employees are subject to the scheduling and assignment decisions and work direction of their appointing authority.

(b) To the extent necessary, and until August 1, 2021, the commissioner of management and budget may transfer the direction, personnel, and functions of state agencies, including, but not limited to, redeploying executive branch employees from one state agency to another state agency, and between job classifications.

Subd. 4. **Unemployment insurance program.** To facilitate the recovery of the unemployment insurance program, strict compliance with Minnesota Statutes, section 268.047, is suspended through August 1, 2021.

Subd. 5. **Testing and vaccination authority.** Until the federal public health emergency issued under section 319 of the Public Health Service Act expires, the commissioner of health may exercise the authority provided in Minnesota Statutes, section 144.4197, to authorize persons to administer COVID-19 vaccinations and testing, and may take action to establish and operate COVID-19 vaccination and testing sites, notwithstanding the requirements of Minnesota Statutes, chapter 16C, and without compliance with time-consuming procedures and formalities prescribed by law. The commissioner's authority under this subdivision is subject to the terms and conditions provided in Minnesota Statutes, section 144.4197, except that any extension of this authority must be provided by law and not pursuant to Minnesota Statutes, section 144.4197. Persons authorized to administer vaccines and testing under this subdivision shall be held harmless as provided under Minnesota Statutes, section 144.4197, under the same terms and conditions.

EFFECTIVE DATE. This section is effective retroactively from June 29, 2021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Albright raised a point of order pursuant to rule 3.21 that the Winkler amendment was not in order.

The Speaker submitted the following question to the House: "Is it the judgment of the House that the Albright point of order is well taken?"

A roll call was requested and properly seconded.

The vote was taken on the question "Is it the judgment of the House that the Albright point of order is well taken?" and the roll was called. There were 59 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Akland	Backer	Bliss	Daniels	Demuth	Franson
Albright	Baker	Boe	Daudt	Dettmer	Garofalo
Anderson	Bennett	Burkel	Davids	Franke	Green

Grossell	Igo	Lueck	Neu Brindley	Pierson	Scott
Gruenhagen	Johnson	McDonald	Novotny	Poston	Swedzinski
Haley	Jurgens	Mekeland	O'Driscoll	Quam	Theis
Hamilton	Kiel	Mortensen	Olson, B.	Raleigh	Torkelson
Heinrich	Koznick	Mueller	O'Neill	Rasmusson	Urdahl
Heintzeman	Kresha	Nash	Petersburg	Robbins	West
Hertaus	Lucero	Nelson, N.	Pfarr	Schomacker	

Those who voted in the negative were:

Acomb	Ecklund	Her	Lippert	Noor	Vang
Agbaje	Edelson	Hollins	Lislegard	Olson, L.	Wazlawik
Bahner	Elkins	Hornstein	Long	Pelowski	Winkler
Bahr	Feist	Howard	Mariani	Pinto	Wolgamott
Becker-Finn	Fischer	Huot	Marquart	Pryor	Xiong, J.
Berg	Frazier	Jordan	Masin	Reyer	Xiong, T.
Bernardy	Frederick	Keeler	Miller	Richardson	Youakim
Bierman	Freiberg	Klevorn	Moller	Sandell	Spk. Hortman
Boldon	Gomez	Koegel	Moran	Sandstede	
Carlson	Greenman	Kotyza-Witthuhn	Morrison	Schultz	
Christensen	Hansen, R.	Lee	Munson	Stephenson	
Davnie	Hanson, J.	Liebling	Murphy	Sundin	
Drazkowski	Hassan	Lillie	Nelson, M.	Thompson	

So it was the judgment of the House that the Albright point of order was not well taken and the Winkler amendment was in order.

Haley moved to amend the Winkler amendment to H. F. No. 9, the first engrossment, as amended, as follows:

Page 1, after line 3, insert:

"Subdivision 1. **COVID-19 response powers.** The state's COVID-19 public health response is governed by this act, as of the effective date of this section. The powers granted to the governor under Minnesota Statutes, chapter 12, do not apply to the COVID-19 infectious disease outbreak unless explicitly authorized by this section or subsequent legislative enactment."

