

**SENATE  
STATE OF MINNESOTA  
EIGHTY-NINTH SESSION**

**S.F. No. 3639**

(SENATE AUTHORS: EKEN)

DATE	D-PG	OFFICIAL STATUS
05/22/2016	7428	Introduction and first reading Referred to Taxes

1.1 A bill for an act  
1.2 proposing amendments to the Minnesota Constitution, article X, section 1; article  
1.3 XI, section 12; and article XII, section 1; requiring phaseout of taxes on real  
1.4 and personal property; requiring the commissioner of revenue to implement a  
1.5 progressive tax based on individual income.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 **ARTICLE 1**  
1.8 **CONSTITUTIONAL AMENDMENTS**

1.9 Section 1. **CONSTITUTIONAL AMENDMENT PROPOSED.**

1.10 An amendment to the Minnesota Constitution is proposed to the people. If the  
1.11 amendment is adopted, article X, section 1, will read:

1.12 Section 1. The power of taxation shall never be surrendered, suspended or contracted  
1.13 away. Taxes shall be uniform upon the same class of subjects and shall be levied and  
1.14 collected for public purposes, ~~but public burying grounds, public school houses, public~~  
1.15 ~~hospitals, academies, colleges, universities, all seminaries of learning, all churches, church~~  
1.16 ~~property, houses of worship, institutions of purely public charity, and public property used~~  
1.17 ~~exclusively for any public purpose, shall be exempt from taxation except as provided in~~  
1.18 ~~this section. There may be exempted from taxation personal property not exceeding in~~  
1.19 ~~value \$200 for each household, individual or head of a family, and household goods and~~  
1.20 ~~farm machinery as the legislature determines. The legislature may authorize municipal~~  
1.21 ~~corporations to levy and collect assessments for local improvements upon property~~  
1.22 ~~benefited thereby without regard to cash valuation. The legislature by law may define or~~  
1.23 ~~limit the property exempt under this section other than churches, houses of worship, and~~  
1.24 ~~property solely used for educational purposes by academies, colleges, universities and~~

2.1 ~~seminaries of learning.~~ The legislature shall phase out all taxes on real and personal  
 2.2 property over a period of ..... years, ending in ....., and shall instead enact a progressive  
 2.3 tax that is calculated based on individual income. After ....., no tax on real and personal  
 2.4 property may be enacted.

2.5 **Sec. 2. SUBMISSION TO VOTERS.**

2.6 The proposed amendment must be submitted to the people at the 20.. general  
 2.7 election. The question submitted must be:

2.8 "Shall the Minnesota Constitution be amended to remove real and personal property  
 2.9 from taxation and require the legislature to enact a progressive tax that is calculated based  
 2.10 on individual income effective as of .....?"

2.11 Yes .....  
 2.12 No ..... "

2.13 **Sec. 3. CONSTITUTIONAL AMENDMENT PROPOSED.**

2.14 An amendment to the Minnesota Constitution is proposed to the people. If the  
 2.15 amendment is adopted, article XI, section 12, will be repealed.

2.16 **Sec. 4. SUBMISSION TO VOTERS.**

2.17 The proposed amendment must be submitted to the people at the 20.. general  
 2.18 election. The question submitted must be:

2.19 "Shall the Minnesota Constitution be amended to remove the prohibition on  
 2.20 authorization of any county, township, or municipal corporation to become indebted to aid  
 2.21 in the construction or equipment of railroads to any amount that exceeds five percent of  
 2.22 the value of the taxable property within that county, township, or municipal corporation  
 2.23 effective as of .....?"

2.24 Yes .....  
 2.25 No ..... "

2.26 **Sec. 5. CONSTITUTIONAL AMENDMENT PROPOSED.**

2.27 An amendment to the Minnesota Constitution is proposed to the people. If the  
 2.28 amendment is adopted, article XII, section 1, will read:

2.29 Section 1. In all cases when a general law can be made applicable, a special law shall  
 2.30 not be enacted except as provided in section 2. Whether a general law could have been  
 2.31 made applicable in any case shall be judicially determined without regard to any legislative  
 2.32 assertion on that subject. The legislature shall pass no local or special law authorizing the

3.1 laying out, opening, altering, vacating or maintaining of roads, highways, streets or alleys;  
 3.2 remitting fines, penalties or forfeitures; changing the names of persons, places, lakes or  
 3.3 rivers; authorizing the adoption or legitimation of children; changing the law of descent or  
 3.4 succession; conferring rights on minors; declaring any named person of age; giving effect  
 3.5 to informal or invalid wills or deeds, or affecting the estates of minors or persons under  
 3.6 disability; granting divorces; ~~exempting property from taxation or~~ regulating the rate of  
 3.7 interest on money; creating private corporations, or amending, renewing, or extending the  
 3.8 charters thereof; granting to any private corporation, association, or individual any special  
 3.9 or exclusive privilege, immunity or franchise whatever or authorizing public taxation for a  
 3.10 private purpose. The inhibitions of local or special laws in this section shall not prevent  
 3.11 the passage of general laws on any of the subjects enumerated.

3.12 **Sec. 6. SUBMISSION TO VOTERS.**

3.13 The proposed amendment must be submitted to the people at the 20.. general  
 3.14 election. The question submitted must be:

3.15 "Shall the Minnesota Constitution be amended to eliminate the prohibition that the  
 3.16 legislature shall pass no local or special law exempting property from taxation effective as  
 3.17 of .....?

3.18 Yes .....

3.19 No ..... "

3.20 **ARTICLE 2**

3.21 **IMPLEMENTING LEGISLATION**

3.22 **Section 1. AGENCY PROPOSAL FOR IMPLEMENTING LEGISLATION.**

3.23 If the amendments in article X, section 1; article X, section 6; article XI, section  
 3.24 12; and article XII, section 1, are adopted, the commissioner of revenue shall propose  
 3.25 legislation to implement a progressive tax based on individual income to replace the  
 3.26 taxation on real and personal property.

APPENDIX  
Article locations in 16-7674

ARTICLE 1	CONSTITUTIONAL AMENDMENTS .....	Page.Ln 1.7
ARTICLE 2	IMPLEMENTING LEGISLATION .....	Page.Ln 3.20