The House of Representatives convened at 1:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Pastor Galen Call, Grace Church, Roseville, Minnesota.

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:

A quorum was present.

Johnson, Kahn and Stanek were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Seifert, J., moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
REPORTS OF STANDING COMMITTEES

Workman from the Committee on Transportation Policy to which was referred:

H. F. No. 7, A bill for an act relating to motor vehicles; repealing the motor vehicle emissions inspection program on July 1, 2000; amending Minnesota Statutes 1998, section 116.62, subdivision 3; repealing Minnesota Statutes 1998, sections 116.60; 116.61; 116.62; 166.63; and 116.64.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Policy.

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 14, A bill for an act relating to education; providing that a person convicted of criminal sexual conduct is ineligible to be licensed as a teacher; amending Minnesota Statutes 1998, sections 122A.20, subdivision 1; 122A.40, subdivisions 5 and 13; 122A.41, subdivision 6; and 631.40, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Crime Prevention.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 40, A bill for an act relating to health; allowing nursing facility residents to request the use of a restraint; amending Minnesota Statutes 1998, section 144A.10, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1998, section 144.651, is amended by adding a subdivision to read:

Subd. 33. [RESTRAINTS.] (a) Competent nursing facility residents, family members of residents who are not competent, and legally appointed conservators, guardians, and health care agents as defined under section 145C.01, have the right to request and consent to the use of a physical restraint in order to treat the medical symptoms of the resident.

(b) Upon receiving a request for a physical restraint, a nursing facility shall inform the resident, family member, or legal representative of alternatives to and the risks involved with physical restraint use. The nursing facility shall provide a physical restraint to a resident only upon receipt of a signed consent form authorizing restraint use and an order from the attending physician that contains statements and determinations regarding medical symptoms.

(c) A nursing facility shall not be subject to fines, civil money penalties, or other survey enforcement remedies, as a result of the provision of physical restraints as authorized by this subdivision.

(d) For purposes of this subdivision, "medical symptoms" include a concern for the physical safety of the resident."
Sec. 2. Minnesota Statutes 1998, section 144.651, is amended by adding a subdivision to read:

Subd. 34. [DETERMINATION OF COMPLIANCE.] When determining nursing facility compliance with state and federal standards for the use of physical restraints, the commissioner of health is bound by the statements and determinations in the attending physician's order regarding medical symptoms. For purposes of this order, "medical symptoms" include the request by a competent resident, family member of a resident who is not competent, or legally appointed conservator, guardian, or health care agent as defined under section 145C.01, that the facility provide a physical restraint in order to ensure the physical safety of the resident."

Delete the title and insert:

"A bill for an act relating to health; allowing a nursing facility resident to request and consent to the use of a physical restraint; amending Minnesota Statutes 1998, section 144.651, by adding subdivisions."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Finance.

The report was adopted.

Mares from the Committee on Education Policy to which was referred:

H. F. No. 58, A bill for an act relating to education; retroactively authorizing independent school district No. 912, Milaca, to start its school year prior to Labor Day.

Reported the same back with the following amendments:

Page 1, line 11, delete "any day prior to Labor Day" and insert "August 24, 1998"

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 214, A bill for an act relating to health; modifying volunteer ambulance attendant provisions; amending Minnesota Statutes 1998, sections 144E.001, by adding a subdivision; and 144E.35, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 17, after the comma, insert "or other nominal fee."

Page 1, line 18, delete "is" and insert "or other nominal fees are"

Page 1, line 19, delete "does" and insert "and other nominal fees do"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.
Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 216, A bill for an act relating to corrections; clarifying the law authorizing transfer of prisoners between jails and workhouses; amending Minnesota Statutes 1998, section 643.01.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Stanek from the Committee on Crime Prevention to which was referred:

H. F. No. 240, A bill for an act relating to sheriffs; authorizing sheriffs to expend money from the sheriff's contingent fund for investigating DWI-related violations; amending Minnesota Statutes 1998, section 387.213.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Davids from the Committee on Commerce to which was referred:

H. F. No. 248, A bill for an act relating to financial institutions; permitting location of a branch bank in the town of Crooked Lake under certain conditions.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 281, A bill for an act relating to state government; requiring the legislative coordinating commission to appoint a bicameral group to review administrative rules; specifying certain duties of the group; amending Minnesota Statutes 1998, sections 3.841; and 3.842, subdivisions 1, 2, and 3.

Reported the same back with the following amendments:

Page 1, line 18, after the period, insert "The group must include at least one member of the minority caucus from each house."

Page 2, line 13, strike "subdivisions 5, 6, 7, 8, 9, and" and insert "subdivision"

Page 2, line 22, after the period, insert "Upon written request of two or more of its members or five or more members of the legislature, the bicameral group must hold a public hearing to review a rule."

Page 2, after line 29, insert:

"Sec. 5. [REPEALER.]

Minnesota Statutes 1998, section 3.305, subdivision 8, is repealed."
Page 2, line 31, delete "4" and insert "5"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, before the period, insert "; repealing Minnesota Statutes 1998, section 3.305, subdivision 8"

With the recommendation that when so amended the bill pass.

The report was adopted.

Abrams from the Committee on Taxes to which was referred:

H. F. No. 380, A bill for an act relating to taxation; making technical corrections to income, property, sales, MinnesotaCare, and certain special taxes; making technical corrections to certain state tax administrative provisions; amending Minnesota Statutes 1998, sections 60A.15, by adding a subdivision; 271.01, subdivision 5; 271.21, subdivision 2; 273.111, subdivision 3; 273.124, subdivision 13; 289A.40, subdivision 1; 289A.60, subdivisions 3 and 21; 290.0671, subdivision 1; 290.0921, subdivision 5; 290.095, subdivision 3; 290.17, subdivision 4; 295.50, subdivision 9b; 295.55, subdivisions 2 and 3; 295.57, by adding a subdivision; 297A.15, subdivision 5; 297F.01, subdivision 23; 297F.17, subdivision 6; 297H.01, subdivision 12; 297H.05, and 297H.06, subdivision 2; repealing Minnesota Statutes 1998, sections 273.11, subdivision 10; 297E.12, subdivision 3; 297F.19, subdivision 4; and 297G.18, subdivision 4.

Reported the same back with the following amendments:

Pages 9 to 11, delete section 3

Page 16, line 31, delete everything after the period

Page 16, line 32, delete everything before "Sections" and delete "4 and 5" and insert "3 and 4"

Pages 16 and 17, delete section 1

Pages 18 and 19, delete section 4

Page 19, line 6, delete everything after "and" and insert "2"

Page 19, line 7, delete everything before "are"

Pages 20 and 21, delete sections 4 and 5

Page 23, line 18, delete "4, and 6" and insert "and 4"

Page 23, line 20, delete everything after the period

Page 23, delete line 21
Renumber the sections in sequence
Amend the title as follows:
Page 1, line 8, delete "273.111, subdivision 3;"
Page 1, line 12, delete "295.50, subdivision 9b;"
Page 1, line 13, delete everything after the first semicolon
Page 1, lines 15 and 16, delete "297H.01, subdivision 12; 297H.05;"

With the recommendation that when so amended the bill pass.
The report was adopted.

Ness from the Committee on Agriculture and Rural Development Finance to which was referred:
H. F. No. 414, A bill for an act relating to agriculture; extending the program for control of pseudorabies in swine; appropriating money.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.
The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 58, 214, 216, 240, 248, 281 and 380 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hilty, Solberg, Davids, Dempsey and Holsten introduced:

H. F. No. 496, A bill for an act relating to liquor; modifying sales regulations for farm wineries; amending Minnesota Statutes 1998, section 340A.315, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce.

Rest, Greiling and Seifert, M., introduced:

H. F. No. 497, A bill for an act relating to elections; providing for a runoff election if no candidate for certain offices at a state general or special election receives a majority of the votes cast; appropriating money; amending Minnesota Statutes 1998, sections 10A.25, subdivision 2; 204B.35, subdivision 4; and 204C.33, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 204D.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.
Erhardt introduced:

H. F. No. 498, A bill for an act relating to MinnesotaCare tax; clarifying the definition of patient services; amending Minnesota Statutes 1998, section 295.50, subdivisions 4 and 9b.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Seifert, J.; Goodno; Bradley; Huntley; Greenfield; Mariani; Koskinen; Haas; Nornes; Pugh; Wejcman; Dorn; Jennings; Otremba; Lieder; Paymar; Boudreau; Sykora; Rhodes; Holsten; Gray; Mulder; Bishop; Mares; Solberg; Vandeveer; Olson; Carruthers; Seagren and Wilkin introduced:

H. F. No. 499, A bill for an act relating to human services; providing reimbursement increases to certain health care providers; authorizing pay increases for certain employees; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Mulder, Goodno, Huntley, Bradley, Boudreau, Skoe, Storm, Kuisle, Howes, Juhnke, Lieder, Dorn, Tomassoni, Fuller and Knoblach introduced:

H. F. No. 500, A bill for an act relating to human services; increasing prepaid medical assistance and prepaid general assistance medical care program contract rates for nonmetropolitan counties; amending Minnesota Statutes 1998, section 256B.69, subdivision 5b.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Davids introduced:

H. F. No. 501, A bill for an act relating to health; providing for an inactive status of licensed beds in nursing homes; establishing a two-year moratorium on certain nursing facility monetary penalties; amending Minnesota Statutes 1998, sections 144.122; 144A.01, by adding a subdivision; 256.9657, subdivision 1; 256B.0911, subdivision 6; and 256B.431, subdivisions 2r, 3a, and 22; proposing coding for new law in Minnesota Statutes, chapter 144A.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Osskopp introduced:

H. F. No. 502, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Wabasha county.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Anderson, I., introduced:

H. F. No. 503, A bill for an act relating to appropriations; appropriating money for a grant to the city of Little Fork for a community center, recreation complex, and general grandstand.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.
Skoe and Lieder introduced:

H. F. No. 504, A bill for an act relating to education; appropriating money for a new facility for Pine Point school and for a community center.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Swenson, Munger, Hausman, Howes and Tinglestad introduced:

H. F. No. 505, A bill for an act relating to game and fish; allowing subagents to retain a commission on the sale of sporting licenses; amending Minnesota Statutes 1998, section 97A.485, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Greiling, Rest and Carlson introduced:

H. F. No. 506, A bill for an act relating to elections; requiring certain special primaries and elections to be conducted by mail; changing certain election schedules; amending Minnesota Statutes 1998, sections 204D.19, subdivisions 1 and 2; 204D.20, subdivision 1; 204D.21, subdivisions 2 and 3; 204D.22, subdivision 3; and 204D.23, subdivision 2; repealing Minnesota Statutes 1998, section 204D.19, subdivision 3.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Daggett; Milbert; Pawlenty; Sviggum; Pugh; Hasskamp; Kuisle; Rukavina; Wolf; Jennings; Mares; Solberg; Van Dellen; Osskopp; Carruthers; Rhodes; Tomassoni; Boudreau; Rest; Rifenberg; Ozment; Lenczewski; Clark, J.; Johnson; Nornes; McCollum; Harder; Haake; Otremba; Westfall; Leighton; Storm; Larson, D., and Howes introduced:

H. F. No. 507, A bill for an act relating to taxation; reducing the rates of the taxes on lawful gambling; amending Minnesota Statutes 1998, section 297E.02, subdivisions 1, 4, and 6.

The bill was read for the first time and referred to the Committee on Taxes.

Van Dellen, Pugh, Erhardt, Paulsen, Hackbarth and Hasskamp introduced:

H. F. No. 508, A bill for an act relating to taxation; providing a reduced class rate for certain property bordering public waters; amending Minnesota Statutes 1998, section 273.13, subdivision 23.

The bill was read for the first time and referred to the Committee on Taxes.

Swenson, Erickson, Rostberg, Westrom and Westfall introduced:

H. F. No. 509, A bill for an act relating to agriculture; providing for shared savings loans for demonstration projects of manure digester technology; requiring purchase of energy from manure waste methane recovery systems; providing rebates; appropriating money; amending Minnesota Statutes 1998, section 17.115, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Agriculture Policy.
Biernat and Smith introduced:

H. F. No. 510, A bill for an act relating to child support; eliminating the administrative process for child and medical support orders; providing for the appointment of family law magistrates to handle child and medical support and related family law proceedings; appropriating money; amending Minnesota Statutes 1998, sections 357.021, subdivision 1a; 518.551, subdivisions 12, 13, and 14; 518.575, subdivision 1; and 518.616, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 484; repealing Minnesota Statutes 1998, sections 518.5511; and 518.5512.

