

## STATE OF MINNESOTA

## EIGHTY-SIXTH SESSION — 2009

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 NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 5, 2009

The House of Representatives convened at 10:30 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by the Reverend Dennis J. Johnson, House Chaplain.

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:

Abeler	Dittrich	Hilstrom	Lesch	Norton	Simon
Anderson, B.	Doepke	Hilty	Liebling	Obermueller	Slawik
Anderson, P.	Doty	Holberg	Lieder	Olin	Slocum
Anderson, S.	Downey	Hoppe	Lillie	Otremba	Smith
Anzelc	Drazkowski	Hornstein	Loeffler	Paymar	Solberg
Beard	Eastlund	Hortman	Loon	Pelowski	Sterner
Bly	Eken	Hosch	Mack	Peppin	Swails
Brod	Emmer	Howes	Magnus	Persell	Thao
Brown	Falk	Huntley	Mariani	Peterson	Thissen
Brynaert	Faust	Jackson	Marquart	Poppe	Tillberry
Buesgens	Fritz	Johnson	Masin	Reinert	Torkelson
Bunn	Gardner	Juhnke	McFarlane	Rosenthal	Urdahl
Carlson	Garofalo	Kahn	McNamara	Rukavina	Wagenius
Champion	Gottwalt	Kath	Morgan	Ruud	Ward
Clark	Greiling	Kelly	Morrow	Sailer	Welti
Cornish	Gunther	Kiffmeyer	Mullery	Sanders	Westrom
Davids	Hackbarth	Knuth	Murdock	Scalze	Winkler
Davnie	Hamilton	Koenen	Murphy, E.	Scott	Zellers
Dean	Hansen	Kohls	Murphy, M.	Seifert	Spk. Kelliher
Demmer	Hausman	Laine	Nelson	Sertich	
Dettmer	Haws	Lanning	Newton	Severson	
Dill	Hayden	Lenczewski	Nornes	Shimanski	

A quorum was present.

Benson, Bigham, Kalin and Mahoney were excused.

Atkins was excused until 11:30 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## IN MEMORIAM

The members of the House paused for a moment of silence in memory of former Representative Douglas G. Swenson of Forest Lake, Minnesota, who served from 1987-1998, who passed away on Sunday, February 1, 2009.

## REPORTS OF CHIEF CLERK

S. F. No. 49 and H. F. No. 95, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Lenczewski moved that S. F. No. 49 be substituted for H. F. No. 95 and that the House File be indefinitely postponed. The motion prevailed.

**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

Hilstrom from the Committee on Public Safety Policy and Oversight to which was referred:

H. F. No. 85, A bill for an act relating to traffic regulations; authorizing mounting global positioning systems on windshields; amending Minnesota Statutes 2008, section 169.71, subdivision 1.

Reported the same back with the following amendments:

Page 1, line 13, delete "bottom" and insert "bottommost portion"

With the recommendation that when so amended the bill pass and be re-referred to the Transportation Finance and Policy Division.

The report was adopted.

Pelowski from the Committee on State and Local Government Operations Reform, Technology and Elections to which was referred:

H. F. No. 101, A bill for an act relating to the city of Taylors Falls; authorizing the city of Taylors Falls to establish and exercise border city development zone powers; appropriating money.

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

The report was adopted.

Pelowski from the Committee on State and Local Government Operations Reform, Technology and Elections to which was referred:

H. F. No. 111, A bill for an act relating to the State Board of Investment; requiring divestment from certain investments relating to Iran; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 11A.

Reported the same back with the following amendments:

Page 3, lines 18 and 30, delete "(2)" and insert "(1)"

With the recommendation that when so amended the bill pass.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 392, A bill for an act relating to taxation; federal update; amending Minnesota Statutes 2008, sections 289A.02, subdivision 7; 290.01, subdivisions 19, 19a, 31; 290.067, subdivision 2a; 290A.03, subdivisions 3, 15; 291.005, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 289A.02, subdivision 7, is amended to read:

Subd. 7. **Internal Revenue Code.** Unless specifically defined otherwise, "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended through ~~February 13, 2008~~ December 31, 2008.

**EFFECTIVE DATE.** This section is effective the day following final enactment, except the changes incorporated by federal changes are effective at the same time as the changes were effective for federal purposes.

Sec. 2. Minnesota Statutes 2008, section 290.01, subdivision 19, is amended to read:

Subd. 19. **Net income.** The term "net income" means the federal taxable income, as defined in section 63 of the Internal Revenue Code of 1986, as amended through the date named in this subdivision, incorporating the federal effective dates of changes to the Internal Revenue Code and any elections made by the taxpayer in accordance with the Internal Revenue Code in determining federal taxable income for federal income tax purposes, and with the modifications provided in subdivisions 19a to 19f.