Renumber the subdivisions in sequence

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Haley amendment to the Winkler amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Akland	Backer	Bennett	Burkel	Davids	Drazkowski
Albright	Bahr	Bliss	Daniels	Demuth	Franke
Anderson	Baker	Boe	Daut	Dettmer	Franson

Garofalo	Hertaus	Lueck	Nelson, N.	Pierson	Swedzinski
Green	Igo	McDonald	Neu Brindley	Poston	Theis
Grossell	Johnson	Mekeland	Novotny	Quam	Torkelson
Gruenhagen	Jurgens	Miller	O'Driscoll	Raleigh	Urdahl
Haley	Kiel	Mortensen	Olson, B.	Rasmusson	West
Hamilton	Koznick	Mueller	O'Neill	Robbins	
Heinrich	Kresha	Munson	Petersburg	Schomacker	
Heintzeman	Lucero	Nash	Pfarr	Scott	

Those who voted in the negative were:

Acomb	Edelson	Her	Lillie	Noor	Thompson
Agbaje	Elkins	Hollins	Lippert	Olson, L.	Vang
Bahner	Feist	Hornstein	Lislegard	Pelowski	Wazlawik
Becker-Finn	Fischer	Howard	Long	Pinto	Winkler
Berg	Frazier	Huot	Mariani	Pryor	Wolgamott
Bernardy	Frederick	Jordan	Marquart	Reyer	Xiong, J.
Bierman	Freiberg	Keeler	Masin	Richardson	Xiong, T.
Boldon	Gomez	Klevorn	Moller	Sandell	Youakim
Carlson	Greenman	Koegel	Moran	Sandstede	Spk. Hortman
Christensen	Hansen, R.	Kotyza-Witthuhn	Morrison	Schultz	
Davnie	Hanson, J.	Lee	Murphy	Stephenson	
Ecklund	Hassan	Liebling	Nelson, M.	Sundin	

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

Neu Brindley moved to amend the Winkler amendment to H. F. No. 9, the first engrossment, as amended, as follows:

Page 1, after line 11, insert:

"(c) A public health disaster may be declared under this subdivision only if it is required to support the effort of the Department of Human Services to maximize and maintain emergency allotments under the federal Supplemental Nutrition Assistance Program."

Page 2, delete subdivision 4 and insert:

"Subd. 4. **Unemployment insurance tax rate calculations.** Notwithstanding Minnesota Statutes, section 268.047, and until August 1, 2021, the commissioner of employment and economic development shall direct that the Minnesota unemployment insurance program not use unemployment benefits paid as a result of the COVID-19 pandemic in computing the future unemployment tax rate of a taxpaying employer."

Page 2, line 16, delete everything after "sites" and insert a period

Page 2, delete line 17

Page 2, line 18, delete everything before "The"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Pursuant to rule 1.50, Winkler moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

The question recurred on the Neu Brindley amendment to the Winkler amendment and the roll was called. There were 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Akland	Daudt	Haley	Lucero	O'Driscoll	Schomacker
Albright	Dauids	Hamilton	Lueck	Olson, B.	Scott
Anderson	Demuth	Heinrich	McDonald	O'Neill	Theis
Backer	Dettmer	Heintzeman	Mekeland	Petersburg	Torkelson
Bahr	Drazkowski	Hertaus	Miller	Pfarr	Urdahl
Baker	Franke	Igo	Mortensen	Pierson	West
Bennett	Franson	Johnson	Mueller	Poston	
Bliss	Garofalo	Jurgens	Nash	Quam	
Boe	Green	Kiel	Nelson, N.	Raleigh	
Burkel	Grossell	Koznick	Neu Brindley	Rasmusson	
Daniels	Gruenhagen	Kresha	Novotny	Robbins	

Those who voted in the negative were:

