

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-FIRST LEGISLATURE

FOURTEENTH DAY

St. Paul, Minnesota, Monday, February 8, 1999

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

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Jim Perkl.

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

The roll was called, and the following Senators answered to their names:

Anderson	Hanson	Krentz	Neuville	Runbeck
Beckman	Higgins	Laidig	Novak	Sams
Belanger	Hottinger	Langseth	Oliver	Samuelson
Berg	Janezich	Larson	Olson	Scheevel
Berglin	Johnson, D.H.	Lesewski	Ourada	Scheid
Betzold	Johnson, D.J.	Lessard	Pappas	Solon
Cohen	Johnson, J.B.	Limmer	Pariseau	Spear
Day	Junge	Lourey	Piper	Stevens
Dille	Kelley, S.P.	Marty	Pogemiller	Stumpf
Fischbach	Kelly, R.C.	Metzen	Price	Ten Eyck
Flynn	Kiscaden	Moe, R.D.	Ranum	Vickerman
Foley	Kleis	Morse	Robertson	Wiener
Frederickson	Knutson	Murphy	Robling	Wiger

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MEMBERS EXCUSED

Senator Johnson, D.E. was excused from the Session of today.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1 and 151.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted February 4, 1999

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committee indicated.

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.

Senator Moe, R.D. moved that H.F. No. 1 be laid on the table. The motion prevailed.

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.

Referred to the Committee on Agriculture and Rural Development.

REPORTS OF COMMITTEES

Senator Moe, R.D. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Sams from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 57: 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.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 12, delete "DIGESTER" and insert "PROCESS AND ODOR CONTROL"

Page 1, line 15, delete "farm manure digester" and insert "new technology for processing manure and odor control"

Page 1, line 16, delete "technology"

Page 1, line 22, before "The" insert "(a)"

Page 2, after line 7, insert:

"(b) For the purposes of this section, the term "public utility" means:

(1) a "public utility" as defined in section 216B.02, subdivision 4; or

(2) a municipality or cooperative electric association, organized under the provisions of chapter 308A, that produces or provides electric service."

Page 2, line 9, delete "DIGESTER" and insert "AND ODOR CONTROL TECHNOLOGY"

Amend the title as follows:

Page 1, line 3, delete "digester" and insert "processing and odor control"

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Amendments adopted. Report adopted.

Senator Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 26 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		26	29		

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. No. 26 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Pariseau moved that the name of Senator Lessard be added as a co-author to S.F. No. 197. The motion prevailed.

Senator Lesewski moved that her name be stricken as a co-author to S.F. No. 201. The motion prevailed.

Senator Betzold moved that the name of Senator Marty be added as a co-author to S.F. No. 390. The motion prevailed.

Senator Murphy moved that the name of Senator Hottinger be added as a co-author to S.F. No. 470. The motion prevailed.

Senator Murphy moved that the name of Senator Betzold be added as a co-author to S.F. No. 471. The motion prevailed.

Senator Anderson moved that the name of Senator Berglin be added as a co-author to S.F. No. 493. The motion prevailed.

Senator Flynn moved that the name of Senator Wiger be added as a co-author to S.F. No. 501. The motion prevailed.

Senator Hottinger moved that the name of Senator Berglin be added as a co-author to S.F. No. 509. The motion prevailed.

Senator Lourey moved that the name of Senator Berglin be added as a co-author to S.F. No. 535. The motion prevailed.

Senator Moe, R.D. moved that H.F. No. 1 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Senator Moe, R.D. moved that an urgency be declared within the meaning of Article IV,

Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1 was read the second time.

Senator Moe, R.D. moved that H.F. No. 1 be laid on the table. The motion prevailed.

RECESS

Senator Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

Senator Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Moe, R.D. moved that H.F. No. 1 be taken from the table. The motion prevailed.

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.

Senator Johnson, D.J. moved to amend H.F. No. 1 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 1, and insert the language after the enacting clause, and the title, of S.F. No. 396, the first engrossment.

The motion prevailed. So the amendment was adopted.

Senator Johnson, D.J. then moved to amend H.F. No. 1, as amended by the Senate February 8, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 396.)

Page 3, line 26, after "(e)" insert "Except for individuals who qualify under paragraph (f),"

Page 3, line 31, delete "the 1997 Minnesota" and insert "a 1997 federal"

Page 3, line 34, delete "nonresidents or"

Page 3, after line 35, insert:

"(f) Individuals who were not residents of Minnesota for any part of 1997 and who paid more than \$10 in Minnesota sales tax on nonbusiness consumer purchases in that year qualify for a rebate under this paragraph only. Qualifying nonresidents must file a claim for rebate on a form prescribed by the commissioner before the later of April 15, 1999, or 30 days after the date of enactment of this act. The claim must include receipts showing the Minnesota sales tax paid and the date of the sale. Taxes paid on purchases allowed in the computation of federal taxable income or reimbursed by an employer are not eligible for the rebate. The commissioner shall determine the qualifying taxes paid and rebate the lesser of 59.6 percent of that amount or \$1,000."

Page 3, line 36, delete "(f)" and insert "(g)"

Page 4, line 15, delete "(g)" and insert "(h)"

Page 4, lines 17 and 21, delete "and" and after "(e)" insert ", and (f)"

Page 4, line 28, delete "(h)" and insert "(i)"

Page 4, line 32, delete "(i)" and insert "(j)"

Page 4, line 34, after "amended," insert "is based that are"

Page 5, line 2, delete "(j)" and insert "(k)"

Page 5, line 8, delete "(k)" and insert "(l)"

Page 5, line 10, delete "(l)" and insert "(m)"

Page 5, line 15, delete "(m)" and insert "(n)"

Page 5, line 21, delete "(n)" and insert "(o)"

Page 5, line 28, delete "(o)" and insert "(p)"

Page 5, line 34, delete "(p)" and insert "(q)"

Page 6, line 2, delete "(q)" and insert "(r)"

Page 6, line 16, delete "(r)" and insert "(s)"

Page 10, line 18, delete "on at least 160 acres"

Page 10, line 19, after "1998" insert ", provided the farmer is certified to have produced an agricultural crop on at least 160 acres that year"

Page 11, line 18, delete "April 1" and insert "March 15"

Senator Stumpf moved to amend the second Johnson, D.J. amendment to H.F. No. 1 as follows:

Page 2, delete lines 4 to 6

Page 2, after line 7, insert:

"Page 11, after line 33, insert:

"Subd. 8a. [INCOME-RELATED PHASE-OUT.] The payment under subdivision 2 and the refund under subdivision 4 must be reduced if the 1997 adjusted gross income of the farmer and spouse, if any, exceeds \$35,000. The payment or refund must be reduced by ten percent for each \$1,000 or portion thereof that the adjusted gross income exceeds \$35,000. The reduction shall not reduce the payment below \$0. A farmer must attach a copy of the farmer's 1997 federal income tax return, including schedule F, to the application under subdivision 2 or the certification under subdivision 7."

Page 11, line 36, delete "\$3,000" and insert "\$10,000"

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

Senator Morse moved to amend the Stumpf amendment to the second Johnson, D.J. amendment as follows:

Page 1, line 16, delete "\$10,000" and insert "\$4,000"

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

Senator Olson moved to amend the second Johnson, D.J. amendment to H.F. No. 1 as follows:

Page 1, delete lines 5 to 37

Page 2, delete lines 1 and 2

CALL OF THE SENATE

Senator Moe, R.D. imposed a call of the Senate for the balance of the proceedings on H.F. No. 1. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Olson amendment to the second Johnson, D.J. amendment.