In the case of a regulated investment company or a fund thereof, as defined in section 851(a) or 851(g) of the Internal Revenue Code, federal taxable income means investment company taxable income as defined in section 852(b)(2) of the Internal Revenue Code, except that:

(1) the exclusion of net capital gain provided in section 852(b)(2)(A) of the Internal Revenue Code does not apply;

(2) the deduction for dividends paid under section 852(b)(2)(D) of the Internal Revenue Code must be applied by allowing a deduction for capital gain dividends and exempt-interest dividends as defined in sections 852(b)(3)(C) and 852(b)(5) of the Internal Revenue Code; and

(3) the deduction for dividends paid must also be applied in the amount of any undistributed capital gains which the regulated investment company elects to have treated as provided in section 852(b)(3)(D) of the Internal Revenue Code.

The net income of a real estate investment trust as defined and limited by section 856(a), (b), and (c) of the Internal Revenue Code means the real estate investment trust taxable income as defined in section 857(b)(2) of the Internal Revenue Code.

The net income of a designated settlement fund as defined in section 468B(d) of the Internal Revenue Code means the gross income as defined in section 468B(b) of the Internal Revenue Code.

The Internal Revenue Code of 1986, as amended through ~~February 13, 2008~~ December 31, 2008, shall be in effect for taxable years beginning after December 31, 1996.

Except as otherwise provided, references to the Internal Revenue Code in subdivisions 19 to 19f mean the code in effect for purposes of determining net income for the applicable year.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2007.

Sec. 3. Minnesota Statutes 2008, section 290.01, subdivision 19a, is amended to read:

Subd. 19a. **Additions to federal taxable income.** For individuals, estates, and trusts, there shall be added to federal taxable income:

(1)(i) interest income on obligations of any state other than Minnesota or a political or governmental subdivision, municipality, or governmental agency or instrumentality of any state other than Minnesota exempt from federal income taxes under the Internal Revenue Code or any other federal statute; and

(ii) exempt-interest dividends as defined in section 852(b)(5) of the Internal Revenue Code, except the portion of the exempt-interest dividends derived from interest income on obligations of the state of Minnesota or its political or governmental subdivisions, municipalities, governmental agencies or instrumentalities, but only if the portion of the exempt-interest dividends from such Minnesota sources paid to all shareholders represents 95 percent or more of the exempt-interest dividends that are paid by the regulated investment company as defined in section 851(a) of the Internal Revenue Code, or the fund of the regulated investment company as defined in section 851(g) of the Internal Revenue Code, making the payment; and

(iii) for the purposes of items (i) and (ii), interest on obligations of an Indian tribal government described in section 7871(c) of the Internal Revenue Code shall be treated as interest income on obligations of the state in which the tribe is located;

(2) the amount of income or sales and use taxes paid or accrued within the taxable year under this chapter and the amount of taxes based on net income paid or sales and use taxes paid to any other state or to any province or territory of Canada, to the extent allowed as a deduction under section 63(d) of the Internal Revenue Code, but the addition may not be more than the amount by which the itemized deductions as allowed under section 63(d) of the Internal Revenue Code exceeds the amount of the standard deduction as defined in section 63(c) of the Internal Revenue Code, disregarding the amount allowed under section 63(c)(1)(C) of the Internal Revenue Code. For the purpose of this paragraph, the disallowance of itemized deductions under section 68 of the Internal Revenue Code of 1986, income or sales and use tax is the last itemized deduction disallowed;

(3) the capital gain amount of a lump-sum distribution to which the special tax under section 1122(h)(3)(B)(ii) of the Tax Reform Act of 1986, Public Law 99-514, applies;

(4) the amount of income taxes paid or accrued within the taxable year under this chapter and taxes based on net income paid to any other state or any province or territory of Canada, to the extent allowed as a deduction in determining federal adjusted gross income. For the purpose of this paragraph, income taxes do not include the taxes imposed by sections 290.0922, subdivision 1, paragraph (b), 290.9727, 290.9728, and 290.9729;

(5) the amount of expense, interest, or taxes disallowed pursuant to section 290.10 other than expenses or interest used in computing net interest income for the subtraction allowed under subdivision 19b, clause (1);

(6) the amount of a partner's pro rata share of net income which does not flow through to the partner because the partnership elected to pay the tax on the income under section 6242(a)(2) of the Internal Revenue Code;

(7) 80 percent of the depreciation deduction allowed under section 168(k) of the Internal Revenue Code. For purposes of this clause, if the taxpayer has an activity that in the taxable year generates a deduction for depreciation under section 168(k) and the activity generates a loss for the taxable year that the taxpayer is not allowed to claim for the taxable year, "the depreciation allowed under section 168(k)" for the taxable year is limited to excess of the depreciation claimed by the activity under section 168(k) over the amount of the loss from the activity that is not allowed in the taxable year. In succeeding taxable years when the losses not allowed in the taxable year are allowed, the depreciation under section 168(k) is allowed;

(8) 80 percent of the amount by which the deduction allowed by section 179 of the Internal Revenue Code exceeds the deduction allowable by section 179 of the Internal Revenue Code of 1986, as amended through December 31, 2003;