The bill was read for the first time and referred to the Committee on Civil Law.

Erhardt, Daggett, Jennings, Kuisle, Hasskamp, Westfall and Westrom introduced:


The bill was read for the first time and referred to the Committee on Taxes.

Koskinen, Huntley, McCollum, Dorn and Greenfield introduced:

H. F. No. 512, A bill for an act relating to health; expanding eligibility and eliminating the funding cap for the senior drug program; appropriating money; amending Minnesota Statutes 1998, section 256.955, subdivisions 1, 2, 3, and 4; Laws 1997, chapter 225, article 4, section 4.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Mares, Holsten, McCollum, Broecker and Vanderveer introduced:

H. F. No. 513, A bill for an act relating to recreation; appropriating money for a regional trail.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Chaudhary, Koskinen, Abeler, Vanderveer and Westerberg introduced:

H. F. No. 514, A bill for an act relating to counties; providing for an alternative method of describing real property for some purposes; proposing coding for new law in Minnesota Statutes, chapter 507.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Koskinen, Johnson, Abeler, Chaudhary and Vanderveer introduced:

H. F. No. 515, A bill for an act relating to counties; providing for alternative numbering of certain recorded and filed documents; amending Minnesota Statutes 1998, sections 386.31; and 508.38.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.
Opatz, Stang, Schumacher, Erickson and Dehler introduced:

H. F. No. 516, A bill for an act relating to education funding; increasing equity in Minnesota's school finance system; increasing the general education formula allowance; appropriating money; amending Minnesota Statutes 1998, sections 126C.10, subdivisions 1, 2, and by adding a subdivision; 126C.17, subdivision 5; and 127A.51.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Skoe and Lieder introduced:

H. F. No. 517, A bill for an act relating to taxation; advancing the dates for sending notices of proposed property taxes; amending Minnesota Statutes 1998, section 275.065, subdivisions 1, 1a, 1c, and 3.

The bill was read for the first time and referred to the Committee on Taxes.

Seifert, J.; Leighton; Pugh and Smith introduced:

H. F. No. 518, A bill for an act relating to civil actions; enacting the Uniform Correction or Clarification of Defamation Act; proposing coding for new law as Minnesota Statutes, chapter 553A.

The bill was read for the first time and referred to the Committee on Civil Law.

Sykora, Leppik, Greiling, Paulsen and Entenza introduced:

H. F. No. 519, A bill for an act relating to education; recognizing cost of living differences among school districts; creating an index; adjusting the general education formula allowance; appropriating money; amending Minnesota Statutes 1998, sections 126C.05, by adding a subdivision; and 126C.10, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 126C.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.

Pelowski introduced:

H. F. No. 520, A bill for an act relating to capital improvements; appropriating money to the Minnesota state colleges and universities for projects at Winona State University.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Seagren, Kielkucki, Greiling, Erickson, Mares and Biernat introduced:

H. F. No. 521, A bill for an act relating to education; providing additional funds for facility and operating expenditures for the Minnesota Valley Academy and Synergy Residential Academy; appropriating money.

The bill was read for the first time and referred to the Committee on K-12 Education Finance.
McCollum introduced:

H. F. No. 522, A bill for an act relating to the military; establishing a program of tuition and textbook reimbursement grants for members of federal armed forces reserve components; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 192.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Rest and McGuire introduced:

H. F. No. 523, A bill for an act relating to children; requiring the state to make a cash investment for each child in the state; restricting the use of the amount invested; amending Minnesota Statutes 1998, section 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 11A.

The bill was read for the first time and referred to the Committee on Education Policy.

McCollum; Seifert, J.; Greiling and Broecker introduced:

H. F. No. 524, A bill for an act relating to historic sites; providing a grant to the city of Maplewood to relocate certain historic farm buildings; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Westerberg, Vandeveer, Abeler and Johnson introduced:

H. F. No. 525, A bill for an act relating to Anoka county; providing for city administration of the dangerous dog registration system.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Mullery, Orfield and Larsen, P., introduced:

H. F. No. 526, A bill for an act relating to the Minneapolis park and recreation board; providing for the appointment of various employees; amending Laws 1969, chapter 1024, section 1, as amended.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Clark, K.; Gunther; Mullery; Stanek and Gray introduced:

H. F. No. 527, A bill for an act relating to summer youth employment; appropriating money for learn to earn and community initiative programs.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Westrom, Westfall, Kuisle, Stang, Lieder, Juhnke, Nornes, Westerberg and Swenson introduced:

H. F. No. 528, A bill for an act relating to transportation; requiring department of transportation specifications for underground storage tanks to include certain types of fiberglass and steel tanks; proposing coding for new law in Minnesota Statutes, chapter 174.

The bill was read for the first time and referred to the Committee on Transportation Policy.
Anderson, I., introduced:

H. F. No. 529, A bill for an act relating to employee relations; improving state employee access to medical clinics; amending Minnesota Statutes 1998, section 43A.23, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

**FISCAL CALENDAR**

Pursuant to rule 1.22, Abrams requested immediate consideration of H. F. No. 1.

H. F. No. 1 was reported to the House.

**CALL OF THE HOUSE**

On the motion of Molnau and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

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Molnau moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

 Abrams, Tuma, Dorman, Finseth, Westerberg, Paulsen, Cassell, Westfall, Dehler, Haake, Fuller, Holberg, Howes, Storm, Gerlach and Buesgens moved to amend H. F. No. 1, the second engrossment, as follows:

Page 1, line 6, after "INCOME" insert "AND PROPERTY"

Page 1, line 11, after the period, insert "The commissioner of revenue shall pay a property tax rebate to each individual who was eligible for a credit under Laws 1997, chapter 231, article 1, section 16, as amended by Laws 1997, First Special Session chapter 5, section 35, and Laws 1997, Third Special Session chapter 3, section 11, and Laws 1998, chapter 304, and Laws 1998, chapter 389, article 1, section 3, and who filed for that credit on or before April 15, 1999."
Page 1, line 18, before "rebate" insert "income tax"
Page 1, line 20, before "rebate" insert "income tax"
Page 2, line 1, before "rebate" insert "income tax"
Page 2, after line 8, insert:
"(c) The amount of the property tax rebate equals 88 percent of the rebate allowed to the individual under Laws 1997, chapter 231, article 1, section 16, as amended."
Page 2, line 13, delete "income tax" and "income"
Page 2, line 14, delete "tax"
Page 2, line 17, delete "income tax"
Page 2, line 20, delete "income tax"
Page 2, line 23, delete "income tax"
Page 2, line 25, delete "income tax"
Page 2, line 29, delete "income tax"
Page 2, line 36, delete "an" and insert "a"
Page 3, line 1, delete "income tax"
Page 3, line 2, delete "an" and insert "a"
Page 3, line 2, delete "income tax"
Page 5, after line 12, insert:
"Subd. 11. [PROPERTY TAX REBATE CONTINGENT.] (a) The provisions of subdivisions 1 and 2 providing a property tax rebate take effect only if $400,000,000 or more in an unrestricted general fund budgetary balance becomes available for fiscal year 1999 by any combination of the following:

(1) reductions or cancellations in general fund appropriations enacted by the legislature, including any reductions or cancellations that are deposited in a rebate account; and

(2) an increase in the unrestricted budgetary general fund balance as a result of the February 1999 forecast.

(b) If the amount calculated under paragraph (a) exceeds $400,000,000, the commissioner of revenue shall increase the percentage of the property tax rebate paid under subdivision 1, paragraph (c), by one percentage point for each $4,000,000 of unrestricted general fund budgetary balance that becomes available for fiscal year 1999."

A roll call was requested and properly seconded.

Pugh moved to amend the Abrams et al amendment to H. F. No. 1, the second engrossment, as follows:
Page 2, delete lines 5 to 16
Page 2, line 17, delete "$400,000,000."

A roll call was requested and properly seconded.
The question was taken on the amendment to the amendment and the roll was called. There were 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Anderson, I.</th>
<th>Gleason</th>
<th>Kalis</th>
<th>Marko</th>
<th>Paymar</th>
<th>Trimble</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bakk</td>
<td>Gray</td>
<td>Kelliher</td>
<td>McCollum</td>
<td>Pelowski</td>
<td>Tuhem</td>
</tr>
<tr>
<td>Biernat</td>
<td>Greenfield</td>
<td>Koskien</td>
<td>McGuire</td>
<td>Peterson</td>
<td>Wagenius</td>
</tr>
<tr>
<td>Carlson</td>
<td>Greiling</td>
<td>Kubly</td>
<td>Milbert</td>
<td>Pugh</td>
<td>Weicman</td>
</tr>
<tr>
<td>Carruthers</td>
<td>Hasskamp</td>
<td>Larson, D.</td>
<td>Mullery</td>
<td>Rest</td>
<td>Wenzel</td>
</tr>
<tr>
<td>Chaudhary</td>
<td>Hausman</td>
<td>Leighton</td>
<td>Munger</td>
<td>Rukavina</td>
<td>Winter</td>
</tr>
<tr>
<td>Clark, K.</td>
<td>Hilty</td>
<td>Lenczewski</td>
<td>Murphy</td>
<td>Schumacher</td>
<td></td>
</tr>
<tr>
<td>Dawkins</td>
<td>Huntley</td>
<td>Lieder</td>
<td>Opatz</td>
<td>Skoe</td>
<td></td>
</tr>
<tr>
<td>Dorn</td>
<td>Jaros</td>
<td>Luther</td>
<td>Orfield</td>
<td>Skoglund</td>
<td></td>
</tr>
<tr>
<td>Entenza</td>
<td>Jennings</td>
<td>Mahoney</td>
<td>Ostoff</td>
<td>Solberg</td>
<td></td>
</tr>
<tr>
<td>Folliard</td>
<td>Juhnke</td>
<td>Mariani</td>
<td>Otremba</td>
<td>Tomassoni</td>
<td></td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dehler</th>
<th>Hackbarth</th>
<th>Mares</th>
<th>Rhodes</th>
<th>Tuma</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Dempsey</td>
<td>Harder</td>
<td>McElroy</td>
<td>Rifenberg</td>
<td>VanDellen</td>
</tr>
<tr>
<td>Anderson, B.</td>
<td>Doman</td>
<td>Holberg</td>
<td>Molnia</td>
<td>Rosberg</td>
<td>Vandeveer</td>
</tr>
<tr>
<td>Bishop</td>
<td>Erhardt</td>
<td>Holsten</td>
<td>Mulder</td>
<td>Seagren</td>
<td>Westerberg</td>
</tr>
<tr>
<td>Boudreauc</td>
<td>Erickson</td>
<td>Howes</td>
<td>Ness</td>
<td>Seifert, J.</td>
<td>Westfall</td>
</tr>
<tr>
<td>Bradley</td>
<td>Finseth</td>
<td>Kielkucki</td>
<td>Nornes</td>
<td>Seifert, M.</td>
<td>Westrom</td>
</tr>
<tr>
<td>Broecker</td>
<td>Fuller</td>
<td>Knoblach</td>
<td>Olson</td>
<td>Smith</td>
<td>Wilkin</td>
</tr>
<tr>
<td>Buesgens</td>
<td>Gerlach</td>
<td>Krinke</td>
<td>Osskopp</td>
<td>Stang</td>
<td>Wolf</td>
</tr>
<tr>
<td>Cassell</td>
<td>Goodno</td>
<td>Kuise</td>
<td>Ozment</td>
<td>Storm</td>
<td>Workman</td>
</tr>
<tr>
<td>Clark, J.</td>
<td>Gunther</td>
<td>Larsen, P.</td>
<td>Paulsen</td>
<td>Swenson</td>
<td>Spk. Sviggum</td>
</tr>
<tr>
<td>Daggett</td>
<td>Haake</td>
<td>Leppik</td>
<td>Pawlenty</td>
<td>Sykora</td>
<td></td>
</tr>
<tr>
<td>Davids</td>
<td>Haas</td>
<td>Lindner</td>
<td>Reuter</td>
<td>Tinglestad</td>
<td></td>
</tr>
</tbody>
</table>