The roll was called, and there were yeas 22 and nays 41, as follows:

Those who voted in the affirmative were:

Belanger	Kiscaden	Lesewski	Ourada	Scheevel
Day	Kleis	Limmer	Pariseau	Stevens
Dille	Knutson	Neuville	Robertson	
Fischbach	Laidig	Oliver	Robling	
Frederickson	Larson	Olson	Runbeck	

Those who voted in the negative were:

Anderson	Higgins	Langseth	Piper	Stumpf
Beckman	Hottinger	Lessard	Pogemiller	Ten Eyck
Berg	Janezich	Lourey	Price	Vickerman
Berglin	Johnson, D.H.	Marty	Ranum	Wiener
Betzold	Johnson, D.J.	Metzen	Sams	Wiger
Cohen	Johnson, J.B.	Moe, R.D.	Samuelson	
Flynn	Junge	Morse	Scheid	
Foley	Kelley, S.P.	Murphy	Solon	
Hanson	Krentz	Novak	Spear	

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

The question recurred on the adoption of the second Johnson, D.J. amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Johnson, D.J. moved to amend H.F. No. 1, as amended by the Senate February 8, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 396.)

Page 2, line 17, after "1999," insert "or who filed a 1997 Minnesota income tax return and had a tax liability before refundable credits on that return of at least \$1 but did not file the claim for credit authorized under Laws 1997, chapter 231, article 1, section 16, as amended, and who were not claimed as dependents on a 1997 federal income tax return filed by another person"

Page 2, line 21, after the second comma, insert "or the 1997 Minnesota income tax return"

Page 2, delete lines 23 to 36 and insert:

" Income	Sales Tax Rebate
less than \$2,500	\$ 338
at least \$2,500 but less than \$5,000	\$ 431
at least \$5,000 but less than \$10,000	\$ 448
at least \$10,000 but less than \$15,000	\$ 502
at least \$15,000 but less than \$20,000	\$ 547
at least \$20,000 but less than \$25,000	\$ 584
at least \$25,000 but less than \$30,000	\$ 624
at least \$30,000 but less than \$35,000	\$ 667

<u>at least \$35,000 but less than \$40,000</u>	<u>\$ 702</u>
<u>at least \$40,000 but less than \$45,000</u>	<u>\$ 738</u>
<u>at least \$45,000 but less than \$50,000</u>	<u>\$ 779</u>
<u>at least \$50,000 but less than \$60,000</u>	<u>\$ 836</u>
<u>at least \$60,000 but less than \$70,000</u>	<u>\$ 918 "</u>

Page 3, delete lines 1 to 9 and insert:

" <u>at least \$70,000 but less than \$80,000</u>	<u>\$ 994</u>
<u>at least \$80,000 but less than \$90,000</u>	<u>\$1,069</u>
<u>at least \$90,000 but less than \$100,000</u>	<u>\$1,149</u>
<u>at least \$100,000 but less than \$120,000</u>	<u>\$1,231</u>
<u>at least \$120,000 but less than \$140,000</u>	<u>\$1,386</u>
<u>at least \$140,000 but less than \$160,000</u>	<u>\$1,492</u>
<u>at least \$160,000 but less than \$180,000</u>	<u>\$1,582</u>
<u>at least \$180,000 but less than \$200,000</u>	<u>\$1,721</u>
<u>at least \$200,000 but less than \$250,000</u>	<u>\$1,874</u>
<u>at least \$250,000 but less than \$500,000</u>	<u>\$2,000</u>
<u>\$500,000 and over</u>	<u>\$2,000 "</u>

Page 3, line 12, after the third comma, insert "or the 1997 Minnesota income tax return"

Page 3, delete lines 14 to 25 and insert:

<u>" Income</u>	<u>Sales Tax Rebate</u>
<u>less than \$2,500</u>	<u>\$ 178</u>
<u>at least \$2,500 but less than \$5,000</u>	<u>\$ 221</u>
<u>at least \$5,000 but less than \$10,000</u>	<u>\$ 274</u>
<u>at least \$10,000 but less than \$15,000</u>	<u>\$ 323</u>
<u>at least \$15,000 but less than \$20,000</u>	<u>\$ 379</u>
<u>at least \$20,000 but less than \$25,000</u>	<u>\$ 426</u>
<u>at least \$25,000 but less than \$30,000</u>	<u>\$ 472</u>
<u>at least \$30,000 but less than \$40,000</u>	<u>\$ 530</u>
<u>at least \$40,000 but less than \$50,000</u>	<u>\$ 608</u>
<u>at least \$50,000 but less than \$70,000</u>	<u>\$ 723</u>
<u>at least \$70,000 but less than \$100,000</u>	<u>\$ 920</u>
<u>at least \$100,000 but less than \$140,000</u>	<u>\$1,000</u>
<u>at least \$140,000 but less than \$200,000</u>	<u>\$1,000</u>
<u>at least \$200,000 but less than \$250,000</u>	<u>\$1,000</u>
<u>at least \$250,000 but less than \$500,000</u>	<u>\$1,000</u>
<u>\$500,000 and over</u>	<u>\$1,000 "</u>

Page 3, delete lines 26 to 35

Page 3, line 36, delete "(f)" and insert "(e)"

Page 4, line 15, delete "(g)" and insert "(f)"

Page 4, line 28, delete "(h)" and insert "(g)"

Page 4, line 32, delete "(i)" and insert "(h)"

Page 5, line 2, delete "(j)" and insert "(i)"

Page 5, line 8, delete "(k)" and insert "(j)"

Page 5, line 10, delete "(l)" and insert "(k)"

Page 5, line 15, delete "(m)" and insert "(l)"

Page 5, line 21, delete "(n)" and insert "(m)"

Page 5, line 28, delete "(o)" and insert "(n)"

Page 5, line 34, delete "(p)" and insert "(o)"

Page 6, line 2, delete "(q)" and insert "(p)"

Page 6, line 16, delete "(r)" and insert "(q)"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Johnson, D.J. then moved to amend H.F. No. 1, as amended by the Senate February 8, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 396.)

Page 2, delete lines 6 to 10

Page 2, line 17, delete everything after "a"

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

Page 4, line 5, delete "(i)" and insert "(h)"

Page 4, line 8, delete "(c) or (d)" and insert "(b) or (c)"

Page 4, line 14, delete "(i)" and insert "(h)"

Page 4, line 16, delete "(c), (d)" and insert "(b), (c)"

Page 4, line 17, delete "(e)" and insert "(d)"

Page 4, line 21, delete "(c), (d), and (e)" and insert "(b), (c), and (d)"

Page 4, delete lines 22 to 24

Page 4, line 25, delete everything before "These"

Reletter the paragraphs in sequence

The motion prevailed. So the amendment was adopted.

Senator Scheevel moved to amend H.F. No. 1, as amended by the Senate February 8, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 396.)

Delete everything after the enacting clause and insert:

"ARTICLE 1

INCOME AND PROPERTY TAX REBATE; AGRICULTURAL ASSISTANCE

Section 1. [1999 INCOME AND PROPERTY TAX REBATE.]

Subdivision 1. [PAYMENT REQUIRED.] The commissioner of revenue shall pay an income tax rebate to each individual or married couple who paid tax under Minnesota Statutes, chapter 290, for a taxable year beginning after December 31, 1996, and before January 1, 1998. 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. The commissioner shall pay the rebate by (1) 60 days after the day following final enactment of this section for returns filed before January 1, 1999; or (2) within 90 days after the commissioner receives the taxpayer's return for all other returns. Payments of the rebate made after the required payment date bear interest at the rate provided in Minnesota Statutes, section 270.76. For returns filed after July 1, 1999, the commissioner may allow the income tax rebate as a credit against the tax imposed.

Subd. 2. [AMOUNT ALLOWED.] (a) The amount of the income tax rebate equals the sum of:

- (1) 100 percent of the first \$150 of income tax liability; and
- (2) 20 percent of any income tax liability in excess of \$150.

The maximum income tax rebate is \$7,600 for married taxpayers filing joint returns and surviving spouses, and \$3,800 for all other taxpayers.