(9) to the extent deducted in computing federal taxable income, the amount of the deduction allowable under section 199 of the Internal Revenue Code;

(10) the exclusion allowed under section 139A of the Internal Revenue Code for federal subsidies for prescription drug plans;

(11) the amount of expenses disallowed under section 290.10, subdivision 2;

(12) ~~for taxable years beginning after December 31, 2006, and before January 1, 2008,~~ the amount deducted for qualified tuition and related expenses under section 222 of the Internal Revenue Code, to the extent deducted from gross income; ~~and~~

(13) for taxable years beginning after December 31, 2006, and before January 1, 2008, the amount deducted for certain expenses of elementary and secondary school teachers under section 62(a)(2)(D) of the Internal Revenue Code, to the extent deducted from gross income; and

(14) the additional standard deduction for property taxes payable that is allowable under section 63(c)(1)(C) of the Internal Revenue Code.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2007.

Sec. 4. Minnesota Statutes 2008, section 290.01, subdivision 19c, is amended to read:

Subd. 19c. **Corporations; additions to federal taxable income.** For corporations, there shall be added to federal taxable income:

(1) the amount of any deduction taken for federal income tax purposes for income, excise, or franchise taxes based on net income or related minimum taxes, including but not limited to the tax imposed under section 290.0922, paid by the corporation to Minnesota, another state, a political subdivision of another state, the District of Columbia, or any foreign country or possession of the United States;

(2) interest not subject to federal tax upon obligations of: the United States, its possessions, its agencies, or its instrumentalities; the state of Minnesota or any other state, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities; the District of Columbia; or Indian tribal governments;

(3) exempt-interest dividends received as defined in section 852(b)(5) of the Internal Revenue Code;

(4) the amount of any net operating loss deduction taken for federal income tax purposes under section 172 or 832(c)(10) of the Internal Revenue Code or operations loss deduction under section 810 of the Internal Revenue Code;

(5) the amount of any special deductions taken for federal income tax purposes under sections 241 to 247 and 965 of the Internal Revenue Code;

(6) losses from the business of mining, as defined in section 290.05, subdivision 1, clause (a), that are not subject to Minnesota income tax;

(7) the amount of any capital losses deducted for federal income tax purposes under sections 1211 and 1212 of the Internal Revenue Code;

(8) the exempt foreign trade income of a foreign sales corporation under sections 921(a) and 291 of the Internal Revenue Code;

(9) the amount of percentage depletion deducted under sections 611 through 614 and 291 of the Internal Revenue Code;

(10) for certified pollution control facilities placed in service in a taxable year beginning before December 31, 1986, and for which amortization deductions were elected under section 169 of the Internal Revenue Code of 1954, as amended through December 31, 1985, the amount of the amortization deduction allowed in computing federal taxable income for those facilities;

(11) the amount of any deemed dividend from a foreign operating corporation determined pursuant to section 290.17, subdivision 4, paragraph (g). The deemed dividend shall be reduced by the amount of the addition to income required by clauses (20), (21), (22), and (23);

(12) the amount of a partner's pro rata share of net income which does not flow through to the partner because the partnership elected to pay the tax on the income under section 6242(a)(2) of the Internal Revenue Code;

(13) the amount of net income excluded under section 114 of the Internal Revenue Code;

(14) any increase in subpart F income, as defined in section 952(a) of the Internal Revenue Code, for the taxable year when subpart F income is calculated without regard to the provisions of ~~section 103 of Public Law 109-222~~ Division C, title III, section 303(a)(1)-(2) of Public Law 110-343;

(15) 80 percent of the depreciation deduction allowed under section 168(k)(1)(A) and (k)(4)(A) of the Internal Revenue Code. For purposes of this clause, if the taxpayer has an activity that in the taxable year generates a deduction for depreciation under section 168(k)(1)(A) and (k)(4)(A) and the activity generates a loss for the taxable year that the taxpayer is not allowed to claim for the taxable year, "the depreciation allowed under section 168(k)(1)(A) and (k)(4)(A)" for the taxable year is limited to excess of the depreciation claimed by the activity under section 168(k)(1)(A) and (k)(4)(A) over the amount of the loss from the activity that is not allowed in the taxable year. In succeeding taxable years when the losses not allowed in the taxable year are allowed, the depreciation under section 168(k)(1)(A) and (k)(4)(A) is allowed;

(16) 80 percent of the amount by which the deduction allowed by section 179 of the Internal Revenue Code exceeds the deduction allowable by section 179 of the Internal Revenue Code of 1986, as amended through December 31, 2003;

(17) to the extent deducted in computing federal taxable income, the amount of the deduction allowable under section 199 of the Internal Revenue Code;

(18) the exclusion allowed under section 139A of the Internal Revenue Code for federal subsidies for prescription drug plans;

(19) the amount of expenses disallowed under section 290.10, subdivision 2;

(20) an amount equal to the interest and intangible expenses, losses, and costs paid, accrued, or incurred by any member of the taxpayer's unitary group to or for the benefit of a corporation that is a member of the taxpayer's unitary business group that qualifies as a foreign operating corporation. For purposes of this clause, intangible expenses and costs include:

(i) expenses, losses, and costs for, or related to, the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property;

(ii) losses incurred, directly or indirectly, from factoring transactions or discounting transactions;

(iii) royalty, patent, technical, and copyright fees;

(iv) licensing fees; and

(v) other similar expenses and costs.