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

The question recurred on the Abrams et al amendment and the roll was called. There were 111 yeas and 20 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Daggett</th>
<th>Goodno</th>
<th>Juhnke</th>
<th>Lindner</th>
<th>Opatz</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Davids</td>
<td>Greiling</td>
<td>Kelliher</td>
<td>Luther</td>
<td>Osskopp</td>
</tr>
<tr>
<td>Anderson, B.</td>
<td>Dehler</td>
<td>Gunther</td>
<td>Kielkucki</td>
<td>Mares</td>
<td>Oshoff</td>
</tr>
<tr>
<td>Biernat</td>
<td>Dempsey</td>
<td>Haake</td>
<td>Knoblach</td>
<td>Marko</td>
<td>Otremba</td>
</tr>
<tr>
<td>Bishop</td>
<td>Doman</td>
<td>Haas</td>
<td>Koskien</td>
<td>McColom</td>
<td>Ozment</td>
</tr>
<tr>
<td>Boudreauc</td>
<td>Dorm</td>
<td>Harder</td>
<td>Krinke</td>
<td>McElroy</td>
<td>Paulsen</td>
</tr>
<tr>
<td>Bradley</td>
<td>Entenza</td>
<td>Harder</td>
<td>Kubly</td>
<td>McGuire</td>
<td>Pawlenty</td>
</tr>
<tr>
<td>Broecker</td>
<td>Erhardt</td>
<td>Hasskamp</td>
<td>Larse, P.</td>
<td>Mulder</td>
<td>Pelowski</td>
</tr>
<tr>
<td>Buesgens</td>
<td>Erickson</td>
<td>Hausman</td>
<td>Larson, D.</td>
<td>Mullery</td>
<td>Peterson</td>
</tr>
<tr>
<td>Carlson</td>
<td>Finseth</td>
<td>Holberg</td>
<td>Leighton</td>
<td>Murphy</td>
<td>Pugh</td>
</tr>
<tr>
<td>Carruthers</td>
<td>Folliard</td>
<td>Holsten</td>
<td>Lenczewski</td>
<td>Ness</td>
<td>Rest</td>
</tr>
<tr>
<td>Cassell</td>
<td>Fuller</td>
<td>Howes</td>
<td>Leppik</td>
<td>Nornes</td>
<td>Reuter</td>
</tr>
<tr>
<td>Chaudhary</td>
<td>Gerlach</td>
<td>Huntley</td>
<td>Leider</td>
<td>Olson</td>
<td>Rhodes</td>
</tr>
<tr>
<td>Clark, J.</td>
<td>Gleason</td>
<td>Jennings</td>
<td>Lieder</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
THURSDAY, FEBRUARY 4, 1999

Those who voted in the negative were:

Anderson, I.  
Bakk  
Clark, K.  
Dawkins  
Gray  
Kalis  
Kalis  
Mariani  
Munger  
Orfield  
Rukavina  
Solberg  
Tomassoni  
Trimble  
Wejcman

The motion prevailed and the amendment was adopted.

The Speaker called Boudreau to the Chair.

Rest offered an amendment to H. F. No. 1, the second engrossment, as amended.

Leighton requested a division of the Rest amendment to H. F. No. 1, the second engrossment, as amended.

The first portion of the Rest amendment to H. F. No. 1, the second engrossment, as amended, reads as follows:

Page 1, after line 5, insert:

"ARTICLE 1

SALES TAX REBATE

Section 1. [STATEMENT OF PURPOSE.]

(a) The state of Minnesota derives revenues from a variety of taxes, fees, and other sources, including the state sales tax.

(b) It is fair and reasonable to refund the existing state budget surplus in the form of a rebate of non-business consumer sales tax paid by individuals in calendar year 1997.

(c) Information concerning the amount of sales tax paid at various income levels is contained in the Minnesota tax incidence report, which is written by the commissioner of revenue and presented to the legislature according to Minnesota Statutes, section 270.0682.

(d) It is fair and reasonable to use information contained in the Minnesota tax incidence report to determine the proportionate share of the sales tax rebate due each eligible taxpayer since no effective or practical mechanism exists for determining the amount of actual sales tax paid by each eligible individual.
Sec. 2. [SALES TAX REBATE.]

Subdivision 1. [REBATE ALLOWED.] (a) By July 15, 1999, the commissioner of finance shall certify to the commissioner of revenue the amount of revenues available for rebate as determined from the June 30, 1999, fund balance report.

(b) The following individuals are eligible for a portion of the amount certified in paragraph (a) as a sales tax rebate:

(1) an individual who was eligible for a credit under Laws 1997, chapter 231, article 1, section 16, as amended by Laws 1997, First Special Session chapter 5, section 35, and Laws 1997, Third Special Session chapter 3, section 11, and Laws 1998, chapter 304, and Laws 1998, chapter 389, article 1, section 3, and who filed for that credit on or before April 15, 1999; and

(2) an individual who was a resident of Minnesota in calendar year 1997, who was not claimed as a dependent, as defined in sections 151 and 152 of the Internal Revenue Code, disregarding section 152(b)(3), as amended through December 31, 1998, and who files for the rebate by April 15, 1999 in a manner prescribed by the commissioner of revenue.

(c) The sales tax rebate for individuals who filed the claim for credit authorized under Laws 1997, chapter 231, article 1, section 16, as amended, as married filing joint, surviving spouse as defined in section 2(a) of the Internal Revenue Code of 1986, as amended through December 31, 1998, or head of household and other eligible individuals who were married on December 31, 1997, or who had a dependent during calendar year 1997 must be computed according to the following schedule:

<table>
<thead>
<tr>
<th>Income</th>
<th>Sales Tax Rebate</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than $2,500</td>
<td>$ 528</td>
</tr>
<tr>
<td>at least $2,500 but less than $5,000</td>
<td>$ 673</td>
</tr>
<tr>
<td>at least $5,000 but less than $10,000</td>
<td>$ 700</td>
</tr>
<tr>
<td>at least $10,000 but less than $15,000</td>
<td>$ 784</td>
</tr>
<tr>
<td>at least $15,000 but less than $20,000</td>
<td>$ 855</td>
</tr>
<tr>
<td>at least $20,000 but less than $25,000</td>
<td>$ 912</td>
</tr>
<tr>
<td>at least $25,000 but less than $30,000</td>
<td>$ 974</td>
</tr>
<tr>
<td>at least $30,000 but less than $35,000</td>
<td>$1,040</td>
</tr>
<tr>
<td>at least $35,000 but less than $40,000</td>
<td>$1,095</td>
</tr>
<tr>
<td>at least $40,000 but less than $45,000</td>
<td>$1,152</td>
</tr>
<tr>
<td>at least $45,000 but less than $50,000</td>
<td>$1,216</td>
</tr>
<tr>
<td>at least $50,000 but less than $60,000</td>
<td>$1,306</td>
</tr>
<tr>
<td>at least $60,000 but less than $70,000</td>
<td>$1,434</td>
</tr>
<tr>
<td>at least $70,000 but less than $80,000</td>
<td>$1,552</td>
</tr>
<tr>
<td>at least $80,000 but less than $90,000</td>
<td>$1,668</td>
</tr>
<tr>
<td>at least $90,000 but less than $100,000</td>
<td>$1,793</td>
</tr>
<tr>
<td>at least $100,000 but less than $120,000</td>
<td>$1,921</td>
</tr>
<tr>
<td>at least $120,000 but less than $140,000</td>
<td>$2,185</td>
</tr>
<tr>
<td>at least $140,000 but less than $160,000</td>
<td>$2,328</td>
</tr>
<tr>
<td>at least $160,000 but less than $180,000</td>
<td>$2,469</td>
</tr>
<tr>
<td>at least $180,000 but less than $200,000</td>
<td>$2,686</td>
</tr>
<tr>
<td>$200,000 and over</td>
<td>$2,752</td>
</tr>
</tbody>
</table>

(d) The sales tax rebate for individuals who filed the claim for credit authorized under Laws 1997, chapter 231, article 1, section 16, as amended, as single or married filing separately and other eligible individuals who are not covered by paragraph (c) must be computed according to the following schedule:
<table>
<thead>
<tr>
<th>Income</th>
<th>Sales Tax Rebate</th>
</tr>
</thead>
<tbody>
<tr>
<td>less than $2,500</td>
<td>$278</td>
</tr>
<tr>
<td>at least $2,500 but less than $5,000</td>
<td>$345</td>
</tr>
<tr>
<td>at least $5,000 but less than $10,000</td>
<td>$428</td>
</tr>
<tr>
<td>at least $10,000 but less than $15,000</td>
<td>$504</td>
</tr>
<tr>
<td>at least $15,000 but less than $20,000</td>
<td>$592</td>
</tr>
<tr>
<td>at least $20,000 but less than $25,000</td>
<td>$666</td>
</tr>
<tr>
<td>at least $25,000 but less than $30,000</td>
<td>$738</td>
</tr>
<tr>
<td>at least $30,000 but less than $40,000</td>
<td>$827</td>
</tr>
<tr>
<td>at least $40,000 but less than $50,000</td>
<td>$949</td>
</tr>
<tr>
<td>at least $50,000 but less than $70,000</td>
<td>$1,128</td>
</tr>
<tr>
<td>$70,000 and over</td>
<td>$1,376</td>
</tr>
</tbody>
</table>

(e) "Income," for purposes of this section, is taxable net income as defined in Minnesota Statutes, section 290.01, subdivision 22, and reported on the original return submitted to claim the credit under Laws 1997, chapter 231, article 1, section 16, as amended, or by subsequent adjustments to that return made within the time limits specified in paragraph (h). For an individual who was not a resident of Minnesota for the entire year, the sales tax rebate equals the sales tax rebate calculated under paragraph (c) or (d) multiplied by the percentage determined pursuant to Minnesota Statutes, section 290.06, subdivision 2c, paragraph (e), as calculated on the original return submitted to claim the credit under laws 1997, chapter 231, article 1, section 16, as amended, or by subsequent adjustments to that return made within the time limits specified in paragraph (h).

(f) Prior to payment, the commissioner of revenue shall reduce the sales tax rebates calculated in paragraphs (c) and (d) proportionately to account for the amount of credits described in Laws 1997, chapter 231, article 1, section 16, as amended, that are paid on or after January 1, 1999, but before July 1, 1999, and by the amount for other eligible individuals who file for a rebate so that the amount of sales tax rebates payable under paragraphs (c) and (d) do not exceed $1,470,000.00. The commissioner of revenue shall also increase or decrease all sales tax rebates computed under this section by the percentage that the amount of revenues available for rebate as certified by the commissioner of finance deviate from $1,470,000.00 minus the amount appropriated pursuant to section 3. These adjustments are not rules subject to Minnesota Statutes, chapter 14.

(g) The commissioner of revenue may begin making sales tax rebates by August 1, 1999. Sales tax rebates not paid by October 1, 1999, bear interest at the rate specified in Minnesota Statutes, section 270.75.

(h) A sales tax rebate must not be adjusted based on changes to the return on which the claim for credit authorized under Laws 1997, chapter 231, article 1, section 16, as amended, made by order of assessment after April 15, 1999, or made by the taxpayer that are filed with the commissioner of revenue after April 15, 1999.

(i) Individuals who filed a joint return must receive a joint sales tax rebate. After the sales tax rebate has been issued, but before the check has been cashed, either joint claimant may request a separate check for one-half of the joint sales tax rebate.

(j) The sales tax rebate is a "Minnesota tax law" for purposes of Minnesota Statutes, section 270B.01, subdivision 8.

(k) The sales tax rebate is "an overpayment of any tax collected by the commissioner" for purposes of Minnesota Statutes, section 270.07, subdivision 5. For purposes of this paragraph, a joint sales tax rebate is payable to each spouse equally.