(b) Income tax liability means the liability for tax computed under Minnesota Statutes, sections 290.06 and 290.091, and before subtraction of the credits in Minnesota Statutes, sections 290.067 and 290.0671, and Laws 1997, chapter 231, article 1, section 16, as amended.

(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.

Subd. 3. [NO OFFSET OF INTEREST AND PENALTIES.] The rebate may not be used to offset any interest and penalties resulting from underpayment of estimated tax for taxable year 1997.

Subd. 4. [JOINT RETURNS.] Individuals who filed a joint return must receive a joint rebate. After the rebate has been issued, but before the check has been cashed, either joint claimant may request a separate check for one-half of the rebate.

Subd. 5. [APPLICATION OF OTHER LAWS.] (a) The rebate is a "Minnesota tax law" for purposes of Minnesota Statutes, section 270B.01, subdivision 8.

(b) The 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 rebate is payable to each spouse equally.

(c) The 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 a joint rebate to the spouse who does not owe the debt.

Subd. 6. [UNCASHED CHECKS.] If the commissioner of revenue cannot locate an individual entitled to a rebate by July 1, 2001, or if an individual to whom a rebate was issued has not cashed the check by July 1, 2001, the right to the rebate lapses and the check must be deposited in the general fund.

Subd. 7. [FILING PERMITTED.] Individuals entitled to a rebate under this section, but who did not receive one, and individuals who receive a rebate that was not correctly computed, must file a claim with the commissioner before July 1, 2000, in a form prescribed by the commissioner. The commissioner shall treat these claims as claims for refund under Minnesota Statutes, section 289A.50, subdivisions 4 and 7.

Subd. 8. [WRONGLY CASHED CHECKS.] If a 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.

Subd. 9. [CONTRACTING AUTHORITY.] 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.

Subd. 10. [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.

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 2, paragraph (c), by one percentage point for each \$4,000,000 of unrestricted general fund budgetary balance that becomes available for fiscal year 1999.

Sec. 2. [AGRICULTURAL ASSISTANCE IN 1999.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

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

(c) "Farm service agency" means the United States Farm Service Agency.

(d) "Farmer" means a person who produces an agricultural crop or livestock and is certified by the farm service agency as bearing a percentage of the risk for the production operation.

(e) "Livestock" means cattle, hogs, poultry, and sheep.

(f) "Livestock production facility" means a facility that has produced at least \$10,000 in sales of livestock or dairy products as reported on schedule F of the farmer's federal income tax return for either taxable years beginning in calendar year 1997 or 1998.

Subd. 2. [PAYMENT TO FARMERS.] Every farmer may apply to the commissioner by April 1, 1999, for a payment as provided under this subdivision. The payment is equal to \$4 for every acre in Minnesota on which the farmer produced an agricultural crop for crop year 1998 as certified by the farm service agency by December 31, 1998. The commissioner shall prepare application forms for the payment and ensure that they are available throughout the state. To receive a payment under this subdivision, a farmer must include with the application a certification from the farm service agency of the number of acres farmed including any percentage of risk for particular acres. The commissioner shall make the payment to each eligible farmer by May 1, 1999.

Subd. 3. [LIVESTOCK PRODUCERS.] Only a farmer who operates a livestock production facility on 160 acres or less is eligible for the agricultural property tax refund under subdivisions 4 to 8. The refund is in lieu of the per acre payment under subdivision 2. To qualify, the farmer must apply for the refund as provided in subdivisions 4 to 8.

Subd. 4. [REFUND.] The refund equals the full amount of the property tax payment due and payable on May 15, 1999, on class 1b agricultural homestead property or class 2a agricultural homestead property as defined in Minnesota Statutes, section 273.13, excluding that portion of the tax attributable to the house, garage, and surrounding acre of land. If a portion of the property was leased for the 1998 agricultural production year, the refund amount shall be prorated so that only the portion of the property which was not leased for the 1998 agricultural production year qualifies for the refund.

Subd. 5. [CERTIFICATION.] The commissioner shall develop a form by February 15, 1999, for use by the county auditors to ascertain qualification for the refund under subdivisions 4 to 8. The form shall require the property owner to certify that (i) the owner operates a livestock production facility on 160 acres or less, and (ii) the percentage of that property, if any, that was leased to anyone for the 1998 agricultural production year. Any person qualifying under

subdivision 3 shall contact the county auditor in the county where the livestock production facility is located and shall file the required form with the county auditor by April 1, 1999.

Subd. 6. [VERIFICATION.] The county auditor shall determine the amount of the refund for all qualifying properties in the county for which the owner has applied under subdivision 5. By April 10, 1999, the county auditor shall notify all applicants of the amount of the refund.

Subd. 7. [CERTIFICATION AND PAYMENT.] By April 20, 1999, any person eligible for the refund under subdivisions 4 to 8 shall send the commissioner a copy of the certification that the taxpayer received from the county auditor. The commissioner shall issue a refund to each qualifying taxpayer by May 10, 1999.

Subd. 8. [PROPERTY TAX REFUND.] Taxpayers benefiting from the refund under subdivisions 4 to 8 must deduct the amount of the refund from the net property taxes payable when applying for a property tax refund under Minnesota Statutes 1998, section 290A.04, subdivision 2.

Subd. 9. [LIMIT.] No person may receive a payment under subdivision 2 or a property tax refund under subdivisions 4 to 8 that exceeds \$10,000.

Sec. 3. [APPROPRIATION.]

(a) The amount necessary to pay the rebate under section 1 is appropriated from the general fund to the commissioner of revenue. The first \$200,000,000 of this appropriation is from the tax reform and reduction account.

(b) \$1,075,000 is appropriated from the general fund to the commissioner of revenue to administer the rebate under section 1.

(c) The amount of the payments required under section 2, subdivisions 2 and 7, is appropriated from the general fund to the commissioner of revenue for fiscal year 1999.

(d) \$68,000 is appropriated to the commissioner of revenue for distribution to counties for the costs of administering section 2, subdivisions 4 to 8.

Sec. 4. [EFFECTIVE DATE.]

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

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.

(c) 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.

(d) 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.

(e) 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.

ARTICLE 3

CAPITAL IMPROVEMENTS

Section 1. [STATEMENT OF PURPOSE.]

This legislation is intended to restore to the unrestricted general fund budgetary balance certain money allocated as a result of the November 1998 forecast of general fund revenues and expenditures under the provisions of Laws 1998, chapter 389, article 9, section 2, as amended by Laws 1998, chapter 408, section 22.

Sec. 2. [CAPITAL IMPROVEMENT APPROPRIATIONS.]

The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund to the state agencies or officials indicated, to be spent for public purposes including to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this article. Unless otherwise specified, the appropriations in this article are available until the project is completed or abandoned.

SUMMARY

UNIVERSITY OF MINNESOTA	\$ 129,200,000
MINNESOTA STATE COLLEGES AND UNIVERSITIES	15,960,000
NATURAL RESOURCES	3,430,000
PUBLIC FACILITIES AUTHORITY	30,300,000
TRANSPORTATION	81,000,000
INDIAN AFFAIRS COUNCIL	1,700,000
TRADE AND ECONOMIC DEVELOPMENT	131,910,000
MINNESOTA HISTORICAL SOCIETY	6,500,000
BOND SALE EXPENSES	400,000
CANCELLATIONS	(400,000)
TOTAL	\$ 400,000,000
Bond Proceeds Fund	370,000,000
Transportation Fund	30,000,000

APPROPRIATIONS

\$

Sec. 3. UNIVERSITY OF MINNESOTA

Subdivision 1. To the board of regents of the University of Minnesota for the purposes specified in this section

129,200,000

Subd. 2. Twin Cities - Minneapolis

(a) Amundson Hall

1,250,000

(b) Utility Infrastructure

2,500,000

(c) Folwell Hall Renovation

690,000

(d) Walter Digital Technology Center/Science and Engineering Library

53,215,000

Subd. 3. Twin Cities - St. Paul

(a) Gortner and Snyder Halls

4,000,000

(b) Greenhouse Renovation and Replacement

900,000

(c) Peters Hall, Phase II

6,950,000

Subd. 4. Women's Athletics Fields and Facilities

2,780,000

Subd. 5. Crookston Facility Improvements

3,705,000

(1) Early Child Development Center new construction;

(2) Knutson Hall remodeling;

(3) Owen Hall Addition remodeling; and

(4) University Teaching and Outreach Center stable expansion.