For purposes of this clause, "intangible property" includes stocks, bonds, patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This clause does not apply to any item of interest or intangible expenses or costs paid, accrued, or incurred, directly or indirectly, to a foreign operating corporation with respect to such item of income to the extent that the income to the foreign operating corporation is income from sources without the United States as defined in subtitle A, chapter 1, subchapter N, part 1, of the Internal Revenue Code;

(21) except as already included in the taxpayer's taxable income pursuant to clause (20), any interest income and income generated from intangible property received or accrued by a foreign operating corporation that is a member of the taxpayer's unitary group. For purposes of this clause, income generated from intangible property includes:

(i) income related to the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, or any other disposition of intangible property;

(ii) income from factoring transactions or discounting transactions;

(iii) royalty, patent, technical, and copyright fees;

(iv) licensing fees; and

(v) other similar income.

For purposes of this clause, "intangible property" includes stocks, bonds, patents, patent applications, trade names, trademarks, service marks, copyrights, mask works, trade secrets, and similar types of intangible assets.

This clause does not apply to any item of interest or intangible income received or accrued by a foreign operating corporation with respect to such item of income to the extent that the income is income from sources without the United States as defined in subtitle A, chapter 1, subchapter N, part 1, of the Internal Revenue Code;

(22) the dividends attributable to the income of a foreign operating corporation that is a member of the taxpayer's unitary group in an amount that is equal to the dividends paid deduction of a real estate investment trust under section 561(a) of the Internal Revenue Code for amounts paid or accrued by the real estate investment trust to the foreign operating corporation;

(23) the income of a foreign operating corporation that is a member of the taxpayer's unitary group in an amount that is equal to gains derived from the sale of real or personal property located in the United States; and

(24) ~~for taxable years beginning after December 31, 2006, and before January 1, 2008,~~ the additional amount allowed as a deduction for donation of computer technology and equipment under section 170(e)(6) of the Internal Revenue Code, to the extent deducted from taxable income.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2007.

Sec. 5. Minnesota Statutes 2008, section 290.01, subdivision 19d, is amended to read:

Subd. 19d. **Corporations; modifications decreasing federal taxable income.** For corporations, there shall be subtracted from federal taxable income after the increases provided in subdivision 19c:

(1) the amount of foreign dividend gross-up added to gross income for federal income tax purposes under section 78 of the Internal Revenue Code;

(2) the amount of salary expense not allowed for federal income tax purposes due to claiming the work opportunity credit under section 51 of the Internal Revenue Code;

(3) any dividend (not including any distribution in liquidation) paid within the taxable year by a national or state bank to the United States, or to any instrumentality of the United States exempt from federal income taxes, on the preferred stock of the bank owned by the United States or the instrumentality;

(4) amounts disallowed for intangible drilling costs due to differences between this chapter and the Internal Revenue Code in taxable years beginning before January 1, 1987, as follows:

(i) to the extent the disallowed costs are represented by physical property, an amount equal to the allowance for depreciation under Minnesota Statutes 1986, section 290.09, subdivision 7, subject to the modifications contained in subdivision 19e; and

(ii) to the extent the disallowed costs are not represented by physical property, an amount equal to the allowance for cost depletion under Minnesota Statutes 1986, section 290.09, subdivision 8;

(5) the deduction for capital losses pursuant to sections 1211 and 1212 of the Internal Revenue Code, except that:

(i) for capital losses incurred in taxable years beginning after December 31, 1986, capital loss carrybacks shall not be allowed;

(ii) for capital losses incurred in taxable years beginning after December 31, 1986, a capital loss carryover to each of the 15 taxable years succeeding the loss year shall be allowed;

(iii) for capital losses incurred in taxable years beginning before January 1, 1987, a capital loss carryback to each of the three taxable years preceding the loss year, subject to the provisions of Minnesota Statutes 1986, section 290.16, shall be allowed; and

(iv) for capital losses incurred in taxable years beginning before January 1, 1987, a capital loss carryover to each of the five taxable years succeeding the loss year to the extent such loss was not used in a prior taxable year and subject to the provisions of Minnesota Statutes 1986, section 290.16, shall be allowed;

(6) an amount for interest and expenses relating to income not taxable for federal income tax purposes, if (i) the income is taxable under this chapter and (ii) the interest and expenses were disallowed as deductions under the provisions of section 171(a)(2), 265 or 291 of the Internal Revenue Code in computing federal taxable income;