(l) If the commissioner of revenue cannot locate an individual entitled to a sales tax rebate by July 1, 2001, or if an individual to whom a sales tax rebate was issued has not cashed the check by July 1, 2001, the right to the sales tax rebate lapses and the check must be deposited in the general fund.
(m) Individuals entitled to a sales tax rebate pursuant to paragraph (b), but who did not receive one, and individuals who receive a sales tax rebate that was not correctly computed, must file a claim with the commissioner before July 1, 2000, in a form prescribed by the commissioner. These claims must be treated as if they are a claim for refund under Minnesota Statutes, section 289A.50, subdivisions 4 and 7.

(n) The sales tax rebate is a refund subject to revenue recapture under Minnesota Statutes, chapter 270A. The commissioner of revenue shall remit the entire refund to the claimant agency, which shall, upon the request of the spouse who does not owe the debt, refund one-half of the joint sales tax rebate to the spouse who does not owe the debt.

(o) If a sales tax rebate check is cashed by someone other than the payee or payees of the check and the commissioner of revenue determines that the check has been forged or improperly endorsed, the commissioner may issue an order of assessment for the amount of the check against the person or persons cashing it. The assessment must be made within two years after the check is cashed, but if cashing the check constitutes theft under Minnesota Statutes, section 609.52, or forgery under Minnesota Statutes, section 609.631, the assessment may be made at any time. The assessment may be appealed administratively and judicially. The commissioner may take action to collect the assessment in the same manner as provided by Minnesota Statutes, chapter 289A, for any other order of the commissioner assessing tax.

(p) Notwithstanding Minnesota Statutes, sections 9.031, 16A.40, 16B.49, 16B.50, and any other law to the contrary, the commissioner of revenue may take whatever actions the commissioner deems necessary to pay the rebates required by this section, and may, in consultation with the commissioner of finance and the state treasurer, contract with a private vendor or vendors to process, print, and mail the rebate checks or warrants required under this section and receive and disburse state funds to pay those checks or warrants.

(q) The amount necessary to make the sales tax rebates and interest provided in this section are appropriated from the general fund to the commissioner of revenue.

Subd. 2. [PAYMENT TO STATE.] (a) A taxpayer receiving a rebate under this section may endorse and return the rebate check to the state and designate that the returned rebate must be deposited in one or more of the following accounts for use only for the purposes designated in this subdivision:

(1) an account for the basic sliding fee child care program for child care assistance to families administered by the commissioner of children, families, and learning under Minnesota Statutes, section 119B.03;

(2) an account to lower kindergarten through grade 6 classroom size and reduce instructor-to-student ratios to an average level of 1 to 17 to be administered by the commissioner of children, families, and learning;

(3) the affordable rental investment fund to be used by the housing finance agency for family rental housing assistance under Minnesota Statutes, section 462A.21, subdivision 8b;

(4) the contaminated site cleanup and development account to be used by the commissioner of trade and economic development for contamination cleanup development grants under Minnesota Statutes, sections 116J.551 to 116J.556; and

(5) the general fund for use as appropriated by law.

(b) Each rebate check shall have printed on the back of the check that it may be endorsed to the state of Minnesota and used for the designated option under paragraph (a). If more than one use of the rebate is designated, the rebate must be divided evenly between the designated options. If a check is endorsed and mailed to the state and no option is designated, the check must be deposited in the general fund.
(c) The rebate check shall be accompanied by a notice prepared by the commissioner of revenue that explains the taxpayer's option to endorse the check to the state, and explains the uses of the funds that the taxpayer may designate. In preparing the notice, the commissioner of revenue shall consult with the commissioners or agencies that administer the funds or accounts. The notice shall also explain that a taxpayer may cash the rebate check and mail a contribution of any amount to the state and that the contribution must be used for the option or options under paragraph (a) as designated by the taxpayer. The notice shall contain in bold print the address to which the endorsed check or a state contribution may be mailed.

(d) Funds endorsed and mailed to the state and contributions mailed to the state under this subdivision shall be deposited by the commissioner of finance in the fund or account designated, and are appropriated to the agency or commissioner designated by the taxpayer or contributor for use as provided in this subdivision. Funds appropriated under this paragraph are available until expended.

(e) Funds appropriated under this subdivision are in addition to any funds appropriated for the purposes given in this subdivision and may not be used for any other purposes including the reduction of any other appropriations. Funds appropriated to a commissioner or agency under this subdivision are not included in the department's or agency's budget base.

Sec. 3. [APPROPRIATIONS.]

$1,000,000 is appropriated from the general fund to the commissioner of revenue to administer the sales tax rebate for fiscal year 1999. Any unencumbered balance remaining on June 30, 1999, does not cancel but is available for expenditure by the commissioner of revenue until June 30, 2001.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day following final enactment.

ARTICLE 3

AGRICULTURAL ASSISTANCE"

Pages 1 to 5, delete section 1
Page 7, delete lines 16 to 21
Page 7, line 22, delete "(c)" and insert "(a)"
Page 7, line 25, delete "(d)" and insert "(b)"
Renumber the sections in sequence and correct internal references

Delete the title and insert:

"A bill for an act relating to taxation; providing a sales tax rebate; providing a permanent procedure for tax rebates; providing agricultural assistance payments; providing a property tax refund to farmers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A."

A roll call was requested and properly seconded.
POINT OF ORDER

McCollum raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure," relating to Personalities not Permitted in Debate. Speaker pro tempore Boudreau ruled the point of order well taken.

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

POINT OF ORDER

Pawlenty raised a point of order pursuant to sections 124 and 125 of "Mason's Manual of Legislative Procedure," relating to Personalities not Permitted in Debate and Personal Disputes Between Members. Speaker pro tempore Boudreau ruled the point of order well taken.

POINT OF ORDER

Goodno raised a point of order pursuant to section 124 of "Mason's Manual of Legislative Procedure," relating to Personalities not Permitted in Debate. Speaker pro tempore Boudreau ruled the point of order well taken.

The question recurred on the first portion of the Rest amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 60 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.    Folliard    Jennings    Luther    Orfield    Skoe
Bakk           Gleason    Juhnke    Mahoney    Ooshoff    Skoglund
Biernat        Gray        Kalis    Mariani    Otremba    Solberg
Carlson        Greenfield  Kelliher    Marko    Paymar    Tomassoni
Carruthers     Greiling    Koskinen    McCollum    Pelowski    Trimble
Chaudhary      Hasskamp    Kuby    McGuire    Peterson    Tunheim
Clark, K.      Hausman    Larson, D.  Milbert    Pugh    Wagenius
Dawkins        Hilty       Leighton    Mullery    Rest    Wejcman
Dorn           Huntley    Lenczewski  Murphy    Rukavina    Wenzel
Entenza        Jaros       Lieder    Opatz      Schumacher  Winter

Those who voted in the negative were:

Abeler     Dempsey    Harder    McElroy    Rifenberg    Van Dellen
Abrams     Dorman     Holberg    Molnau     Rostberg    Vandeveer
Anderson, B. Erhardt    Holsten    Mulder     Seagren     Westerberg
Boudreau   Erickson   Howes      Ness       Seifert, J.  Westfall
Bradley    Finseth    Kielkucki  Nornes     Seifert, M.  Westrom
Broecker   Fuller     Knoblach   Olson      Smith       Wilkin
Buesgens   Gerlach    Krinke     Osskopp    Stang      Wolf
Cassell    Goodno     Kuisele    Ozment     Storm       Workman
Clark, J.  Gunther    Larsen, P. Paulsen    Swenson    Spk. Sviggum
Daggett    Haake      Leppik     Pawlenty    Sykora
Davids     Haas       Lindner    Reuter     Tinglestad
Dehler     Hackbarth  Mares      Rhodes     Tuma

The motion did not prevail and the first portion of the Rest amendment was not adopted.
The second portion of the Rest amendment to H. F. No. 1, the second engrossment, as amended, reads as follows:

Page 1, after line 5, insert:

"ARTICLE 2

AUTOMATIC REBATE IN ENACTED BUDGET

Section 1. [16A.1522] [STATEMENT OF PURPOSE.]

(a) The state of Minnesota derives revenues from a variety of taxes, fees, and other sources.

(b) The general fund state budget is enacted for a two-year period based on a forecast of state revenues and authorized spending. The two-year biennial budget period begins July 1 of odd-numbered years and ends June 30 of odd-numbered years.

(c) Section 2 is intended to require that any positive unrestricted budgetary general fund balance in excess of one-half of one percent of total general fund biennial revenues at the close of the biennium be returned to the taxpayers of Minnesota in the form of a rebate, payable at the end of the budget period.

Sec. 2. [16A.1523] [REBATE REQUIREMENTS.]

(a) If, on the basis of a forecast of general fund revenues and expenditures in November of an even-numbered year or February of an odd-numbered year, the commissioner of finance projects that there will be a positive unrestricted budgetary general fund balance at the close of the biennium that exceeds one-half of one percent of total general fund biennial revenues, the commissioner of finance shall designate the entire balance as available for rebate to the taxpayers of Minnesota.

(b) If the commissioner of finance designates an amount for rebate in either forecast, then the governor shall present a plan to the legislature for rebating that amount to the taxpayers of Minnesota. The plan must provide for payments to begin no later than August 15 of the odd-numbered year. The legislature must adopt or modify any plan presented by the governor by April 15 of each odd-numbered year.

(d) By July 15 of each odd-numbered year, the commissioner of finance shall certify to the commissioner of revenue the amount of revenues available for rebate as determined by preliminary June 30 end-of-year fiscal analysis.

(e) If the amount of a positive unrestricted budgetary general fund balance existing on June 30 of an odd-numbered year is less than one-half of one percent of the total general fund biennial revenues, the total amount of the positive balance shall be deposited into the tax relief account.

(f) Amounts certified for rebate by the commissioner of finance are appropriated from the general fund to the commissioner of revenue for the sole purpose of making the payments required by this section.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective September 1, 1999."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.
Carruthers moved to amend the second portion of the Rest amendment to H. F. No. 1, the second engrossment, as amended, as follows:

Page 9, after line 8, insert:

"(c) In any odd-numbered year in which the legislature has not enacted legislation to distribute a positive unrestricted budgetary general fund balance, but such a positive balance in excess of one-half of one percent of the total general fund biennial revenues exists on June 30 of an odd-numbered year, the entire positive balance must be refunded to the taxpayers of Minnesota in the same manner as the preceding rebate."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Folliard  Juhne  Mariani  Paymar  Trimble  Tunheim  Van Dellen  Wejcman  Winter
Bakk  Gleason  Kalis  Marko  Pelowski  Wagenius
Biermat  Gray  Kelliher  McCollum  Peterson  Wejcman
Carlson  Greenfield  Koskinen  McGuire  Pugh  Wejcman
Carruthers  Greiling  Kubly  Milbert  Rukavina  Winter
Chaudhary  Hasskamp  Larson, D.  Mullery  Schumacher  Winter
Clark, K.  Hausman  Leighton  Munger  Skoe  Wejcman
Dawkins  Hilty  Lieder  Murphy  Skoglund  Winter
Dorn  Huntley  Luther  Osthoff  Solberg
Entenza  Jennings  Mahoney  Otrema  Tomassoni

Those who voted in the negative were:

Abeler  Dorman  Holsten  Molnau  Rifenberg  Wenzel  Westerberg  Westfall  Westrom  Wilkin  Workman  Spk. Sviggum
Abrams  Erhardt  Howes  Mulder  Rostberg
Boudreau  Finseh  Kielucki  Nornes  Seifert, J.  Wilkin
Bradley  Fuller  Knoblach  Olson  Smith  Spk. Sviggum
Broecker  Gerlach  Krinke  Opatz  Stang
Buesgens  Goodno  Kuisel  Oskopp  Storm  Sykora  Tingelstad  Tuma  Vandeveer
Cassell  Gunther  Larsen, P.  Ozyment  Swenson  Sykora  Tingelstad  Tuma  Vandeveer
Clark, J.  Haake  Lenczewski  Paulsen  Storm  Sykora  Tingelstad  Tuma  Vandeveer
Daggett  Haas  Leppik  Pawlenty  Sykora  Tingelstad  Tuma  Vandeveer
Davids  Hackbarth  Lindner  Rest  Swenson  Sykora  Tingelstad  Tuma  Vandeveer
Dehler  Harder  Mares  Reuter  Swenson  Sykora  Tingelstad  Tuma  Vandeveer
Dempsey  Holberg  McElroy  Rhodes  Swenson  Sykora  Tingelstad  Tuma  Vandeveer

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

The question recurred on the second portion of the Rest amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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The motion prevailed and the second portion of the Rest amendment was adopted.