Acomb	Edelson	Her	Lillie	Nelson, M.	Sundin
Agbaje	Elkins	Hollins	Lippert	Noor	Thompson
Bahner	Feist	Hornstein	Lislegard	Olson, L.	Vang
Becker-Finn	Fischer	Howard	Long	Pelowski	Wazlawik
Berg	Frazier	Huot	Mariani	Pinto	Winkler
Bernardy	Frederick	Jordan	Marquart	Pryor	Wolgamott
Bierman	Freiberg	Keeler	Masin	Reyer	Xiong, J.
Boldon	Gomez	Klevorn	Moller	Richardson	Xiong, T.
Carlson	Greenman	Koegel	Moran	Sandell	Youakim
Christensen	Hansen, R.	Kotyza-Witthuhn	Morrison	Sandstede	Spk. Hortman
Davnie	Hanson, J.	Lee	Munson	Schultz	
Ecklund	Hassan	Liebling	Murphy	Stephenson	

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

The question recurred on the Winkler amendment and the roll was called. There were 73 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Acomb	Ecklund	Her	Lippert	Noor	Vang
Agbaje	Edelson	Hollins	Lislegard	Olson, L.	Wazlawik
Bahner	Elkins	Hornstein	Long	Pelowski	Winkler
Bahr	Feist	Howard	Mariani	Pinto	Wolgamott
Becker-Finn	Fischer	Huot	Marquart	Pryor	Xiong, J.
Berg	Frazier	Jordan	Masin	Reyer	Xiong, T.
Bernardy	Frederick	Keeler	Miller	Richardson	Youakim
Bierman	Freiberg	Klevorn	Moller	Sandell	Spk. Hortman
Boldon	Gomez	Koegel	Moran	Sandstede	
Carlson	Greenman	Kotyza-Witthuhn	Morrison	Schultz	
Christensen	Hansen, R.	Lee	Munson	Stephenson	
Davnie	Hanson, J.	Liebling	Murphy	Sundin	
Drazkowski	Hassan	Lillie	Nelson, M.	Thompson	

Those who voted in the negative were:

Akland	Daudt	Haley	Kresha	Novotny	Rasmusson
Albright	Dauids	Hamilton	Lucero	O'Driscoll	Robbins
Anderson	Demuth	Heinrich	Lueck	Olson, B.	Schomacker
Backer	Dettmer	Heintzeman	McDonald	O'Neill	Scott
Baker	Franke	Hertaus	Mekeland	Petersburg	Swedzinski
Bennett	Franson	Igo	Mortensen	Pfarr	Theis
Bliss	Garofalo	Johnson	Mueller	Pierson	Torkelson
Boe	Green	Jurgens	Nash	Poston	Urdahl
Burkel	Grossell	Kiel	Nelson, N.	Quam	West
Daniels	Gruenhagen	Koznick	Neu Brindley	Raleigh	

The motion prevailed and the amendment was adopted.

Drazkowski, Miller, Bahr and Munson moved to amend H. F. No. 9, the first engrossment, as amended, as follows:

Page 160, after line 15, insert:

"Section 1. **[3.084] LOBBYING ACTIVITIES PROHIBITED.**

Subdivision 1. Definition. As used in this section, "lobbying" means engaging in activities that would require an individual to register as a lobbyist, as defined in section 10A.01, subdivision 21.

Subd. 2. Prohibition. (a) A sitting member of the legislature is prohibited from accepting employment with or otherwise receiving compensation for services performed from:

(1) a business whose primary source of revenue is derived from lobbying, government relations or government affairs services;

(2) a business whose primary source of revenue is derived from facilitating government relations or government affairs services between two third parties; or

(3) any other business that employs or contracts with lobbyists, government relations or government affairs professionals, if the member's job duties include acting in that capacity or providing direct or indirect consulting, advice, or administrative support for that work.

(b) This prohibition applies regardless of the location where the work of the business is substantially conducted or its clients are located.

(c) The house of representatives and the senate must adopt rules to enforce this section.

EFFECTIVE DATE. This section is effective January 3, 2023."