(7) in the case of mines, oil and gas wells, other natural deposits, and timber for which percentage depletion was disallowed pursuant to subdivision 19c, clause (9), a reasonable allowance for depletion based on actual cost. In the case of leases the deduction must be apportioned between the lessor and lessee in accordance with rules prescribed by the commissioner. In the case of property held in trust, the allowable deduction must be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the trust, or if there is no provision in the instrument, on the basis of the trust's income allocable to each;

(8) for certified pollution control facilities placed in service in a taxable year beginning before December 31, 1986, and for which amortization deductions were elected under section 169 of the Internal Revenue Code of 1954, as amended through December 31, 1985, an amount equal to the allowance for depreciation under Minnesota Statutes 1986, section 290.09, subdivision 7;

(9) amounts included in federal taxable income that are due to refunds of income, excise, or franchise taxes based on net income or related minimum taxes paid by the corporation to Minnesota, another state, a political subdivision of another state, the District of Columbia, or a foreign country or possession of the United States to the extent that the taxes were added to federal taxable income under section 290.01, subdivision 19c, clause (1), in a prior taxable year;

(10) 80 percent of royalties, fees, or other like income accrued or received from a foreign operating corporation or a foreign corporation which is part of the same unitary business as the receiving corporation, unless the income resulting from such payments or accruals is income from sources within the United States as defined in subtitle A, chapter 1, subchapter N, part 1, of the Internal Revenue Code;

(11) income or gains from the business of mining as defined in section 290.05, subdivision 1, clause (a), that are not subject to Minnesota franchise tax;

(12) the amount of disability access expenditures in the taxable year which are not allowed to be deducted or capitalized under section 44(d)(7) of the Internal Revenue Code;

(13) the amount of qualified research expenses not allowed for federal income tax purposes under section 280C(c) of the Internal Revenue Code, but only to the extent that the amount exceeds the amount of the credit allowed under section 290.068;

(14) the amount of salary expenses not allowed for federal income tax purposes due to claiming the Indian employment credit under section 45A(a) of the Internal Revenue Code;

(15) for taxable years beginning before January 1, 2008, the amount of the federal small ethanol producer credit allowed under section 40(a)(3) of the Internal Revenue Code which is included in gross income under section 87 of the Internal Revenue Code;

(16) for a corporation whose foreign sales corporation, as defined in section 922 of the Internal Revenue Code, constituted a foreign operating corporation during any taxable year ending before January 1, 1995, and a return was filed by August 15, 1996, claiming the deduction under section 290.21, subdivision 4, for income received from the foreign operating corporation, an amount equal to 1.23 multiplied by the amount of income excluded under section 114 of the Internal Revenue Code, provided the income is not income of a foreign operating company;

(17) any decrease in subpart F income, as defined in section 952(a) of the Internal Revenue Code, for the taxable year when subpart F income is calculated without regard to the provisions of ~~section 103 of Public Law 109-222~~ Division C, title III, section 303(a)(1)-(2) of Public Law 110-343;

(18) in each of the five tax years immediately following the tax year in which an addition is required under subdivision 19c, clause (15), an amount equal to one-fifth of the delayed depreciation. For purposes of this clause, "delayed depreciation" means the amount of the addition made by the taxpayer under subdivision 19c, clause (15). The resulting delayed depreciation cannot be less than zero; and

(19) in each of the five tax years immediately following the tax year in which an addition is required under subdivision 19c, clause (16), an amount equal to one-fifth of the amount of the addition.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2007.

Sec. 6. Minnesota Statutes 2008, section 290.01, is amended by adding a subdivision to read:

Subd. 19h. **Certain preferred stock losses.** A taxpayer must compute net income by treating losses from the sale or transfer of certain preferred stock, which the taxpayer treated as ordinary losses pursuant to Division A, title III, section 301 of Public Law 110-343, as capital losses. The amount of net income under subdivision 19, taxable net income under subdivision 22, taxable income under subdivision 29, the numerator and denominator in section 290.06, subdivision 2c, paragraph (e), individual alternative minimum taxable income under section 290.091, subdivision 2, corporate alternative minimum taxable income under section 290.0921, subdivision 3, and net operating losses under section 290.095 must be computed for each taxable year as if those losses had been treated by the taxpayer as capital losses under the Internal Revenue Code, including the limitations under section 1211 of the Internal Revenue Code.

**EFFECTIVE DATE.** This section is effective at the same time as Division A, title III, section 301 of Public Law 110-343, is effective and applies to losses incurred after December 31, 2007.

Sec. 7. Minnesota Statutes 2008, section 290.01, subdivision 31, is amended to read:

Subd. 31. **Internal Revenue Code.** Unless specifically defined otherwise, "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended through ~~February 13, 2008~~ December 31, 2008. Internal Revenue Code also includes any uncodified provision in federal law that relates to provisions of the Internal Revenue Code that are incorporated into Minnesota law.