Greenfield and Orfield were excused for the remainder of today's session.

Marko, Luther and McCollum offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Molnau raised a point of order pursuant to rule 3.21 that the Marko et al amendment was not in order. The Speaker ruled the point of order well taken and the Marko et al amendment out of order.

Marko, Luther and McCollum offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Molnau raised a point of order pursuant to rule 3.21 that the Marko et al amendment was not in order. The Speaker ruled the point of order well taken and the Marko et al amendment out of order.

Marko appealed the decision of the Speaker.
A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 69 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Harder  McElroy  Rifenberg  Van Dellen
Abrams  Dorman  Holberg  Molnau  Rostberg  Vandeveer
Anderson, B.  Erhardt  Holsten  Mulder  Seagren  Westerberg
Boudreaux  Erickson  Howes  Ness  Seifert, J.  Westfall
Bradley  Finseth  Kielkuci  Nornes  Seifert, M.  Westrom
Broecker  Fuller  Knoblauch  Olson  Smith  Wilkin
Buesgens  Gerlach  Krinke  Oskopp  Stang  Wolf
Cassell  Goodno  Kuisle  Ozment  Storm  Workman
Clark, J.  Gunther  Larsen, P.  Paulsen  Swenson  Spk. Sviggum
Daggett  Haake  Leppik  Pawlenty  Sykora
Davids  Haas  Lindner  Reuter  Tingelstad
Dehler  Hackbarth  Mares  Rhodes  Tuma

Those who voted in the negative were:

Anderson, I.  Folliard  Juhnke  Mahoney  Otremba  Solberg
Bak  Gleason  Kalis  Mariani  Paymar  Tomassoni
Biernat  Gray  Kelliher  Marko  Pelowski  Trimble
Carlson  Greiling  Koskinen  McColum  Peterson  Tunheim
Carruthers  Hasskamp  Kubly  McGuire  Pugh  Wagenius
Chaudhary  Hausman  Larson, D.  Milbert  Rest  Wejman
Clark, K.  Hilty  Leighton  Mullery  Rukavina  Wenzel
Dawkins  Huntley  Lenczewski  Murphy  Schumacher  Winter
Dorn  Jaros  Lieder  Opatz  Skoe
Entenza  Jennings  Luther  Osthoff  Skoglund

So it was the judgment of the House that the decision of the Speaker should stand.

Winter, Kalis, Wenzel, Schumacher, Kubly, Otremba and Juhnke offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.21 that the Winter et al amendment was not in order. The Speaker ruled the point of order well taken and the Winter et al amendment out of order.

Winter appealed the decision of the Speaker.

A roll call was requested and properly seconded.
The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 72 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Harder  Mares  Pawlenty  Sykora
Abrams  Dorman  Holberg  McElroy  Reuter  Tinglestad
Anderson, B.  Erhardt  Holsten  Milbert  Rhodes  Tuma
Boudreau  Erickson  Howes  Molnau  Rifenberg  Van Dellen
Bradley  Finseth  Jennings  Mulder  Rostberg  Vanderveer
Broecker  Fuller  Kielkucki  Ness  Seagren  Westerberg
Buesgens  Gerlach  Knoblach  Nornes  Seifert, J.  Westfall
Cassell  Goodno  Krinke  Olson  Seifert, M.  Westrom
Clark, J.  Gunther  Kuisle  Osskopp  Smith  Wilkin
Daggett  Haake  Larsen, P.  Ostoff  Stang  Wolf
Davids  Haas  Leppik  Ozment  Storm  Workman
Dehler  Hackbart  Lindner  Paulsen  Swenson  Spk. Sviggum

Those who voted in the negative were:

Anderson, I.  Entenza  Jaros  Lieder  Opatz  Skoe
Bakk  Folliard  Juhnke  Luther  Otremba  Skoglund
Biernat  Gleason  Kalis  Mahoney  Paymar  Solberg
Carlson  Gray  Kelliher  Mariani  Pelowski  Tomassoni
Carruthers  Greiling  Koskenen  Marko  Peterson  Trimble
Chaudhary  Hasskamp  Kubly  McCollum  Pugh  Tunheim
Clark, K.  Hausman  Larson, D.  McGuire  Rest  Wagenius
Dawkins  Hilty  Leighton  Mullery  Rukavina  Wenzel
Dorn  Huntley  Lenczewski  Murphy  Schumacher  Winter

So it was the judgment of the House that the decision of the Speaker should stand.

Solberg; Opatz; Carlson; Winter; Munger; Pugh; Koskenen; Gray; Kelliher; Wejcman; Leighton; Pelowski; Skoe; Luther; Mariani; Marko; Chaudhary; Entenza; Trimble; Murphy; Otremba; McCollum; Rest; Tunheim; Larson, D.; Juhnke; Lieder; Tomassoni and Dorn offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Paulsen raised a point of order pursuant to rule 3.21 that the Solberg et al amendment was not in order. The Speaker ruled the point of order well taken and the Solberg et al amendment out of order.

Solberg appealed the decision of the Speaker.

A roll call was requested and properly seconded.
The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 67 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Holberg  Molnau  Rostberg  Westerberg
Abrams  Dorman  Holsten  Mulder  Seagren  Westfall
Anderson, B.  Erhardt  Howes  Ness  Seifert, J.  Westrom
Boudreau  Erickson  Kielkuci  Nornes  Seifert, M.  Wilkin
Bradley  Finseth  Knoblach  Olson  Smith  Wolf
Broecker  Gerlach  Krinke  Oskopp  Stang  Workman
Buesgens  Goodno  Kuisle  Ozment  Swenson  Spk. Sviggum
Cassell  Gunther  Larsen, P.  Paulsen  Sykora
Clark, J.  Haake  Leppik  Pawlenty  Tingelstad
Daggett  Haas  Lindner  Reuter  Tuma
Davids  Hackbart  Mares  Rhodes  Van Dellen
Dehler  Harder  McElroy  Rifenberg  Vandevier

Those who voted in the negative were:

Anderson, I.  Folliard  Jennings  Luther  Osthoff  Skoglund
Bakk  Fuller  Juhnke  Mahoney  Otremba  Solberg
Biernat  Gleason  Kalis  Mariani  Paymar  Storm
Carlson  Gray  Kelliker  Marko  Pelowski  Tomassoni
Carruthers  Greiling  Koskinen  McCollum  Peterson  Trimble
Chaudhary  Hasskamp  Kubly  McGuire  Pugh  Tunheim
Clark, K.  Hausman  Larson, D.  Milbert  Rest  Wagenius
Dawkins  Hilty  Leighton  Mullery  Rukavina  Wejcman
Dorn  Huntley  Lenczewski  Murphy  Schumacher  Wenzel
Entenza  Jaros  Lieder  Opatz  Skoe  Winter

So it was the judgment of the House that the decision of the Speaker should stand.

Rukavina; Anderson, I.; Bakk and Hasskamp moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 7, after line 14, insert:

"Sec. 3. [LOGGING ASSISTANCE IN 1999.]
Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section:

(b) "Commissioner" means the commissioner of revenue.

(c) "Logger" means an individual who is:

(1) a resident of the state of Minnesota; and

(2) actively engaged in the business of the cutting and sale of timber in the state of Minnesota or of transporting cut timber in the state of Minnesota during calendar year 1998."
Subd. 2. [PAYMENTS TO LOGGERS.] (a) The commissioner shall pay $1 to every logger who applies for payment by May 1, 1999 for each cord of timber cut in Minnesota and sold during calendar year 1998.

(b) The commissioner shall pay $.50 to every logger for each cord of timber transported from a point in the state of Minnesota to a purchaser or processor. The payment under this paragraph does not apply if the logger received payment for the same cord of timber under paragraph (a).

(c) The maximum payment to an individual under this section may not exceed $6,000.

(d) The commissioner shall prepare application forms for the payment and ensure that they are available to loggers throughout the state. To receive a payment under this section, a logger must include with the application cordage slips or receipts for the sale or transport of the timber for each cord for which payment is sought.

(e) The commissioner shall make the payments under this section no later than October 1, 1999 or 90 days after the receipt of the application, whichever is later. Payments made after October 1, 1999 bear interest at the rate provided in Minnesota Statutes, section 270.75.

Subd. 3. [APPROPRIATION.] $4,300,000 is appropriated to the commissioner of revenue for the payments under this section and for the cost of administering this section.

Subd. 4. [EFFECTIVE DATE.] This section is effective the day following final enactment.

A roll call was requested and properly seconded.

POINT OF ORDER

Erickson raised a point of order pursuant to rule 3.21 that the Rukavina et al amendment was not in order. The Speaker ruled the point of order not well taken and the Rukavina et al amendment in order.

The question recurred on the Rukavina et al amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 57 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Fuller  Kalis  Mariani  Paymar  Tomassoni
Bakk  Gleason  Kelliher  McCollum  Pelowski  Trimble
Biernat  Gray  Koskinen  McGuire  Peterson  Tunheim
Carlson  Haskamp  Kubly  Milbert  Pugh  Wagenius
Carruthers  Hilty  Larson, D.  Mullery  Rest  Wejcman
Chaudhary  Howes  Leighton  Munger  Rukavina  Wenzel
Clark, K.  Huntley  Lenczewski  Murphy  Schumacher  Winter
Dawkins  Jaros  Lieder  Opatz  Skoe  
Dorn  Jennings  Luther  Oskopp  Skoglund  
Entenza  Juhnke  Mahoney  Otrema  Solberg  

Those who voted in the negative were:

Abeler    Dempsey    Hackbarth    Mares    Rhodes    Tuma
Abrams    Dorman     Harder      McElroy    Rifenberg  Van Dellen
Anderson, B.  Erhardt    Hausman     Molnau     Rostberg   Vanderveer
Boudreau  Erickson  Holberg     Mulder      Seagren    Westerberg
Bradley    Finseth    Holsten     Ness       Seifert, J.  Westfall
Broecker  Folliard   Kielkucki   Nornes      Seifert, M.  Westrom
Buesgens  Gerlach    Knoblach    Olson       Smith      Wilkin
Cassell  Goodno     Krinke       Oshoff     Stang       Wolf
Clark, J.  Greiling  Kuisle       Ozment     Storm       Workman
Daggett  Gunther    Larsen, P.  Paulsen     Swenson    Spk. Svigum
Davids    Haake      Leppik       Pawlenty    Sykora
Dehler    Haas       Lindner     Reuter      Tingelstad

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

Hasskamp moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 7, after line 14, insert:

"Sec. 3. [RESORT PROPERTY TAX CREDIT FOR TAXES PAYABLE IN 1999.]

Subdivision 1. [CREDIT.] Resorts are eligible for a property tax credit on qualifying property equal to the full amount of the tax payment due on May 15, 1999, but not to exceed $3,500. To qualify, a resort must be classified exclusively class 1c under Minnesota Statutes, section 273.13, subd. 22, paragraph (c). Qualifying property means property which is owned or leased by the resort. In order for leased property to qualify, the lessee must be required to pay the property taxes, according to the terms of the lease.

Subd. 2. [APPLICATION.] Resort owners shall apply for the credit to the commissioner of revenue, on a form prescribed by the commissioner. The commissioner may require supporting documentation to accompany the application including, but not limited to, copies of the relevant property tax statement or statements and the lease. Applications must be filed by June 30, 1999.

Subd. 3. [PAYMENTS.] Credit payments shall be made by the commissioner to eligible businesses by August 30, 1999."

Page 7, line 15, delete "3" and insert "4"

Page 7, line 23, after "7," insert "and under section 3, subdivision 3."

Page 7, line 28, delete "4" and insert "5"

Page 7, line 29, delete "3" and insert "4"

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.
Clark, K., and Chaudhary moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 7, after line 14, insert:

"Sec. 3. [PROPERTY TAX REBATE OUTREACH.]