Subd. 6. Duluth

(a) Library

20,850,000

(b) Academic Space Renovation

200,000

Subd. 7. Morris

27,760,000

This project consists of four components:

(1) an addition to the existing science building;

(2) renovating of the science auditorium/lecture hall;

(3) expansion of the heating plant; and

(4) an addition to the Physical Education Center in partnership with the Morris community.

Subd. 8. Agricultural Experiment Stations

4,400,000

(1) \$2,600,000 for swine research facilities at Morris and Waseca.

\$200,000 of this appropriation is for a low-input systems research facility at Morris and \$200,000 is for an extensive confinement (including Swedish deep bedded system) research facility at Morris;

(2) \$700,000 for the Arboretum/Horticultural Research Center laboratory in Victoria;

(3) \$800,000 for Cloquet Forestry Center dormitory remodeling; and

(4) \$300,000 for Grand Rapids Administration Building addition.

Sec. 4. MINNESOTA STATE COLLEGES AND UNIVERSITIES

Subdivision 1. To the board of trustees of the Minnesota state colleges and universities for the purposes specified in this section

15,960,000

Subd. 2. Mankato State University

10,960,000

Subd. 3. Rochester Regional Recreation and Sports Center

5,000,000

Sec. 5. NATURAL RESOURCES

3,430,000

To the commissioner of natural resources for office facility consolidation.

Sec. 6. PUBLIC FACILITIES AUTHORITY

Subdivision 1. To the public facilities authority for the purposes specified in this section

30,300,000

Subd. 2. Matching Money for Federal Grants

15,000,000

Subd. 3. Wastewater Infrastructure Program

15,300,000

Sec. 7. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section

81,000,000

Subd. 2. Local Bridge Replacement and Rehabilitation

30,000,000

Subd. 3. Transitways

46,500,000

Subd. 4. Port Development Assistance

4,500,000

Sec. 8. INDIAN AFFAIRS COUNCIL

1,700,000

To the Indian affairs council for construction of the Battle Point Cultural and Education Center.

Sec. 9. TRADE AND ECONOMIC DEVELOPMENT

Subdivision 1. To the commissioner of trade and economic development or other named official for the purposes specified in this section

131,910,000

Subd. 2. Minneapolis Convention Center	87,145,000
Subd. 3. Duluth Entertainment and Convention Center	12,000,000
Subd. 4. Mayo Civic Center	2,800,000
Subd. 5. St. Cloud Community Event Center	6,100,000
Subd. 6. Fergus Falls Convention Center	1,500,000
Subd. 7. Hutchinson Community Civic Center	1,000,000
Subd. 8. Humboldt Avenue Greenway Project	7,000,000
Subd. 9. Prairieland Expo	3,000,000
Subd. 10. Montevideo Downtown Revitalization	1,500,000
Subd. 11. Paramount Arts District Regional Arts Center	750,000
Subd. 12. Veterans Memorial Performing Arts Amphitheater	315,000
Subd. 13. Brooklyn Center Earle Brown Heritage Center Restoration	2,500,000
Subd. 14. Minnesota African-American Performing Arts Center	2,250,000
Subd. 15. Phalen Corridor	3,850,000
Subd. 16. Headwaters Science Center	200,000
Sec. 10. MINNESOTA HISTORICAL SOCIETY	
Subdivision 1. To the Minnesota Historical Society for the purposes specified in this section	6,500,000
Subd. 2. Northwest Company Fur Post Interpretive Center	1,500,000
Subd. 3. St. Anthony Falls Heritage Education Center	4,000,000
Subd. 4. Humphrey Museum and Learning Center, Waverly	1,000,000
Sec. 11. BOND SALE EXPENSES	400,000
To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.	

Sec. 12. [PURPOSE.]

The purpose and use of appropriations in sections 3 to 11 of this article are for the same purpose and use for identical projects as authorized in Laws 1998, chapter 404. This act does not

change or limit the purpose and use of the appropriations and related requirements in Laws 1998, chapter 404.

Sec. 13. [BOND SALE AUTHORIZATIONS.]

Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this article from the bond proceeds fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$370,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. [TRANSPORTATION FUND.] To provide the money appropriated in this article from the transportation fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$30,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Sec. 14. Laws 1998, chapter 404, section 27, subdivision 1, is amended to read:

Subdivision 1. [BOND PROCEEDS FUND.] To provide the money appropriated in this act from the bond proceeds fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to ~~\$463,795,000~~ \$105,145,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Sec. 15. [CANCELLATION AND REDUCED AUTHORIZATION.]

\$400,000 of the appropriation in Laws 1998, chapter 404, section 26, for bond sale expense is canceled. The bond sale authorization in Laws 1998, chapter 404, section 27, subdivision 1, is reduced by \$400,000.

Sec. 16. [EFFECTIVE DATE.]

This article is effective the day after its final enactment."

Amend the title accordingly

Senator Scheevel then moved to amend the Scheevel amendment to H.F. No. 1 as follows:

Page 5, delete lines 12 to 28

The motion prevailed. So the amendment was adopted.

The question recurred on the Scheevel amendment, as amended.

The roll was called, and there were yeas 22 and nays 42, as follows:

Those who voted in the affirmative were:

Belanger	Kiscaden	Lesewski	Ourada	Scheevel
Day	Kleis	Limmer	Pariseau	Stevens
Dille	Knutson	Neuville	Robertson	
Fischbach	Laidig	Oliver	Robling	
Frederickson	Larson	Olson	Runbeck	

Those who voted in the negative were:

Anderson	Flynn	Johnson, D.H.	Krentz	Moe, R.D.
Beckman	Foley	Johnson, D.J.	Langseth	Morse
Berg	Hanson	Johnson, J.B.	Lessard	Murphy
Berglin	Higgins	Junge	Lourey	Pappas
Betzold	Hottinger	Kelley, S.P.	Marty	Piper
Cohen	Janezich	Kelly, R.C.	Metzen	Pogemiller

Price
Ranum
Sams

Samuelson
Scheid
Solon

Spear
Stumpf

Ten Eyck
Vickerman

Wiener
Wiger

The motion did not prevail. So the Scheevel amendment, as amended, was not adopted.

Senator Laidig moved to amend H.F. No. 1, as amended by the Senate February 8, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 396.)

Page 6, after line 30, insert:

"Sec. 4. [REPEAL.]

Sections 1 to 3 are repealed upon issuance of a revenue ruling by the Internal Revenue Service that the rebates payable under section 2 will be taxable income to the recipient for federal income tax purposes."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 41, as follows:

Those who voted in the affirmative were:

Belanger	Kiscaden	Lesewski	Ourada	Runbeck
Day	Kleis	Limmer	Pappas	Scheevel
Dille	Knutson	Neuville	Pariseau	Stevens
Fischbach	Laidig	Oliver	Robertson	
Frederickson	Larson	Olson	Robling	

Those who voted in the negative were:

Anderson	Higgins	Krentz	Novak	Stumpf
Beckman	Hottinger	Langseth	Piper	Ten Eyck
Berg	Janezich	Lessard	Pogemiller	Vickerman
Berglin	Johnson, D.H.	Lourey	Price	Wiener
Betzold	Johnson, D.J.	Marty	Ranum	Wiger
Cohen	Johnson, J.B.	Metzen	Sams	
Flynn	Junge	Moe, R.D.	Samuelson	
Foley	Kelley, S.P.	Morse	Scheid	
Hanson	Kelly, R.C.	Murphy	Spear	

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

Senator Neuville moved to amend H.F. No. 1, as amended by the Senate February 8, 1999, as follows:

(The text of the amended House File is identical to S.F. No. 396.)