**EFFECTIVE DATE.** This section is effective the day following final enactment, except the changes incorporated by federal changes are effective at the same time as the changes were effective for federal purposes.

Sec. 8. Minnesota Statutes 2008, section 290.067, subdivision 2a, is amended to read:

Subd. 2a. **Income.** (a) For purposes of this section, "income" means the sum of the following:

- (1) federal adjusted gross income as defined in section 62 of the Internal Revenue Code; and
- (2) the sum of the following amounts to the extent not included in clause (1):
  - (i) all nontaxable income;
  - (ii) the amount of a passive activity loss that is not disallowed as a result of section 469, paragraph (i) or (m) of the Internal Revenue Code and the amount of passive activity loss carryover allowed under section 469(b) of the Internal Revenue Code;
  - (iii) an amount equal to the total of any discharge of qualified farm indebtedness of a solvent individual excluded from gross income under section 108(g) of the Internal Revenue Code;
  - (iv) cash public assistance and relief;
  - (v) any pension or annuity (including railroad retirement benefits, all payments received under the federal Social Security Act, supplemental security income, and veterans benefits), which was not exclusively funded by the claimant or spouse, or which was funded exclusively by the claimant or spouse and which funding payments were excluded from federal adjusted gross income in the years when the payments were made;

(vi) interest received from the federal or a state government or any instrumentality or political subdivision thereof;

(vii) workers' compensation;

(viii) nontaxable strike benefits;

(ix) the gross amounts of payments received in the nature of disability income or sick pay as a result of accident, sickness, or other disability, whether funded through insurance or otherwise;

(x) a lump-sum distribution under section 402(e)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1995;

(xi) contributions made by the claimant to an individual retirement account, including a qualified voluntary employee contribution; simplified employee pension plan; self-employed retirement plan; cash or deferred arrangement plan under section 401(k) of the Internal Revenue Code; or deferred compensation plan under section 457 of the Internal Revenue Code;

(xii) nontaxable scholarship or fellowship grants;

(xiii) the amount of deduction allowed under section 199 of the Internal Revenue Code; ~~and~~

(xiv) the amount of deduction allowed under section 220 or 223 of the Internal Revenue Code; ~~and~~

(xv) the amount of tuition expenses required to be added to income under section 290.01, subdivision 19a, clause (13).

In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" means federal adjusted gross income reflected in the fiscal year ending in the next calendar year. Federal adjusted gross income may not be reduced by the amount of a net operating loss carryback or carryforward or a capital loss carryback or carryforward allowed for the year.

(b) "Income" does not include:

(1) amounts excluded pursuant to the Internal Revenue Code, sections 101(a) and 102;

(2) amounts of any pension or annuity that were exclusively funded by the claimant or spouse if the funding payments were not excluded from federal adjusted gross income in the years when the payments were made;

(3) surplus food or other relief in kind supplied by a governmental agency;

(4) relief granted under chapter 290A;

(5) child support payments received under a temporary or final decree of dissolution or legal separation; and

(6) restitution payments received by eligible individuals and excludable interest as defined in section 803 of the Economic Growth and Tax Relief Reconciliation Act of 2001, Public Law 107-16.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2007.

Sec. 9. Minnesota Statutes 2008, section 290A.03, subdivision 3, is amended to read:

Subd. 3. **Income.** (1) "Income" means the sum of the following:

(a) federal adjusted gross income as defined in the Internal Revenue Code; and

(b) the sum of the following amounts to the extent not included in clause (a):

(i) all nontaxable income;

(ii) the amount of a passive activity loss that is not disallowed as a result of section 469, paragraph (i) or (m) of the Internal Revenue Code and the amount of passive activity loss carryover allowed under section 469(b) of the Internal Revenue Code;

(iii) an amount equal to the total of any discharge of qualified farm indebtedness of a solvent individual excluded from gross income under section 108(g) of the Internal Revenue Code;

(iv) cash public assistance and relief;

(v) any pension or annuity (including railroad retirement benefits, all payments received under the federal Social Security Act, Supplemental Security Income, and veterans benefits), which was not exclusively funded by the claimant or spouse, or which was funded exclusively by the claimant or spouse and which funding payments were excluded from federal adjusted gross income in the years when the payments were made;

(vi) interest received from the federal or a state government or any instrumentality or political subdivision thereof;

(vii) workers' compensation;

(viii) nontaxable strike benefits;

(ix) the gross amounts of payments received in the nature of disability income or sick pay as a result of accident, sickness, or other disability, whether funded through insurance or otherwise;

(x) a lump-sum distribution under section 402(e)(3) of the Internal Revenue Code of 1986, as amended through December 31, 1995;

(xi) contributions made by the claimant to an individual retirement account, including a qualified voluntary employee contribution; simplified employee pension plan; self-employed retirement plan; cash or deferred arrangement plan under section 401(k) of the Internal Revenue Code; or deferred compensation plan under section 457 of the Internal Revenue Code;

(xii) nontaxable scholarship or fellowship grants;

(xiii) the amount of deduction allowed under section 199 of the Internal Revenue Code; ~~and~~

(xiv) the amount of deduction allowed under section 220 or 223 of the Internal Revenue Code; and

(xv) the amount of tuition expenses required to be added to income under section 290.01, subdivision 19a, clause (13).