During fiscal years 1999 and 2000, the commissioner of revenue shall develop and operate a program to expand participation in the 1997 and 1998 property tax rebate programs by individuals who are eligible for the rebates but failed to claim them. This program may consist of paid advertising, public relations, direct contact with taxpayers, services provided by community agencies or other efforts as the commissioner determines appropriate."

Page 7, after line 27, insert:

"(e) $100,000 is appropriated to the commissioner of revenue from the general fund for the property tax rebate outreach program under section 3. This appropriation is available in fiscal years 1999 and 2000. The appropriation may not be added to the department’s budget base amount."

Renumber the sections in sequence

Correct internal references

A roll call was requested and properly seconded.

The question was taken on the Clark, K., and Chaudhary amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 57 yeas and 70 nays as follows:

Those who voted in the affirmative were:

| Anderson, I. | Foliard | Juhnke | Mariani | Paymar | Tomassoni |
| Bakk       | Gleason | Kalis  | McCollum | Pelowski | Trumble |
| Biernat    | Gray    | Kellifer | McGuire | Peterson | Tunheim |
| Carlson    | Greiling | Koskinen | Milbert  | Pugh | Wagenius |
| Curruthers | Hasskamp | Kubly | Mullery | Rest | Wejcmn |
| Chaudhary  | Hausman | Larson, D. | Munger | Rukavina | Wenzel |
| Clark, K.  | Hilty   | Leighton | Murphy | Schumacher | Winter |
| Dawkins    | Huntley | Lieder | Opatz | Skoe |
| Dorn       | Jaros   | Luther | Osthoff | Skoglund |
| Entenza    | Jennings | Mahoney | Otrema | Solberg |

Those who voted in the negative were:

| Abeler      | Daggett | Gerlach | Howes | Mares | Paulsen |
| Abrams      | Davids  | Goodno  | Kielkucki | McElroy | Pawlenty |
| Anderson, B. | Dehler | Gunther | Knoblach | Molnau | Reuter |
| Boudreau    | Dempsey | Haake  | Krinkie | Muider | Rhodes |
| Bradley     | Dorman  | Haas   | Kuisle | Ness | Rifenberg |
| Broecker    | Erhardt | Hackenth | Larsen, P. | Nornes | Rostberg |
| Buesgens    | Erickson | Harder | Lenczewski | Olson | Seagren |
| Cassell     | Finseth | Holberg | Leppik | Osskopp | Seifert, J. |
| Clark, J.   | Fuller  | Holsten | Lindner | Ozment | Seifert, M. |
The motion did not prevail and the amendment was not adopted.

Clark, K., moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 7, after line 14, insert:

"Sec. 4. [ONE TIME RENT REBATE.]

Notwithstanding any law to the contrary, the percentage of gross rent for purposes of "renting constituting property taxes" under Minnesota Statutes, section 290A.03, subdivision 11a, is 20 percent for claims based on rent paid in 1999."

Renumber the sections in sequence

Correct internal references

A roll call was requested and properly seconded.

The question was taken on the Clark, K., amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 55 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.  Folliard  Kelliher  McCollum  Peterson  Tunheim
Bakk    Gleason  Koskinen  McGuire  Pugh  Wagenius
Biernat  Gray  Kubly  Milbert  Rest  Wejcman
Carlson  Greiling  Larson, D.  Mullery  Rukavina  Wenzel
Carruthers  Hasskamp  Leighton  Munger  Schumacher  Winter
Chaudhary  Hausman  Lieder  Murphy  Skoe  
Clark, K.  Hilty  Luther  Opatz  Skoglund  
Dawkins  Jaros  Mahoney  Osthoff  Solberg  
Dorn     Juhnke  Mariani  Otremba  Tomassoni  
Entenza  Kalis  Marko  Paymar  Trimble  

Those who voted in the negative were:

Abeler  Cassell  Erhardt  Haake  Huntley  Lenczewski
Abrams  Clark, J.  Erickson  Haas  Jennings  Leppik
Anderson, B.  Daggett  Finseth  Hackbart  Kielkucki  Lindner
Boudreau  Davids  Fuller  Harder  Knoblach  Mares
Bradley  Dehler  Gerlach  Holberg  Krinkie  McElroy
Broecker  Dempsey  Goodno  Holsten  Kuisle  Molnau
Buesgens  Dorman  Gunther  Howes  Larsen, P.  Mulder
The motion did not prevail and the amendment was not adopted.

Skoglund; Lenczewski; Kalis; Entenza; Leighton; Paymar; Gleason; Larson, D.; McCollum; Wagenius and Dorn moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 1998, section 297A.15, subdivision 6, is amended to read:

Subd. 6. [REFUND; APPROPRIATION.] The tax on the gross receipts from the sale of items exempt under section 297A.25, subdivision 43, and section 2, must be imposed and collected as if the sale were taxable and the rate under section 297A.02, subdivision 1, applied.

Upon application by the owner of the homestead property on forms prescribed by the commissioner, a refund equal to the tax paid on the gross receipts of the building materials and equipment must be paid to the homeowner. In the case of building materials in which the tax was paid by a contractor, application must be made by the homeowner for the sales tax paid by the contractor. The application must include sufficient information to permit the commissioner to verify the sales tax paid for the project. The contractor must furnish to the homeowner a statement of the cost of building materials and the sales taxes paid on the materials. The amount required to make the refunds is annually appropriated to the commissioner. Interest must be paid on the refund at the rate in section 270.76 from 60 days after the date the refund claim is filed with the commissioner.

Sec. 2. Minnesota Statutes 1998, section 297A.25, is amended by adding a subdivision to read:

Subd. 79. [TREE DAMAGE FROM STORMS.] (a) The gross receipts from the sale of tree and stump removal services and tree trimming services are exempt provided that (1) the removal or trimming is for a tree on residential property, (2) the removal or trimming is necessary because of tree damage resulting from a tornado, wind storm, blizzard, or ice storm, and (3) the residential property owner is uninsured for the loss.

(b) The tax on the gross receipts from the sales of the services exempt under this subdivision must be imposed and collected as if the sales were taxable and the rate under section 297A.02, subdivision 1, applied. The residential property owner may apply for a refund as provided under section 297A.15, subdivision 6.

Page 7, after line 28, insert:

"Sections 1 and 2 are effective for sales made after March 1, 1998."
Renumber the sections in sequence and correct internal references
Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Skoglund et al amendment and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 119 yeas and 7 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Entenza</th>
<th>Jaros</th>
<th>Mariani</th>
<th>Paymar</th>
<th>Sykora</th>
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<td>Abrams</td>
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<td>Pugh</td>
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<td>Murphy</td>
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<td>Larsen, P.</td>
<td>Ness</td>
<td>Schumacher</td>
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<td>Gunther</td>
<td>Larson, D.</td>
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<td>Seagren</td>
<td>Westfall</td>
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<td>Westfall</td>
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<td>Clark, K.</td>
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<td>Lenczewski</td>
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<td>Storm</td>
<td>Spk. Sviggum</td>
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<td>Howes</td>
<td>Mares</td>
<td>Pawlenty</td>
<td>Swenson</td>
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</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Boudreau</th>
<th>Dehler</th>
<th>Huntley</th>
<th>Skoe</th>
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<tbody>
<tr>
<td>Bradley</td>
<td>Hilty</td>
<td>Jennings</td>
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The motion prevailed and the amendment was adopted.

Dawkins moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 1, line 21, delete everything after "equals" and insert "100 percent of the first $1,300 of income tax liability for married taxpayers filing joint returns, and 100 percent of the first $650 of income tax liability for all other taxpayers."
A roll call was requested and properly seconded.

The question was taken on the Dawkins amendment and the roll was called. There were 52 yeas and 76 nays as follows:

Those who voted in the affirmative were:

| Anderson, I. | Fuller | Kalis | McCollum | Pelowski | Solberg |
| Bakk         | Gleason| Koskinen | McGuire | Peterson | Storm |
| Biernat      | Gray   | Kubly | Mullery | Pugh | Tomassoni |
| Carlson      | Hasskamp | Leighton | Munger | Rest | Trimble |
| Carruthers   | Hausman | Lieder | Murphy | Rukavina | Wejcmak |
| Chaudhary    | Hilty  | Luther | Opatz | Schumacher | Wenzel |
| Clark, K.    | Howes  | Mahoney | Osskopp | Seagren | Winter |
| Dawkins      | Jaros  | Mariani | Otremba | Skoe |
| Entenza      | Juhnke | Marko | Paymar | Skoglund |

Those who voted in the negative were:

| Abeler       | Dorman | Harder | Leppik | Pawlenty | Tunheim |
| Abrams       | Dorn   | Holberg | Lindner | Reuter | Van Dellen |
| Anderson, B. | Erhardt | Holsten | Mares | Rhodes | Vandeveer |
| Boudreau     | Erickson | Huntley | McElroy | Rifenberg | Wagenius |
| Bradley      | Finseth | Jennings | Milbert | Rostberg | Westerberg |
| Broecker     | Folliard | Kelliher | Molnau | Seifert, J. | Westfall |
| Buesgens     | Gerlach | Kielkucki | Mulder | Seifert, M. | Westrom |
| Cassell      | Goodno | Knoblach | Ness | Smith | Wilkin |
| Clark, J.    | Greiling | Krinkie | Nornes | Stang | Wolf |
| Daggett      | Gunther | Kuisele | Olson | Swenson | Workman |
| Davids       | Haake  | Larsen, P. | Osthoff | Sykora | Spk. Sviggum |
| Dehler       | Haas   | Larson, D. | Ozment | Tinglestad |
| Dempsey      | Hackbarth | Lenczewski | Paulsen | Tuma |

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

Kubly, Peterson, Schumacher and Juhnke offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Goodno raised a point of order pursuant to rule 3.21 that the Kubly et al amendment was not in order. The Speaker ruled the point of order well taken and the Kubly et al amendment out of order.

Kubly appealed the decision of the Speaker.

A roll call was requested and properly seconded.
The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 69 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Harder  Lindner  Pelowski  Tuma
Abrams  Dorman  Holberg  Mares  Reuter  Van Dellen
Anderson, B.  Erhardt  Holsten  McElroy  Rhodes  Vandeveer
Boudreau  Erickson  Howes  Molnau  Rifenberg  Westerberg
Bradley  Finseth  Jennings  Mulder  Rostberg  Westfall
Broecker  Fuller  Kielkucki  Ness  Seagren  Wilkin
Buesgens  Gerlach  Knoblach  Nornes  Seifert, J.  Wolf
Cassell, J.  Goodno  Krinkie  Olson  Smith  Workman
Clark, J.  Gunther  Kuisle  Osskopp  Stang  Spk. Sviggum
Daggett  Haake  Larsen, P.  Ozment  Swenson  
Davids  Haas  Larson, D.  Paulsen  Sykora  
Delehler  Hackbart  Leppik  Pawlenty  Tingelstad  

Those who voted in the negative were:

Anderson, I.  Entenza  Juhnke  Mariani  Pugh  Tomassoni  
Bakk  Folliard  Kalis  Marko  Rest  Trimble  
Biernat  Gleason  Kellher  McCollum  Rukavina  Tunheim  
Carlson  Gray  Koskinen  McGuire  Schumacher  Wagenius  
Carruthers  Greiling  Kubly  Mullery  Seifert, M.  Wejcman  
Chaudhary  Hasskamp  Leighton  Murphy  Skoe  Wenzel  
Clark, K.  Hausman  Lieder  Otremba  Skoglund  Winter  
Dawkins  Hilty  Luther  Paymar  Solberg  
Dorn  Jaros  Mahoney  Peterson  Storm  

So it was the judgment of the House that the decision of the Speaker should stand.

Trimble moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Page 2, after line 34, insert a period

Page 2, line 35, delete "and" and before the period, insert "and credited to an account to be used to pay income or franchise tax rebates of up to 100 percent of tax liability to small businesses as defined in Minnesota Statutes, section 645.445, for employee job training to be administered by the department of trade and economic development"

A roll call was requested and properly seconded.