Pages 1 to 6, delete article 1 and insert:

"ARTICLE 1

INCOME TAX REBATE; SALES TAX REBATE

Section 1. [1999 TAX REBATES.]

Subdivision 1. [INCOME TAX REBATE.] (a) The commissioner of revenue shall pay an income tax rebate to each individual or married couple who paid tax under Minnesota Statutes, chapter 290, for a taxable year beginning after December 31, 1996, and before January 1, 1998. The commissioner shall pay the rebate by (1) 60 days after the day following final enactment of this section for returns filed before January 1, 1999; or (2) within 90 days after the commissioner

receives the taxpayer's return for all other returns. Payments of the rebate made after the required payment date bear interest at the rate provided in Minnesota Statutes, section 270.76. For returns filed after July 1, 1999, the commissioner may allow the income tax rebate as a credit against the tax imposed.

(b) For the purpose of calculating the income tax rebate under this subdivision, the commissioner of revenue shall calculate a modification reducing taxable income for each return. The modification is equal to \$2,000 for each deduction taken under section 151 of the Internal Revenue Code of 1986, as amended through December 31, 1998, for the taxable year beginning after December 31, 1996, and before January 1, 1998. The commissioner of revenue shall calculate the tax liability on each return which would have been due if the modification calculated under this subdivision had been allowed for the taxable year. The amount of the income tax rebate is equal to the difference between the tax liability after nonrefundable credits calculated using the modification under this subdivision and the tax liability after nonrefundable credits which was determined to be due under this chapter for the taxable year. The rebate under this subdivision cannot exceed the final tax liability determined for a return for the taxable year.

Subd. 2. [SALES TAX REBATE.] (a)(1) The state of Minnesota derives revenues from a variety of taxes, fees, and other sources, including the state sales tax.

(2) It is fair and reasonable to refund at least a portion of the existing state budget surplus in the form of a rebate of nonbusiness consumer sales taxes paid by individuals in calendar year 1997.

(3) 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.

(4) 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.

(b) By July 15, 1999, the commissioner of finance shall certify to the commissioner of revenue the amount of revenues available for rebate. The amount available is the unrestricted general fund budgetary fund balance as of June 30, 1999, plus \$423,300,000.

(c) 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, shall receive a portion of the amount certified in this paragraph in the form of a sales tax rebate.

(d) The sales tax rebate for taxpayers who filed the claim for credit authorized under Laws 1997, chapter 231, article 1, section 16, as amended, as married filing joint or head of household must be computed according to the following schedule:

<u>Income</u>	<u>Sales Tax Rebate</u>
less than \$2,500	\$ 187
at least \$2,500 but less than \$5,000	\$ 238
at least \$5,000 but less than \$10,000	\$ 248
at least \$10,000 but less than \$15,000	\$ 278
at least \$15,000 but less than \$20,000	\$ 303
at least \$20,000 but less than \$25,000	\$ 323
at least \$25,000 but less than \$30,000	\$ 345
at least \$30,000 but less than \$35,000	\$ 369
at least \$35,000 but less than \$40,000	\$ 388
at least \$40,000 but less than \$45,000	\$ 407
at least \$45,000 but less than \$50,000	\$ 430
at least \$50,000 but less than \$60,000	\$ 462

<u>at least \$60,000 but less than \$70,000</u>	<u>\$ 507</u>
<u>at least \$70,000 but less than \$80,000</u>	<u>\$ 549</u>
<u>at least \$80,000 but less than \$90,000</u>	<u>\$ 590</u>
<u>at least \$90,000 but less than \$100,000</u>	<u>\$ 634</u>
<u>at least \$100,000 but less than \$120,000</u>	<u>\$ 680</u>
<u>at least \$120,000 but less than \$140,000</u>	<u>\$ 765</u>
<u>at least \$140,000 but less than \$160,000</u>	<u>\$ 824</u>
<u>at least \$160,000 but less than \$180,000</u>	<u>\$ 873</u>
<u>at least \$180,000 but less than \$200,000</u>	<u>\$ 950</u>
<u>\$200,000 and over</u>	<u>\$1,000</u>

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 must be computed according to the following schedule:

<u>Income</u>	<u>Sales Tax Rebate</u>
<u>less than \$2,500</u>	<u>\$ 98</u>
<u>at least \$2,500 but less than \$5,000</u>	<u>\$ 122</u>
<u>at least \$5,000 but less than \$10,000</u>	<u>\$ 151</u>
<u>at least \$10,000 but less than \$15,000</u>	<u>\$ 178</u>
<u>at least \$15,000 but less than \$20,000</u>	<u>\$ 209</u>
<u>at least \$20,000 but less than \$25,000</u>	<u>\$ 235</u>
<u>at least \$25,000 but less than \$30,000</u>	<u>\$ 261</u>
<u>at least \$30,000 but less than \$40,000</u>	<u>\$ 292</u>
<u>at least \$40,000 but less than \$50,000</u>	<u>\$ 335</u>
<u>at least \$50,000 but less than \$70,000</u>	<u>\$ 399</u>
<u>\$70,000 and over</u>	<u>\$ 500</u>

(e) Except the sales tax rebate for individuals who filed a 1997 Minnesota income tax return and had a tax liability before refundable credits on that return of at least \$1 but did not file the claim for credit authorized under Laws 1997, chapter 231, article 1, section 16, as amended, and who were not claimed as dependents on the income tax return filed by another person, will receive a credit equal to \$50, multiplied by the fraction determined under Minnesota Statutes, section 290.06, subdivision 2c, paragraph (e), for part-year residents.

(f) "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 (i). 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 (i).

(g) Prior to payment, the commissioner of revenue shall reduce the sales tax rebates calculated in paragraphs (c), (d), (e), and (f) 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, so that the amount of sales tax rebates payable under paragraphs (c), (d), (e), and (f) do not exceed \$1,063,000,000. 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 \$1,063,000,000. These adjustments are not rules subject to Minnesota Statutes, chapter 14.

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

(i) A sales tax rebate shall 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, is based that are made by order or assessment after April 15, 1999, or made by the taxpayer that are filed with the commissioner of revenue after April 15, 1999.

Subd. 3. [NO OFFSET OF INTEREST AND PENALTIES.] The rebates may not be used to offset any interest and penalties resulting from underpayment of estimated tax for taxable year 1997.

Subd. 4. [JOINT RETURNS.] Individuals who filed a joint return must receive a joint rebate. After the rebate has been issued, but before the check has been cashed, either joint claimant may request a separate check for one-half of the rebate.

Subd. 5. [APPLICATION OF OTHER LAWS.] (a) The rebate is a "Minnesota tax law" for purposes of Minnesota Statutes, section 270B.01, subdivision 8.

(b) The 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 rebate is payable to each spouse equally.

(c) The 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 a joint rebate to the spouse who does not owe the debt.

Subd. 6. [UNCASHED CHECKS.] If the commissioner of revenue cannot locate an individual entitled to a rebate by July 1, 2001, or if an individual to whom a rebate was issued has not cashed the check by July 1, 2001, the right to the rebate lapses and the check must be deposited in the general fund.

Subd. 7. [FILING PERMITTED.] Individuals entitled to a rebate under this section, but who did not receive one, and individuals who receive a rebate that was not correctly computed, must file a claim with the commissioner before July 1, 2000, in a form prescribed by the commissioner. The commissioner shall treat these claims as claims for refund under Minnesota Statutes, section 289A.50, subdivisions 4 and 7.

Subd. 8. [WRONGLY CASHED CHECKS.] If a 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.

Subd. 9. [CONTRACTING AUTHORITY.] 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.

Subd. 10. [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. 2. [APPROPRIATION.]

The amount necessary to pay for and administer the rebate under section 1 is appropriated from the general fund to the commissioner of revenue."