Page 167, after line 29, insert:

"Sec. 6. Minnesota Statutes 2020, section 10A.01, subdivision 21, is amended to read:

Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration of more than \$3,000 from all sources in any year;

(i) for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials; or

(ii) from a business whose primary source of revenue is derived from facilitating government relations or government affairs services between two third parties; or

(2) who spends more than \$250, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials.

(b) "Lobbyist" does not include:

(1) a public official;

(2) an employee of the state, including an employee of any of the public higher education systems;

(3) an elected local official;

(4) a nonelected local official or an employee of a political subdivision acting in an official capacity, unless the nonelected official or employee of a political subdivision spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit other than the political subdivision employing the official or employee, by communicating or urging others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a metropolitan governmental unit, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of metropolitan governmental units;

(5) a party or the party's representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;

(6) an individual while engaged in selling goods or services to be paid for by public funds;

(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;

(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; or

(9) a party or the party's representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim.

(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.

(d) An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.

EFFECTIVE DATE. This section is effective January 3, 2023."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Drazkowski et al amendment and the roll was called. There were 119 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Acomb	Davids	Hansen, R.	Lee	Nelson, M.	Sandell
Agbaje	Davnie	Hanson, J.	Liebling	Nelson, N.	Sandstede
Akland	Demuth	Hassan	Lillie	Neu Brindley	Schomacker
Albright	Dettmer	Heintzeman	Lippert	Noor	Schultz
Anderson	Drazkowski	Her	Long	O'Driscoll	Scott
Backer	Ecklund	Hollins	Lucero	Olson, B.	Stephenson
Bahner	Edelson	Hornstein	Lueck	Olson, L.	Sundin
Bahr	Elkins	Howard	Mariani	Pelowski	Theis
Becker-Finn	Feist	Huot	Masin	Petersburg	Thompson
Bennett	Fischer	Igo	McDonald	Pfarr	Torkelson
Berg	Franke	Johnson	Mekeland	Pierson	Urdahl
Bernardy	Franson	Jordan	Miller	Pinto	Vang
Bierman	Frazier	Jurgens	Moller	Poston	Wazlawik
Bliss	Frederick	Keeler	Moran	Pryor	West
Boe	Freiberg	Kiel	Morrison	Quam	Winkler
Boldon	Garofalo	Klevorn	Mortensen	Raleigh	Wolgamott
Burkel	Gomez	Koegel	Mueller	Rasmusson	Xiong, J.
Carlson	Greenman	Kotyza-Witthuhn	Munson	Reyer	Xiong, T.
Christensen	Gruenhagen	Koznick	Murphy	Richardson	Youakim
Daniels	Hamilton	Kresha	Nash	Robbins	

Those who voted in the negative were:

Marquart

The motion prevailed and the amendment was adopted.

H. F. No. 9, as amended, was read for the third time.

MOTION FOR RECONSIDERATION

Neu Brindley moved that the action whereby H. F. No. 9, as amended, was given its third reading be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the Neu Brindley motion and the roll was called. There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Akland	Backer	Bliss	Daniels	Demuth	Franson
Albright	Baker	Boe	Daudt	Dettmer	Garofalo
Anderson	Bennett	Burkel	Davids	Franke	Green

Grossell	Igo	Lueck	O'Driscoll	Quam	Torkelson
Gruenhagen	Johnson	Mekeland	Olson, B.	Raleigh	Urdahl
Haley	Jurgens	Mueller	O'Neill	Rasmusson	West
Hamilton	Kiel	Nash	Petersburg	Robbins	
Heinrich	Koznick	Nelson, N.	Pfarr	Schomacker	
Heintzeman	Kresha	Neu Brindley	Pierson	Scott	
Hertaus	Lucero	Novotny	Poston	Theis	

Those who voted in the negative were:

Acomb	Ecklund	Her	Lippert	Noor	Vang
Agbaje	Edelson	Hollins	Long	Olson, L.	Wazlawik
Bahner	Elkins	Hornstein	Mariani	Pelowski	Winkler
Bahr	Feist	Howard	Marquart	Pinto	Wolgamott
Becker-Finn	Fischer	Huot	Masin	Pryor	Xiong, J.
Berg	Frazier	Jordan	Miller	Reyer	Xiong, T.
Bernardy	Frederick	Keeler	Moller	Richardson	Youakim
Bierman	Freiberg	Klevorn	Moran	Sandell	Spk. Hortman
Boldon	Gomez	Koegel	Morrison	Sandstede	
Carlson	Greenman	Kotyza-Witthuhn	Mortensen	Schultz	
Christensen	Hansen, R.	Lee	Munson	Stephenson	
Davnie	Hanson, J.	Liebling	Murphy	Sundin	
Drazkowski	Hassan	Lillie	Nelson, M.	Thompson	

The motion did not prevail.

H. F. No. 9, A bill for an act relating to financing and operation of state and local government; providing conformity and nonconformity to certain federal tax law changes; modifying individual income and corporate franchise taxes, sales and use taxes, partnership taxes, special and excise taxes, property taxes, local government aids, and provisions related to local taxes, tax increment financing, public finance, and other miscellaneous taxes and tax provisions; modifying certain income tax credits and authorizing new credits; modifying and providing for partnership audits; providing for a pass-through entity tax; modifying sales tax exemptions; providing for reduction of accelerated sales tax payments; modifying vapor and tobacco tax provisions; modifying and providing certain property tax exemptions; modifying property classification provisions; modifying local government aid appropriations; modifying existing local taxes and authorizing new local taxes; modifying and authorizing certain tax increment financing provisions; providing provisions related to public finance; providing for a tax expenditure review commission and the required expiration of tax expenditures; increasing the budget reserve; creating a new government grant program; providing for Tribal-state relations; establishing a frontline worker pay working group; modifying lobbying activities; providing for certain disaster response; providing for compliance with federal law background checks for certain individuals with access to federal tax information; classifying data; making minor policy and technical changes; making appointments; requiring reports; modifying appropriations; appropriating money; amending Minnesota Statutes 2020, sections 3.192; 3.8853, subdivision 2; 10A.01, subdivision 21; 16A.152, subdivision 2, as amended; 41A.19; 116J.8737, subdivisions 5, 12; 144F.01; 256B.76, subdivision 2, as amended if enacted; 270.41, subdivision 3a; 270.44; 270A.04, by adding a subdivision; 270B.13, by adding a subdivision; 270C.11, subdivisions 2, 4, 6; 270C.13, subdivision 1; 270C.22, subdivision 1; 270C.445, subdivisions 3, 6; 272.02, by adding a subdivision; 272.029, subdivision 2; 272.0295, subdivisions 2, 5; 273.063; 273.0755; 273.124, subdivisions 1, 9, 13, 14; 273.13, subdivisions 23, 25, 34; 273.18; 275.025, subdivisions 1, 2; 275.065, subdivision 3, by adding a subdivision; 275.066; 287.04; 289A.08, subdivision 7, by adding a subdivision; 289A.09, subdivision 2; 289A.20, subdivision 4; 289A.31, subdivision 1; 289A.37, subdivision 2; 289A.38, subdivisions 7, 8, 9, 10; 289A.42; 289A.60, subdivisions 15, 24, by adding a subdivision; 290.01, subdivisions 19, 31; 290.0121, subdivision 3; 290.0122, subdivision 8; 290.0132, by adding a subdivision; 290.06, subdivisions 2c, 22, by adding subdivisions; 290.0671, subdivision 1; 290.0681, subdivision 10; 290.0682; 290.31, subdivision 1; 290.92, subdivisions 1, 2a, 3, 4b, 4c, 5, 5a, 19, 20; 290.923, subdivision 9; 290.993; 290A.03, subdivision 3; 295.75,