The question was taken on the Trimble amendment and the roll was called.
Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 46 yeas and 80 nays as follows:

Those who voted in the affirmative were:

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<tr>
<th>Anderson, I.</th>
<th>Dorn</th>
<th>Jaros</th>
<th>Luther</th>
<th>Oshoff</th>
<th>Solberg</th>
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<td>Bakk</td>
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<td>Clark, K.</td>
<td>Hauman</td>
<td>Leighton</td>
<td>Mullery</td>
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<td>Dawkins</td>
<td>Hilty</td>
<td>Lieder</td>
<td>Murphy</td>
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Those who voted in the negative were:

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<tr>
<th>Abeler</th>
<th>Erhardt</th>
<th>Howes</th>
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<td>McElroy</td>
<td>Reuter</td>
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</table>

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

Carruthers offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.21 that the Carruthers amendment was not in order. The Speaker ruled the point of order well taken and the Carruthers amendment out of order.

Carruthers appealed the decision of the Speaker.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Pawlenty moved to lay the Carruthers appeal of the decision of the Speaker on the table.

A roll call was requested and properly seconded.
The question was taken on the Pawlenty motion and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 66 yeas and 59 nays as follows:

Those who voted in the affirmative were:

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<td>Lindner</td>
<td>Pawlenty</td>
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</tbody>
</table>

Those who voted in the negative were:

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<td>Pugh</td>
<td>Tunheim</td>
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<td>Dawkins</td>
<td>Hilty</td>
<td>Larson, D.</td>
<td>Milbert</td>
<td>Rest</td>
<td>Wagenius</td>
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<tr>
<td>Dorn</td>
<td>Howes</td>
<td>Leighton</td>
<td>Mullery</td>
<td>Rukavina</td>
<td>Wejcman</td>
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<td>Entenza</td>
<td>Huntley</td>
<td>Lenczewski</td>
<td>Murphy</td>
<td>Schumacher</td>
<td>Winter</td>
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<tr>
<td>Folliard</td>
<td>Jaros</td>
<td>Lieder</td>
<td>Opatz</td>
<td>Skoe</td>
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</tr>
</tbody>
</table>

The motion prevailed and the appeal of the decision of the Speaker was laid on the table.

Carruthers offered an amendment to H. F. No. 1, the second engrossment, as amended.

POINT OF ORDER

Abrams raised a point of order pursuant to rule 3.21 that the Carruthers amendment was not in order. The Speaker ruled the point of order well taken and the Carruthers amendment out of order.

Carruthers appealed the decision of the Speaker.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Abrams moved to lay the Carruthers appeal of the decision of the Speaker on the table.

A roll call was requested and properly seconded.
The question was taken on the Abrams motion and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 65 yeas and 60 nays as follows:

**Those who voted in the affirmative were:**

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Dehler</th>
<th>Hackbarth</th>
<th>Mares</th>
<th>Reuter</th>
<th>Tuma</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrams</td>
<td>Dempsey</td>
<td>Harder</td>
<td>McElroy</td>
<td>Rhodes</td>
<td>Van Dellen</td>
</tr>
<tr>
<td>Anderson, B.</td>
<td>Dorman</td>
<td>Holberg</td>
<td>Molnau</td>
<td>Rifenberg</td>
<td>Vandever</td>
</tr>
<tr>
<td>Boudreau</td>
<td>Erhardt</td>
<td>Holsten</td>
<td>Mulder</td>
<td>Rostberg</td>
<td>Westerberg</td>
</tr>
<tr>
<td>Bradley</td>
<td>Erickson</td>
<td>Kielkucki</td>
<td>Ness</td>
<td>Seagren</td>
<td>Westfall</td>
</tr>
<tr>
<td>Broecker</td>
<td>Finseth</td>
<td>Knoblach</td>
<td>Nornes</td>
<td>Seifert, M.</td>
<td>Westrom</td>
</tr>
<tr>
<td>Buesgens</td>
<td>Gerlach</td>
<td>Krinke</td>
<td>Olson</td>
<td>Smith</td>
<td>Wilkin</td>
</tr>
<tr>
<td>Cassell</td>
<td>Goodno</td>
<td>Kuisle</td>
<td>Osskopp</td>
<td>Stang</td>
<td>Wolf</td>
</tr>
<tr>
<td>Clark, J.</td>
<td>Gunther</td>
<td>Larsen, P.</td>
<td>Ozment</td>
<td>Swenson</td>
<td>Workman</td>
</tr>
<tr>
<td>Daggett</td>
<td>Haake</td>
<td>Leppik</td>
<td>Paulsen</td>
<td>Sykora</td>
<td>Sp. Sviggum</td>
</tr>
<tr>
<td>Davids</td>
<td>Haas</td>
<td>Lindner</td>
<td>Pawlenty</td>
<td>Tingelstad</td>
<td></td>
</tr>
</tbody>
</table>

**Those who voted in the negative were:**

<table>
<thead>
<tr>
<th>Bakk</th>
<th>Fuller</th>
<th>Jennings</th>
<th>Luther</th>
<th>Ostoff</th>
<th>Skoe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biernat</td>
<td>Gleason</td>
<td>Juhne</td>
<td>Mahoney</td>
<td>Otremba</td>
<td>Skoglund</td>
</tr>
<tr>
<td>Carlson</td>
<td>Gray</td>
<td>Kalis</td>
<td>Mariani</td>
<td>Paymar</td>
<td>Solberg</td>
</tr>
<tr>
<td>Carruthers</td>
<td>Greiling</td>
<td>Kelliber</td>
<td>Marko</td>
<td>Pelowski</td>
<td>Storm</td>
</tr>
<tr>
<td>Chaudhary</td>
<td>Hasskamp</td>
<td>Koskinen</td>
<td>McCollum</td>
<td>Peterson</td>
<td>Tomassoni</td>
</tr>
<tr>
<td>Clark, K.</td>
<td>Hausman</td>
<td>Kubly</td>
<td>McGuire</td>
<td>Pugh</td>
<td>Trimble</td>
</tr>
<tr>
<td>Dawkins</td>
<td>Hilty</td>
<td>Larson, D.</td>
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</tr>
<tr>
<td>Folliard</td>
<td>Jaros</td>
<td>Lieder</td>
<td>Murphy</td>
<td>Seifert, J.</td>
<td>Winter</td>
</tr>
</tbody>
</table>

The motion prevailed and the appeal of the decision of the Speaker was laid on the table.

Milbert moved to amend H. F. No. 1, the second engrossment, as amended, as follows:

Pages 1 to 5, delete section 1 and insert:

"Section 1. Minnesota Statutes 1998, section 290.06, is amended by adding a subdivision to read:

Subd. 26. [1999 REBATE.] (a) An individual is allowed a credit against the tax imposed by this section and section 290.091 equal to the sum of:

1. 100 percent of the first $150 of liability for tax; and

2. 20 percent of the liability for tax in excess of $150.

The maximum amount of the credit is $7,600 for a married couple filing a joint return and $3,800 for all other filers.

(b) For purposes of this section, liability for tax means liability as computed under this section after the apportionment under subdivision 2c, paragraph (e), and section 290.091 after the apportionment under subdivision 4 of section 290.091, but before the credits allowed under sections 290.067, 290.0671, and 290.0674."
(c) This credit applies only to taxable years beginning after December 31, 1998, and before January 1, 2000."

Page 7, after line 14, insert:

"Sec. 3. [ADJUSTMENT OF WITHHOLDING TABLES.]

The commissioner of revenue shall promulgate revised withholding tax tables to take into account the provisions of section 1 as soon after enactment of section 1 as practicable."

Page 7, delete lines 16 to 21, and insert:

"(a) $200,000,000 is transferred from the tax reform and reduction account to the general fund."

Page 7, line 22, delete "(c)" and insert "(b)"

Page 7, line 25, delete "(d)" and insert "(c)"

Page 7, line 29, delete "3" and insert "4"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Milbert amendment and the roll was called.

Abrams moved that those not voting be excused from voting. The motion prevailed.

There were 41 yea:s and 83 nay:s as follows:

Those who voted in the affirmative were:

Anderson, I.  Hasskamp  Larsen, P.  McCollum  Pugh  Tomassoni  
Bakk  Huntley  Larson, D.  Milbert  Rukavina  Trimble  
Biernat  Juhnke  Leighton  Mullery  Schumacher  Tunheim  
Carlson  Kalis  Lieder  Murphy  Seifert, J.  Wenzel  
Chaudhary  Koskinen  Luther  Ostoff  Skoglund  Westerberg  
Entenza  Krinkie  Mahoney  Otrempa  Solberg  Winter  
Gray  Kubly  Marko  Peterson  Storm  

Those who voted in the negative were:

Abeler  Daggett  Folliard  Harder  Lenczewski  Ness  
Abrams  Davids  Fuller  Hausman  Leppik  Nornes  
Anderson, B.  Dawkins  Gerlach  Holberg  Lindner  Olson  
Boudreau  Dehler  Gleason  Holsten  Mares  Opatz  
Bradley  Dempsey  Goodno  Howes  Mariani  Oskopp  
Broecker  Dorman  Greiling  Jennings  McElroy  Ozment  
Buesgens  Dorn  Gunther  Kelliher  McGuire  Paulsen  
Cassell  Erhardt  Haake  Kielkucki  Molnau  Pawlenty  
Clark, J.  Erickson  Haas  Knoblach  Mulder  Pelowski  
Clark, K.  Finseth  Hackbarth  Kuisle  Munger  Rest
The motion did not prevail and the amendment was not adopted.

H. F. No. 1, A bill for an act relating to taxation; providing for an income and property tax rebate; providing for agricultural assistance; exempting certain storm-damaged tree trimming and removal services from the sales tax; providing for automatic rebates in enacted budget; appropriating money; amending Minnesota Statutes 1998, sections 297A.15, subdivision 6; and 297A.25, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16A.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 93 yeas and 35 nays as follows:

Those who voted in the affirmative were:


Those who voted in the negative were:

Anderson, I.  Bakk  Biernat  Clark, K.  Dawkins  Dorn  Anderson, I.  Bakk  Biernat  Clark, K.  Dawkins  Dorn

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

Rest was excused for the remainder of today's session.
TAKE FROM THE TABLE

Knoblach moved that H. F. No. 209 be taken from the table. The motion prevailed and H. F. No. 209 was taken from the table.

H. F. No. 209 was reported to the House.

The Speaker called Boudreau to the Chair.

H. F. No. 209, A bill for an act relating to public administration; converting capital project financing from general fund cash to general obligation bonding; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; canceling certain money to the general fund; appropriating money; amending Laws 1998, chapter 404, section 27, subdivision 1.

The question was taken on the passage of the bill and the roll was called. There were 68 yeas and 59 nays as follows:

Those who voted in the affirmative were:


Those who voted in the negative were:

Anderson, I.  Bak k  Biernat  Carlson  Carruthers  Chaudhary  Clark, K.  Dawkins  Dorn  Ent enza  Folliard  Gleason  Gray  Greiling  Hasskamp  Hausman  Hilty  Huntley  Jaros  Jennings  Juhnke  Kalis  Kellih er  Knoblach  Koskenen  K r inkie  Kubly  Larson, D.  Leighton  Lieder  Luther  Mahoney  Mariani  Marko  McCollum  McGuire  Mil bert  Mullery  Rukavina  Schumacher  Skoe  Opatz  Osthoff  Otremba  Paymar  Pelowski  Peterson  Pugh  Rukavina  Skoe

Not having received the constitutionally required three-fifths vote, the bill was not passed.
The Speaker resumed the Chair.

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

CALL OF THE HOUSE LIFTED

Molnau moved that the call of the House be suspended. The motion prevailed and it was so ordered.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bill to be placed on the Calendar for the Day for Thursday, February 4, 1999:

H. F. No. 151.

CALENDAR FOR THE DAY

H. F. No. 151 was reported to the House.

Tunheim moved to amend H. F. No. 151 as follows:

Page 5, delete lines 2 and 3, and insert:

"order to restore profitability to farming, those revisions including, at a minimum, the establishment of marketing loan rates at $3.00 per bushel for corn, $6.50 per bushel for soybeans, $5.00 per bushel for wheat, and $4.00 per bushel for barley;"

A roll call was requested and properly seconded.