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Beckman	Frederickson	Krentz	Oliver	Runbeck
Belanger	Hanson	Laidig	Olson	Scheevel
Berg	Kelly, R.C.	Larson	Ourada	Stevens
Day	Kiscaden	Lesewski	Pariseau	Ten Eyck
Dille	Kleis	Limmer	Robertson	Wiger
Fischbach	Knutson	Neuville	Robling	

Those who voted in the negative were:

Anderson	Cohen	Higgins	Johnson, D.H.	Junge
Berglin	Flynn	Hottinger	Johnson, D.J.	Kelley, S.P.
Betzold	Foley	Janezich	Johnson, J.B.	Langseth

Lessard	Morse	Pogemiller	Samuelson	Stumpf
Lourey	Murphy	Price	Scheid	Vickerman
Marty	Pappas	Ranum	Solon	Wiener
Moe, R.D.	Piper	Sams	Spear	

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

H.F. No. 1 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 44 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kelly, R.C.	Murphy	Scheid
Beckman	Higgins	Krentz	Novak	Solon
Belanger	Hottinger	Langseth	Pappas	Spear
Berg	Janezich	Lessard	Piper	Stumpf
Berglin	Johnson, D.H.	Lourey	Pogemiller	Ten Eyck
Betzold	Johnson, D.J.	Marty	Price	Vickerman
Cohen	Johnson, J.B.	Metzen	Ranum	Wiener
Flynn	Junge	Moe, R.D.	Sams	Wiger
Foley	Kelley, S.P.	Morse	Samuelson	

Those who voted in the negative were:

Day	Kleis	Limmer	Pariseau	Stevens
Dille	Knutson	Neuville	Robertson	
Fischbach	Laidig	Oliver	Robling	
Frederickson	Larson	Olson	Runbeck	
Kiscaden	Lesewski	Ourada	Scheevel	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, D.J. moved that S.F. No. 396, No. 14 on General Orders, be stricken and laid on the table. The motion prevailed.

Senator Solon moved that his name be stricken as chief author, shown as a co-author and the name of Senator Ten Eyck be added as chief author to S.F. No. 233. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Senators Spear; Kelly, R.C.; Knutson and Ten Eyck introduced--

S.F. No. 553: A bill for an act relating to courts; increasing the number of district court judges; appropriating money; amending Minnesota Statutes 1998, section 2.722, subdivision 1.

Referred to the Committee on Judiciary.

Senator Johnson, J.B. introduced--

S.F. No. 554: A bill for an act relating to natural resources; appropriating money for fire and rescue operations support for Interstate park.

Referred to the Committee on Environment and Natural Resources.

Senator Betzold introduced--

S.F. No. 555: A bill for an act relating to veterans; establishing a program to pay a monetary bonus to members of the national guard or the reserve components of the United States armed forces ordered to active duty after July 1, 1990; imposing a criminal penalty for false application; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Governmental Operations and Veterans.

Senators Piper, Foley, Higgins and Lourey introduced--

S.F. No. 556: A bill for an act relating to municipalities; making certain changes to municipal liability; amending Minnesota Statutes 1998, sections 466.01, subdivision 1; 466.03, subdivision 6e, and by adding a subdivision; 604A.20; 604A.21, subdivisions 2, 3, 4, 5, 6, and by adding a subdivision; 604A.22; and 604A.25.

Referred to the Committee on Local and Metropolitan Government.

Senator Johnson, J.B. introduced--

S.F. No. 557: A bill for an act relating to education; appropriating money for partners for quality school improvement.

Referred to the Committee on Children, Families and Learning.

Senator Johnson, J.B. introduced--

S.F. No. 558: A bill for an act proposing an amendment to the Minnesota Constitution, article XIV, by adding a section; dedicating portion of sales tax on motor vehicles to roads and public transit; reducing rate of registration tax on passenger automobiles; allocating revenues from motor vehicle sales tax; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; and 297B.09, subdivision 1.

Referred to the Committee on Transportation.

Senators Lourey, Dille; Johnson, J.B.; Larson and Beckman introduced--

S.F. No. 559: 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.

Referred to the Committee on Environment and Natural Resources.

Senators Larson, Vickerman, Dille and Lesewski introduced--

S.F. No. 560: A bill for an act relating to health; establishing a grant program in the Minnesota department of health for nursing facility technology rooms; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144A.

Referred to the Committee on Health and Family Security.

Senators Larson, Berg, Higgins and Lesewski introduced--

S.F. No. 561: A bill for an act relating to insurance; regulating motor vehicle glass repair and replacement; amending Minnesota Statutes 1998, section 72A.201, subdivision 6.

Referred to the Committee on Commerce.

Senators Oliver, Robling and Ranum introduced--

S.F. No. 562: A bill for an act relating to human services; authorizing a project to reconfigure two intermediate care facilities for persons with mental retardation located in Carver county.

Referred to the Committee on Health and Family Security.

Senators Lesewski, Robling, Kiscaden, Berglin and Piper introduced--

S.F. No. 563: A bill for an act relating to health; directing the commissioner of health to exempt certain wading pools from the requirements for public swimming pools.

Referred to the Committee on Health and Family Security.

Senators Lesewski, Vickerman, Kiscaden, Samuelson and Stevens introduced--

S.F. No. 564: A bill for an act relating to health; modifying requirements for nursing home administrators; amending Minnesota Statutes 1998, section 144A.04, subdivision 5.

Referred to the Committee on Health and Family Security.

Senators Ten Eyck, Larson and Stumpf introduced--

S.F. No. 565: A bill for an act relating to taxation; changing classification requirements for certain resorts; amending Minnesota Statutes 1998, section 273.13, subdivisions 22 and 25.

Referred to the Committee on Taxes.

Senators Ten Eyck, Larson and Stumpf introduced--

S.F. No. 566: A bill for an act relating to taxation; sales and use; exempting equipment and materials used to make improvements to certain resorts; amending Minnesota Statutes 1998, section 297A.25, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Beckman, Murphy, Sams, Stumpf and Dille introduced--

S.F. No. 567: A bill for an act relating to community development; clarifying and restating the powers of the rural policy and development center; providing for temporary employment of persons severely affected by the recent decline in agricultural commodity prices; appropriating money; amending Minnesota Statutes 1998, section 116J.421, subdivision 3, and by adding subdivisions.

Referred to the Committee on Jobs, Energy and Community Development.

Senators Beckman; Murphy; Johnson, D.H.; Higgins and Limmer introduced--

S.F. No. 568: A bill for an act relating to housing; appropriating money for the housing finance agency's bridges program.

Referred to the Committee on Jobs, Energy and Community Development.

Senators Ranum, Foley, Knutson, Berglin and Kiscaden introduced--

S.F. No. 569: A bill for an act relating to children; authorizing counties to establish programs for alternative responses to child maltreatment reports; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Judiciary.

Senators Janezich and Solon introduced--

S.F. No. 570: A bill for an act relating to education; extending levy for retired employee benefits; amending Minnesota Statutes 1998, section 126C.41, subdivision 2.

Referred to the Committee on Children, Families and Learning.

Senators Janezich and Solon introduced--

S.F. No. 571: A bill for an act relating to education; providing for supplemental revenue reduction; amending Minnesota Statutes 1998, section 126C.10, by adding a subdivision.

Referred to the Committee on Children, Families and Learning.

Senators Ranum, Berglin, Spear, Knutson and Lourey introduced--

S.F. No. 572: A bill for an act relating to crime prevention; increasing the penalty for committing a domestic assault when a child is likely to or does see or hear the violation; amending Minnesota Statutes 1998, section 609.2242, subdivision 2.

Referred to the Committee on Crime Prevention.

Senators Price, Belanger and Murphy introduced--

S.F. No. 573: A bill for an act relating to taxation; sales and use; including machinery used to produce certain plants and nursery stock in the definition of farm machinery; amending Minnesota Statutes 1998, section 297A.01, subdivision 15.