In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year. Federal adjusted gross income shall not be reduced by the amount of a net operating loss carryback or carryforward or a capital loss carryback or carryforward allowed for the year.

(2) "Income" does not include:

(a) amounts excluded pursuant to the Internal Revenue Code, sections 101(a) and 102;

(b) amounts of any pension or annuity which was exclusively funded by the claimant or spouse and which funding payments were not excluded from federal adjusted gross income in the years when the payments were made;

(c) surplus food or other relief in kind supplied by a governmental agency;

(d) relief granted under this chapter;

(e) child support payments received under a temporary or final decree of dissolution or legal separation; or

(f) restitution payments received by eligible individuals and excludable interest as defined in section 803 of the Economic Growth and Tax Relief Reconciliation Act of 2001, Public Law 107-16.

(3) The sum of the following amounts may be subtracted from income:

(a) for the claimant's first dependent, the exemption amount multiplied by 1.4;

(b) for the claimant's second dependent, the exemption amount multiplied by 1.3;

(c) for the claimant's third dependent, the exemption amount multiplied by 1.2;

(d) for the claimant's fourth dependent, the exemption amount multiplied by 1.1;

(e) for the claimant's fifth dependent, the exemption amount; and

(f) if the claimant or claimant's spouse was disabled or attained the age of 65 on or before December 31 of the year for which the taxes were levied or rent paid, the exemption amount.

For purposes of this subdivision, the "exemption amount" means the exemption amount under section 151(d) of the Internal Revenue Code for the taxable year for which the income is reported.

**EFFECTIVE DATE.** This section is effective for property tax refunds based on property taxes payable after December 31, 2008, and rent paid after December 31, 2007, and thereafter.

Sec. 10. Minnesota Statutes 2008, section 290A.03, subdivision 15, is amended to read:

Subd. 15. **Internal Revenue Code.** "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended through ~~February 13, 2008~~ December 31, 2008.

**EFFECTIVE DATE.** This section is effective for property tax refunds based on property taxes payable after December 31, 2008, and rent paid after December 31, 2007, and thereafter.

Sec. 11. Minnesota Statutes 2008, section 291.005, subdivision 1, is amended to read:

Subdivision 1. **Scope.** Unless the context otherwise clearly requires, the following terms used in this chapter shall have the following meanings:

(1) "Federal gross estate" means the gross estate of a decedent as valued and otherwise determined for federal estate tax purposes by federal taxing authorities pursuant to the provisions of the Internal Revenue Code.

(2) "Minnesota gross estate" means the federal gross estate of a decedent after (a) excluding therefrom any property included therein which has its situs outside Minnesota, and (b) including therein any property omitted from the federal gross estate which is includable therein, has its situs in Minnesota, and was not disclosed to federal taxing authorities.

(3) "Personal representative" means the executor, administrator or other person appointed by the court to administer and dispose of the property of the decedent. If there is no executor, administrator or other person appointed, qualified, and acting within this state, then any person in actual or constructive possession of any property having a situs in this state which is included in the federal gross estate of the decedent shall be deemed to be a personal representative to the extent of the property and the Minnesota estate tax due with respect to the property.

(4) "Resident decedent" means an individual whose domicile at the time of death was in Minnesota.

(5) "Nonresident decedent" means an individual whose domicile at the time of death was not in Minnesota.

(6) "Situs of property" means, with respect to real property, the state or country in which it is located; with respect to tangible personal property, the state or country in which it was normally kept or located at the time of the decedent's death; and with respect to intangible personal property, the state or country in which the decedent was domiciled at death.

(7) "Commissioner" means the commissioner of revenue or any person to whom the commissioner has delegated functions under this chapter.

(8) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended through ~~February 13, 2008~~ December 31, 2008.

(9) "Minnesota adjusted taxable estate" means federal adjusted taxable estate as defined by section 2011(b)(3) of the Internal Revenue Code, increased by the amount of deduction for state death taxes allowed under section 2058 of the Internal Revenue Code.

**EFFECTIVE DATE.** This section is effective the day following final enactment, except the changes incorporated by federal changes are effective at the same time as the changes were effective for federal purposes.

Sec. 12. **WITHHOLDING ON DIFFERENTIAL PAY.**

The commissioner must not assess tax, penalty, or interest against an employer for failing to withhold tax from differential wages, as defined in section 3401(h)(2) of the Internal Revenue Code, paid before January 1, 2010, to an employee who has been called to active duty in the military services.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to any failure to withhold that occurs after December 31, 2008, but before January 1, 2010.