subdivision 2; 296A.06, subdivision 2; 297A.66, subdivision 3; 297A.67, by adding a subdivision; 297A.70, subdivision 13; 297A.71, subdivision 52, by adding a subdivision; 297A.75, subdivisions 1, 2, 3; 297A.99, subdivision 2; 297A.993, subdivision 2; 297F.01, subdivision 22b, by adding a subdivision; 297F.031; 297F.04, subdivision 2; 297F.05, by adding a subdivision; 297F.09, subdivisions 3, 4a, 7, 10; 297F.13, subdivision 4; 297F.17, subdivisions 1, 6; 297G.09, subdivision 9; 297G.16, subdivision 7; 297H.04, subdivision 2; 297H.05; 297I.20, by adding subdivisions; 298.001, by adding a subdivision; 298.24, subdivision 1; 298.285; 298.405, subdivision 1; 325F.781, subdivisions 1, 5, 6; 429.021, subdivision 1; 429.031, subdivision 3; 453A.04, subdivision 21, by adding a subdivision; 465.71; 469.074, by adding a subdivision; 469.176, by adding a subdivision; 469.1763, subdivisions 2, 3, 4; 469.319, subdivision 4; 475.56; 475.58, subdivision 3b; 475.60, subdivision 1; 475.67, subdivision 8; 477A.03, subdivision 2b; 477A.10; 477A.17; 609B.153; Laws 1963, chapter 305, sections 2, as amended; 3, as amended; 4, as amended; 5, as amended; 8, as amended; 9, as amended; 10, as amended; Laws 2009, chapter 88, article 2, section 46, subdivision 3, as amended; Laws 2017, First Special Session chapter 1, article 3, section 32, as amended; Laws 2019, First Special Session chapter 6, article 6, section 27; Laws 2020, Fifth Special Session chapter 3, article 3, section 5, subdivision 10; Laws 2021, First Special Session chapter 6, article 1, section 9; Laws 2021, First Special Session chapter 7, article 9, section 5; proposing coding for new law in Minnesota Statutes, chapters 3; 10; 41A; 116J; 116U; 289A; 290; 299C; 462A; 477A; repealing Minnesota Statutes 2020, sections 270C.17, subdivision 2; 469.055, subdivision 7.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 69 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Acomb	Edelson	Her	Lillie	Nelson, M.	Thompson
Agbaje	Elkins	Hollins	Lippert	Noor	Vang
Bahner	Feist	Hornstein	Lislegard	Olson, L.	Wazlawik
Bahr	Fischer	Howard	Long	Pinto	Winkler
Becker-Finn	Frazier	Huot	Mariani	Pryor	Wolgamott
Berg	Frederick	Jordan	Marquart	Reyer	Xiong, J.
Bernardy	Freiberg	Keeler	Masin	Richardson	Xiong, T.
Bierman	Gomez	Klevorn	Miller	Sandell	Youakim
Boldon	Greenman	Koegel	Moller	Sandstede	Spk. Hortman
Carlson	Hansen, R.	Kotyza-Witthuhn	Moran	Schultz	
Christensen	Hanson, J.	Lee	Morrison	Stephenson	
Davnie	Hassan	Liebling	Murphy	Sundin	

Those who voted in the negative were:

Akland	Daudt	Heinrich	Lueck	O'Neill	Scott
Albright	Dauids	Heintzeman	Mekeland	Petersburg	Theis
Anderson	Demuth	Hertaus	Mortensen	Pfarr	Torkelson
Backer	Dettmer	Igo	Mueller	Pierson	Urdahl
Baker	Franson	Johnson	Munson	Poston	West
Bennett	Garofalo	Jurgens	Nash	Quam	
Bliss	Green	Kiel	Nelson, N.	Raleigh	
Boe	Gruenhagen	Koznick	Novotny	Rasmusson	
Burkel	Haley	Kresha	O'Driscoll	Robbins	
Daniels	Hamilton	Lucero	Olson, B.	Schomacker	

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

ADJOURNMENT OF THE 2021 SPECIAL SESSION SINE DIE

Winkler moved that the House adjourn sine die for the 2021 Special Session. The motion prevailed, and the Speaker declared the House stands adjourned sine die for the 2021 Special Session.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