Referred to the Committee on Agriculture and Rural Development.

Senators Neuville, Robertson, Wiger, Scheid and Pappas introduced--

S.F. No. 574: 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.

Referred to the Committee on Children, Families and Learning.

Senators Morse, Laidig, Dille, Langseth and Hottinger introduced--

S.F. No. 575: A bill for an act relating to the environment; appropriating money for the development of a cost-benefit model for water quality standards.

Referred to the Committee on Environment and Natural Resources.

Senators Kiscaden, Ten Eyck and Knutson introduced--

S.F. No. 576: A bill for an act relating to real property; allowing owners of common interest property to make certain unit modifications; proposing coding for new law in Minnesota Statutes, chapter 515B.

Referred to the Committee on Judiciary.

Senators Kiscaden, Robertson, Scheevel, Scheid and Janezich introduced--

S.F. No. 577: A bill for an act relating to education; providing for substitute teacher licenses; modifying consecutive years of a teacher's probationary period as consecutive school years;

amending Minnesota Statutes 1998, sections 122A.18, by adding a subdivision; and 122A.40, subdivision 5.

Referred to the Committee on Children, Families and Learning.

Senators Lourey, Dille and Vickerman introduced--

S.F. No. 578: A bill for an act relating to health; providing for review of ambulance services and first responders; proposing coding for new law in Minnesota Statutes, chapter 144E.

Referred to the Committee on Health and Family Security.

Senators Vickerman, Dille and Lourey introduced--

S.F. No. 579: A bill for an act relating to municipal contracting; authorizing ambulance services to participate in shared service purchasing; amending Minnesota Statutes 1998, section 471.345, subdivision 10.

Referred to the Committee on Local and Metropolitan Government.

Senators Lourey, Samuelson, Scheevel, Kiscaden and Morse introduced--

S.F. No. 580: A bill for an act relating to health; adding provisions for training and education providers; appropriating money; amending Minnesota Statutes 1998, section 144A.10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 144A.

Referred to the Committee on Health and Family Security.

Senators Vickerman; Johnson, J.B.; Dille; Day and Stumpf introduced--

S.F. No. 581: A bill for an act relating to the environment; authorizing payment for failing individual sewage treatment systems from the environment and natural resources trust fund; amending Minnesota Statutes 1998, section 116P.08, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Stumpf introduced--

S.F. No. 582: A bill for an act relating to elections; permitting voters to vote for candidates of more than one political party in the state partisan primary; amending Minnesota Statutes 1998, section 204D.08, subdivision 4.

Referred to the Committee on Election Laws.

Senators Novak, Solon, Kleis, Metzen and Larson introduced--

S.F. No. 583: A bill for an act relating to commerce; requiring certain fire protection notifications in contracts for the sale of certain newly constructed residential dwellings; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senators Novak; Betzold; Ten Eyck; Johnson, D.H. and Fischbach introduced--

S.F. No. 584: A bill for an act relating to public safety; adding flammable and combustible gas to an arson definition; prohibiting plea agreements that reduce an arson in the first degree charge when an automated sprinkler system has limited damage; providing penalties for juveniles who possess or use butane lighters in educational or public assembly occupancies and who use such

lighters to ignite fireballs that endanger persons or property; amending Minnesota Statutes 1998, sections 609.561, subdivision 3; 609.5631, by adding a subdivision; and 609.5632.

Referred to the Committee on Crime Prevention.

Senators Neuville; Pariseau; Berg; Johnson, D.J. and Stevens introduced--

S.F. No. 585: A bill for an act relating to land servitudes; exempting owners of certain shooting ranges from liability for certain civil and criminal actions; proposing coding for new law in Minnesota Statutes, chapters 500; and 604A.

Referred to the Committee on Judiciary.

Senators Lesewski, Vickerman, Dille, Hanson and Fischbach introduced--

S.F. No. 586: A bill for an act relating to property taxation; exempting agricultural land from the general education levy; increasing general education aid; amending Minnesota Statutes 1998, sections 127A.48, by adding a subdivision; and 275.08, subdivision 1b.

Referred to the Committee on Agriculture and Rural Development.

Senators Lesewski, Vickerman, Larson, Day and Murphy introduced--

S.F. No. 587: A bill for an act relating to taxation; individual income; creating a subtraction for military pensions; amending Minnesota Statutes 1998, section 290.01, subdivision 19B.

Referred to the Committee on Governmental Operations and Veterans.

Senator Samuelson introduced--

S.F. No. 588: A bill for an act relating to health; requiring tobacco settlement proceeds to be deposited into the health care access fund; repealing MinnesotaCare premium and provider taxes; removing the funding cap for the senior citizen drug program; requiring the commissioner of human services to present recommendations to expand eligibility for the senior citizen drug program; amending Minnesota Statutes 1998, sections 16A.724; 60A.15, subdivision 1; 62J.041, subdivision 1; 62Q.095, subdivision 6; 62R.24; 214.16, subdivisions 2 and 3; 270B.01, subdivision 8; and 270B.14, subdivision 1; Laws 1997, chapter 225, article 4, section 4; repealing Minnesota Statutes 1998, sections 13.99, subdivision 86b; 62T.10; 144.1484, subdivision 2; 295.50; 295.51; 295.52; 295.53; 295.54; 295.55; 295.56; 295.57; 295.58; 295.582; and 295.59.

Referred to the Committee on Health and Family Security.

Senators Stumpf, Robertson and Pogemiller introduced--

S.F. No. 589: A bill for an act relating to education; authorizing a fund transfer for the Oklee school district.

Referred to the Committee on Children, Families and Learning.

Senators Vickerman, Beckman, Hanson and Scheevel introduced--

S.F. No. 590: A bill for an act relating to education funding; authorizing a grant to independent school district No. 330, Heron Lake-Okabena; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senators Betzold and Scheid introduced--

S.F. No. 591: A bill for an act relating to health; allowing reimbursement for supplemental private duty nursing services provided by spouses of recipients and other individuals who meet criteria related to financial hardship; amending Minnesota Statutes 1998, section 256B.0625, subdivision 7.

Referred to the Committee on Health and Family Security.

Senators Vickerman, Hanson, Olson, Day and Lessard introduced--

S.F. No. 592: A bill for an act relating to local government; preserving shooting ranges from planning and zoning laws and ordinances; limiting net loss of shooting ranges and providing for relocation costs; proposing coding for new law as Minnesota Statutes, chapter 87A.

Referred to the Committee on Local and Metropolitan Government.

Senator Kleis introduced--

S.F. No. 593: A bill for an act relating to capital improvements; correcting the name of a grant recipient to that of the project owner; amending Laws 1998, chapter 404, section 23, subdivision 17.

Referred to the Committee on Jobs, Energy and Community Development.

Senators Stevens, Stumpf, Olson, Lessard and Laidig introduced--

S.F. No. 594: A bill for an act relating to game and fish; modifying the disposition of emergency deer feeding funds; amending Minnesota Statutes 1998, section 97A.075, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Stevens, Langseth, Cohen, Berglin and Laidig introduced--

S.F. No. 595: A bill for an act relating to capital investment; amending a match requirement for the Isle Community Center grant; amending Laws 1998, chapter 404, section 5, subdivision 4.

Referred to the Committee on Jobs, Energy and Community Development.

Senators Hottinger; Johnson, J.B.; Dille; Knutson and Foley introduced--

S.F. No. 596: A bill for an act relating to human services; increasing funding for crisis nurseries; appropriating money.

Referred to the Committee on Health and Family Security.