Harder moved to amend the Tunheim amendment to H. F. No. 151 as follows:

Page 1, line 4 of the Tunheim amendment, delete "including, at a minimum," and insert "compliance with the findings of a study by the United States Secretary of Agriculture regarding the benefits of"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 66 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler  Boudreau  Buesgens  Daggett  Dempsey  Erickson
Abrams  Bradley  Cassell  Davids  Dorman  Fuller
Anderson, B.  Broecker  Clark, J.  Dehler  Erhardt  Gerlach
Those who voted in the negative were:

Anderson, I.  Folliard  Juhnke  Mahoney  Otremba  Tunheim  Wagenius  Wejcman  Wenzel  Winter
Bakk  Folliard  Kalis  Mariani  Peterson  Van Dellen  Vanderveer  Vandeveer
Biernat  Grippe  Koskinen  McCollum  Rukavina  Wagens  Wejcman  Wenzel
Carlson  Greiling  Kelliher  McGuire  Schumacher  Skaglund  Solberg  Solberg  Westfall
Chaudhary  Haas  Ness  Nornes  Orton  Storm  Swenson  Sykora  Sykora  Tingelstad
Clark, K.  Leppik  Nornes  Reuter  Stang  Swenson  Sykora  Tingelstad  Tingelstad
Dawkins  Lindner  Ottenberg  Seagren  Tinglestad  Tomassoni
Dorn  Lieder  Osskopp  Seifert, J.  Van Dellen  Spk. Sviggum
Entenza  Ludden  Ozment  Tinglestad  Workman

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

The question recurred on the Tunheim amendment, as amended, and the roll was called. There were 116 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Holberg  Luther  Pugh  Trimble  Tuma  Van Dellen
Abrams  Dorman  Holsten  Mahoney  Reuter  Tunheim  Vanderveer  Vandeveer
Anderson, B.  Dorn  Howes  Mares  Rhodes  Van Dellen  Vanderveer  Vandeveer
Anderson, I.  Entenza  Huntley  Mariani  Rifenberg  Westfall  Westfall  Westfall
Bakk  Erhardt  Jennings  McCollum  Rukavina  Wagens  Wejcman  Wenzel  Westfall
Carlson  Gleason  Koskinen  Ortenberg  Stang  Storm  Swenson  Sykora  Sykora
Carruthers  Goodno  Knoblauch  Orton  Storm  Swenson  Sykora  Sykora  Tingelstad
Cassell  Greiling  Lien  Olsen  Storm  Swenson  Sykora  Sykora  Tingelstad
Chaudhary  Gunther  Leppik  Pawlenty  Tingelstad  Tingelstad  Tingelstad  Tingelstad  Tingelstad
Clark, J.  Harris  Leigho  Osskopp  Storm  Swenson  Sykora  Sykora  Tingelstad
Clark, K.  Hackbarth  Larson, D.  Swens  Sykora  Tingelstad  Tingelstad  Tingelstad  Tingelstad
Daggett  Harder  Leighton  Orton  Storm  Swenson  Sykora  Sykora  Tingelstad
Davids  Hasskamp  Lien  Pawlenty  Swenson  Sykora  Tingelstad  Tingelstad  Tingelstad
Dawkins  Hausman  Leppik  Pawlenty  Swenson  Sykora  Tingelstad  Tingelstad  Tingelstad
Dehler  Hilty  Leppik  Pawlenty  Swenson  Sykora  Tingelstad  Tingelstad  Tingelstad

The motion prevailed and the amendment, as amended, was adopted.
Winter, Tunheim, Kalis, Kubly, Schumacher and Juhnke moved to amend H. F. No. 151, as amended, as follows:

Page 4, after line 14, insert:

"Be It Further Resolved that the President and Congress place severe restrictions on the import of live slaughter hogs, slaughter cattle, pork and beef carcasses, and commodity grains from foreign sources and that the U. S. department of agriculture be required to publish comprehensive, timely reports on all livestock, meat, and commodity crop imports; and

Be It Further Resolved that the President and Congress implement requirements that (a) all packers and processors be required to provide to the USDA, on a daily basis and specific to each packing or processing plant, actual prices paid for livestock purchased or delivered for slaughter including details of all open market, contract, and formula price arrangements and wholesale prices by product; and (b) all retailers having meat sales exceeding $250,000 per year be required to provide to the USDA a weekly summary of retail prices for meat types and cuts; and"

A roll call was requested and properly seconded.

Seifert, M., moved to amend the Winter et al amendment to H. F. No. 151, as amended, as follows:

Page 1, line 4, delete "place severe" and insert "consider"

Page 1, line 10, delete "implement" and insert "study"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 57 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Abeler
Boudreau
Bradley
Broecker
Buesgens
Cassell
Clark, J.
Daggett
Davids
Dehler
Dempssey
Hackbarth
Harder
Holberg
Holsten
Howes
Knoblauck
Kuisle
Larsen, P.
Leppik
Mares
McElroy
Molnau
Mulder
Ness
Ozment
Paulsen
Pawlenty
Reuter
Rhodes
Rifenberg
Rostberg
Seagren
Seifert, J.
Seifert, M.
Stang
Storm
Swenson
Sykora
Tingelstad
Vandevier
Westfall
Wilkin
Wolf
Workman
Spk. Sviggum

Those who voted in the negative were:

Anderson, B.
Anderson, I.
Bakk
Biernat
Carlson
Carruthers
Chaudhary
Clark, K.
Clark, K.
Dakins
Dorn
Enzena
Folliard
Gleason
Gray
Greiling
Hasskamp
Hausman
Hilly
Huntley
Jaros
Jennings
Juhnke
Kalis
Kelliher
Koskenen
Kubly
Larson, D.
Leighton
Lenczowski
Lieder
Luther
Mahoney
Mariani
Marko
McCullum
McGuire
Milibert
Mullery
Munger
Murphy
Olson
Osskopp
The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Winter et al amendment and the roll was called. There were 99 yeas and 10 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Dorman  Howes  Mahoney  Peterson  Tomassoni
Anderson, I.  Dorn  Huntley  Mares  Pugh  Trimble
Bakk  Entenza  Jaros  Mariani  Rhodes  Tuma
Biernat  Finseth  Jennings  Marko  Rifenberg  Tunheim
Boudreau  Folliard  Juhnke  McCollum  Rostberg  Wagenius
Bradley  Fuller  Kalis  McGuire  Rukavina  Wejcman
Carlson  Gleason  Kellifer  Mulder  Schumacher  Wenzel
Carruthers  Goodno  Kielkucki  Mullery  Seifert, J.  Westerberg
Cassell  Gray  Koskinen  Munger  Seifert, M.  Westfall
Chaudhary  Greiling  Kubly  Murphy  Skoe  Westrom
Clark, J.  Gunther  Kuisle  Ness  Skoglund  Wilkin
Clark, K.  Haake  Larsen, P.  Nornes  Smith  Winter
Daggett  Hackbarth  Larson, D.  Olson  Solberg  Wolf
Davids  Harder  Leighton  Osskopp  Stang  Spk. Sviggum
Dawkins  Hasskamp  Lenczewski  Otremba  Storm  Swenson
Dehler  Hausman  Lieder  Ozment  Swenson
Dempsey  Hilty  Luther  Pawlenty  Tinglestad

Those who voted in the negative were:

Abrams  Erhardt  Gerlach  McElroy  Reuter
Buesgens  Erickson  Leppik  Molnau  Sykora

The motion prevailed and the amendment was adopted.

Peterson moved to amend H. F. No. 151, as amended, as follows:

Page 4, after line 9, insert:

"Be It Further Resolved that the antitrust division of the U. S. Department of Justice, the U. S. Federal Trade Commission, and appropriate committees of Congress thoroughly investigate the impacts of any large merger to determine the potential for market domination, price fixing, and market distortions; and, if violations are found, that all progress toward the merger be blocked until the investigations are completed and reported; and"

A roll call was requested and properly seconded.
The question was taken on the Peterson amendment and the roll was called. There were 111 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dempsey  Holberg  Luther  Pawlenty  Tomassoni
Anderson, B.  Dorman  Holsten  Mahoney  Peterson  Trimble
Anderson, I.  Dorn  Howes  Mares  Pugh  Tuma
Bakk  Erhardt  Huntley  Mariani  Rhodes  Tunheim
Biernat  Erickson  Jaros  Marko  Rifenberg  Vandeveer
Boudreau  Finseth  Jennings  McCollum  Rostberg  Wagenius
Bradley  Foliard  Juhnke  McElroy  Rukavina  Wejmam
Broecker  Fuller  Kalis  McGuire  Schumacher  Wenzel
Buesgens  Gerlach  Kielkucki  Molnau  Seigert, J.  Westerberg
Carlson  Gleason  Knoblach  Mulder  Seigert, M.  Westrom
Carruthers  Goodno  Koskenen  Mullery  Skoe  Wilkin
Cassell  Gray  Kuly  Munger  Skoglund  Winter
Chaudhary  Greiling  Kuisle  Murphy  Smith  Wolf
Clark, J.  Gunther  Larsen, P.  Ness  Solberg  Workman
Clark, K.  Hackbarth  Larson, D.  Nornes  Storm  Sp. Sviggum
Daggett  Harder  Leighton  Olson  Stang  Spk. Sviggum
Davids  Hasskamp  Lenczewski  Osskopp  Sturm  Spk. Sviggum
Dawkins  Hausman  Leppik  Otremba  Swenson  Spk. Sviggum
Dehler  Hilty  Lieder  Ozment  Tingelstad  Spk. Sviggum

The motion prevailed and the amendment was adopted.

H. F. No. 151, A resolution memorializing the Clinton Administration and the United States Congress to cooperate in forming a federal effort to alleviate the crisis confronting livestock farmers and commodity grain farmers arising from a bottleneck between hog and cattle producers and their consumers, from imbalances in the grain market, and from concentrations of economic resources in the food marketing and distribution system.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 107 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler  Clark, J.  Finseth  Hasskamp  Koskenen  Mariani
Anderson, B.  Clark, K.  Foliard  Hausman  Kuly  Marko
Anderson, I.  Daggett  Fuller  Hilty  Kuisle  McElroy
Bakk  Davids  Gerlach  Holberg  Larsen, P.  McGuire
Biernat  Dawkins  Gleason  Holten  Larson, D.  Mulder
Boudreau  Dehler  Goodno  Howes  Leighton  Mullery
Bradley  Dempsey  Gray  Huntley  Lenczewski  Munger
Broecker  Dorman  Greiling  Jaros  Leppik  Murphy
Buesgens  Dorn  Gunther  Jennings  Lieder  Ness
Carlson  Enzena  Haake  Juhnke  Luther  Nornes
Carruthers  Erhardt  Hackbarth  Kalis  Mahoney  Olson
Cassell  Erickson  Harder  Kielkucki  Mares  Osskopp
Those who voted in the negative were:

Wolf

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

MOTIONS AND RESOLUTIONS

Rostberg moved that the name of Clark, J., be added as an author on H. F. No. 316. The motion prevailed.

Opatz moved that the name of Lenczewski be added as an author on H. F. No. 320. The motion prevailed.

Mulder moved that the name of Mariani be added as an author on H. F. No. 332. The motion prevailed.

Mulder moved that the name of Clark, J., be added as an author on H. F. No. 401. The motion prevailed.

Goodno moved that the name of Wilkin be added as an author on H. F. No. 408. The motion prevailed.

Skoglund moved that the names of Westerberg and Tingelstad be added as authors on H. F. No. 409. The motion prevailed.

Kuisle moved that the names of Westerberg and Tingelstad be added as authors on H. F. No. 446. The motion prevailed.

Seifert, M., moved that the names of Clark, J., and Peterson be added as authors on H. F. No. 454. The motion prevailed.

Vandeveer moved that the name of Luther be added as an author on H. F. No. 474. The motion prevailed.

Pelowski moved that the name of Trimble be added as an author on H. F. No. 482. The motion prevailed.

Paulsen moved that the names of Molnau, Dempsey, Seagren, Pawlenty and Olson be added as authors on H. F. No. 484. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 2:30 p.m., Monday, February 8, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:30 p.m., Monday, February 8, 1999.

Edward A. Burdick, Chief Clerk, House of Representatives