Senators Wiger, Scheevel, Novak, Langseth and Scheid introduced--

S.F. No. 597: A bill for an act relating to education; increasing the annual operating capital funds; reducing the debt service threshold rate; increasing the debt service equalizing factor; consolidating facilities levies; reducing the alternative bonding and levy program square footage requirement; providing for a sunset of the disabled access levy; providing authority for school districts to lease new school buildings; appropriating money; amending Minnesota Statutes 1998, sections 123B.53; 123B.58, subdivisions 3 and 4; 123B.59; 123B.63, subdivisions 3 and 4; 126C.10, subdivision 13; and 126C.40, subdivisions 1, 2, 3, and 6; repealing Minnesota Statutes 1998, sections 123A.44; 123A.441; 123A.442; 123A.443; 123A.444; 123A.445; 123A.446; 123B.57, subdivisions 4, 5, and 7; 123B.58; 123B.63, subdivisions 1 and 2; 123B.64; 123B.66; 123B.67; 123B.68; and 123B.69.

Referred to the Committee on Children, Families and Learning.

Senators Beckman; Janezich; Ranum; Johnson, D.E. and Robertson introduced--

S.F. No. 598: A bill for an act relating to education; appropriating money to fund the child guide prevention program.

Referred to the Committee on Children, Families and Learning.

Senators Higgins; Anderson; Novak; Kelly, R.C. and Beckman introduced--

S.F. No. 599: A bill for an act relating to summer youth employment; appropriating money for learn to earn and community initiative programs.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Wiger introduced--

S.F. No. 600: A bill for an act relating to state agencies; codifying reorganization orders relating to the office of environmental assistance, the public service department, the transportation regulation board, and the departments of administration, public safety, and corrections; amending Minnesota Statutes 1998, sections 16B.42, subdivisions 3 and 4; 115D.08; 174.02, subdivisions 4 and 5; 174.10, subdivisions 1, 3, and 4; 174A.02, subdivisions 1, 2, and 4; 174A.04; 174A.06; 216C.41, subdivision 2; 219.074, subdivision 2; 219.402; 221.031, subdivision 1; 609.3241; 609.605, subdivision 2; 609.7495, subdivision 1; 611A.01; 611A.0311, subdivision 3; 611A.07, subdivision 1; 611A.25; 611A.32; 611A.34; 611A.35; 611A.36; 611A.361; 611A.55; 611A.57, subdivision 3; 611A.675, subdivision 1; 611A.71; and 611A.76; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 1998, sections 174A.01; 174A.02, subdivision 5; 174A.03; 174A.05; 218.011, subdivision 7; 611A.21; 611A.22; 611A.221; 611A.31; 611A.33; 611A.345; 611A.41; 611A.43; 611A.78; and Minnesota Rules, part 8850.6900.

Referred to the Committee on Governmental Operations and Veterans.

Senator Betzold introduced--

S.F. No. 601: A bill for an act relating to government data practices; clarifying the treatment of data on elected officials; amending Minnesota Statutes 1998, section 13.43, subdivision 1.

Referred to the Committee on Judiciary.

Senators Morse, Langseth, Dille, Lesewski and Ten Eyck introduced--

S.F. No. 602: A bill for an act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature for the Minnesota state colleges and universities; appropriating money.

Referred to the Committee on Children, Families and Learning.

Senator Pappas introduced--

S.F. No. 603: A bill for an act relating to the capitol area; directing the capitol area architectural and planning board and the Minnesota historical society to cooperate with the Philippine study group of Minnesota in causing a corrective plaque to be placed in the state capitol; appropriating money.

Referred to the Committee on Governmental Operations and Veterans.

Senators Pappas and Cohen introduced--

S.F. No. 604: A bill for an act relating to municipal contracting; requiring municipalities to request the state designer selection board to select primary designers for certain projects; amending Minnesota Statutes 1998, sections 16B.33, subdivision 1; and 471.345, by adding a subdivision.

Referred to the Committee on Governmental Operations and Veterans.

Senators Scheevel; Dille; Johnson, D.E.; Lesewski and Fischbach introduced--

S.F. No. 605: A bill for an act relating to agriculture; providing risk management, tax relief, right-to-farm, and technology development assistance; regulating growth of industrial hemp as an agricultural product; appropriating money; amending Minnesota Statutes 1998, sections 3.7371, subdivisions 1, 2, 3, and 5; 17.115, by adding a subdivision; 97B.655, subdivision 1; 123B.55; and 126C.17, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 18; and 290.

Referred to the Committee on Agriculture and Rural Development.

Senators Lourey; Scheid; Higgins; Johnson, D.E. and Pappas introduced--

S.F. No. 606: A resolution memorializing the United States Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women.

Referred to the Committee on Judiciary.

Senator Hottinger introduced--

S.F. No. 607: A bill for an act relating to tax expenditures; requiring preparation of certain information for proposed tax expenditures; regulating business subsidies; requesting a study by the legislative auditor; appropriating money; amending Minnesota Statutes 1998, section 270.067, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 3; and 116J; repealing Minnesota Statutes 1998, section 116J.991.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Samuelson introduced--

S.F. No. 608: A bill for an act relating to state government; merging the departments of health and human services.

Referred to the Committee on Health and Family Security.

Senators Price and Morse introduced--

S.F. No. 609: A bill for an act relating to water; requiring new landscape irrigation systems to have rain checks; proposing coding for new law in Minnesota Statutes, chapter 103G.

Referred to the Committee on Environment and Natural Resources.

Senators Lourey, Janezich and Higgins introduced--

S.F. No. 610: A bill for an act relating to children; clarifying eligibility criteria for students under basic sliding fee child care assistance; prohibiting counties from paying parents directly for child care expenses; appropriating money for the basic sliding fee program; amending Minnesota Statutes 1998, sections 119B.10, subdivision 1; and 119B.13, subdivision 6; repealing Laws 1997, chapter 248, section 46, as amended.

Referred to the Committee on Children, Families and Learning.

Senators Lourey, Sams and Morse introduced--

S.F. No. 611: A bill for an act relating to health; appropriating money to investigate complaints regarding emergency medical services.

Referred to the Committee on Health and Family Security.

Senator Lourey introduced--

S.F. No. 612: A bill for an act relating to liquor; authorizing the city of Proctor to issue an additional on-sale license.

Referred to the Committee on Commerce.

Senators Betzold and Wiger introduced--

S.F. No. 613: A bill for an act relating to animals; increasing certain penalties for cruelty to animals; defining acts or omissions constituting cruelty or abuse; imposing criminal penalties; amending Minnesota Statutes 1998, sections 343.20, subdivision 3, and by adding subdivisions; and 343.21, subdivisions 2, 7, 10, and by adding subdivisions; repealing Minnesota Statutes 1998, sections 343.21, subdivisions 1 and 9; and 346.57.

Referred to the Committee on Governmental Operations and Veterans.

Senators Wiger, Runbeck, Price, Pariseau and Vickerman introduced--

S.F. No. 614: A bill for an act relating to recreation; appropriating money for a regional trail.

Referred to the Committee on Environment and Natural Resources.

Senator Higgins introduced--

S.F. No. 615: 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.

Referred to the Committee on Local and Metropolitan Government.

Senators Price, Krentz, Wiger and Laidig introduced--

S.F. No. 616: A bill for an act relating to Washington county; changing the length of the terms of housing and redevelopment authority commissioners; amending Laws 1974, chapter 475, section 2, by adding a subdivision.

Referred to the Committee on Local and Metropolitan Government.

Senators Pogemiller and Moe, R.D. introduced--

S.F. No. 617: A bill for an act relating to elections; creating a redistricting commission to recommend the boundaries of legislative and congressional districts; proposing an amendment to the Minnesota Constitution, article IV, sections 2 and 3.

Referred to the Committee on Election Laws.

MEMBERS EXCUSED

Senator Terwilliger was excused from the Session of today. Senator Kelly, R.C. was excused from the Session of today from 11:30 a.m. to 1:30 p.m. Senator Pappas was excused from the Session of today from 12:05 to 1:30 p.m.

ADJOURNMENT

Senator Moe, R.D. moved that the Senate do now adjourn until 9:00 a.m., Thursday, February 11, 1999. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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