Sec. 13. **PAYMENT OF CORPORATE FRANCHISE TAX REFUNDS.**

(a) In paying refunds during fiscal year 2009 of overpayments of corporate franchise tax, the commissioner of revenue shall delay paying a sufficient number of these refunds until fiscal year 2010 so that \$15,795,000 less in refunds is paid in fiscal year 2009 than otherwise would have been paid. Refunds delayed by the commissioner under this section are deemed to be due on July 1, 2009, if the law otherwise would provide an earlier date.

(b) In paying refunds during fiscal year 2011 of overpayments of corporate franchise tax, the commissioner of revenue shall delay paying a sufficient number of these refunds until fiscal year 2012 so that \$7,100,000 less in refunds is paid in fiscal year 2011 than otherwise would have been paid. Refunds delayed by the commissioner under this section are deemed to be due on July 1, 2011, if the law otherwise would provide an earlier date.

(c) In carrying out the requirement in paragraphs (a) and (b), the commissioner shall, to the maximum extent possible, minimize delaying the payment of refunds that would result in payment of additional interest by the state.

**EFFECTIVE DATE.** This section is effective for fiscal years 2009 and 2011 only."

Delete the title and insert:

"A bill for an act relating to taxation; providing a federal update; modifying computation of net income and payment of corporate franchise tax refunds; amending Minnesota Statutes 2008, sections 289A.02, subdivision 7; 290.01, subdivisions 19, 19a, 19c, 19d, 31, by adding a subdivision; 290.067, subdivision 2a; 290A.03, subdivisions 3, 15; 291.005, subdivision 1."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Sertich from the Committee on Rules and Legislative Administration to which was referred:

Senate Concurrent Resolution No. 5, A Senate concurrent resolution adopting deadlines for the 2009 regular session.

Reported the same back with the following amendments:

Page 1, line 9, delete "12:00 midnight" and insert "11:59 p.m."

With the recommendation that when so amended the senate concurrent resolution be adopted.

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. No. 111 was read for the second time.

**SECOND READING OF SENATE BILLS**

Seifert moved that S. F. No. 49, be referred to the Committee on Taxes.

A roll call was requested and properly seconded.

The question was taken on the Seifert motion and the roll was called. There were 47 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Emmer	Howes	McFarlane	Severson
Anderson, B.	Dean	Garofalo	Kelly	McNamara	Shimanski
Anderson, P.	Demmer	Gottwalt	Kiffmeyer	Murdock	Smith
Anderson, S.	Dettmer	Gunther	Kohls	Nornes	Torkelson
Beard	Doepke	Hackbarth	Lanning	Peppin	Urdahl
Brod	Downey	Hamilton	Loon	Sanders	Westrom
Buesgens	Drazkowski	Holberg	Mack	Scott	Zellers
Cornish	Eastlund	Hoppe	Magnus	Seifert	

Those who voted in the negative were:

Anzelc	Faust	Jackson	Mariani	Paymar	Slocum
Bly	Fritz	Johnson	Marquart	Pelowski	Solberg
Brown	Gardner	Juhnke	Masin	Persell	Sterner
Brynaert	Greiling	Kahn	Morgan	Peterson	Swails
Bunn	Hansen	Kath	Morrow	Poppe	Thao
Carlson	Hausman	Knuth	Mullery	Reinert	Thissen
Champion	Haws	Koenen	Murphy, E.	Rosenthal	Tillberry
Clark	Hayden	Laine	Murphy, M.	Rukavina	Wagenius
Davnie	Hilstrom	Lenczewski	Nelson	Ruud	Ward
Dill	Hilty	Lesch	Newton	Sailer	Walti
Dittrich	Hornstein	Liebling	Norton	Scalze	Winkler
Doty	Hortman	Lieder	Obermueller	Sertich	Spk. Kelliher
Eken	Hosch	Lillie	Olin	Simon	
Falk	Huntley	Loeffler	Otremba	Slawik	

The motion did not prevail.

**SECOND READING OF SENATE BILLS, Continued**

S. F. No. 49 was read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Mariani, Slocum, Brown, Demmer, Greiling, Dittrich and McFarlane introduced:

H. F. No. 501, A bill for an act relating to education; creating an alternative means of graduation for students; amending Minnesota Statutes 2008, section 120B.30, subdivision 1.

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

Brown introduced:

H. F. No. 502, A bill for an act relating to gambling; lawful gambling; authorizing the board to adopt rules for video pull-tab games; amending Minnesota Statutes 2008, sections 349.12, by adding subdivisions; 349.151, by adding a subdivision.

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

Persell and Howes introduced:

H. F. No. 503, A bill for an act relating to capital improvements; appropriating money to establish a veterans facility in the city of Bemidji; authorizing the sale of state bonds.

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

Kahn; Murphy, E.; Ruud; Olin; Doty; Swails; Murphy, M.; Otremba; Masin; Slocum; Laine; Bly; Greiling; Mullery; Thissen; Liebling; Loeffler; Clark and Huntley introduced:

H. F. No. 504, A bill for an act relating to health; establishing a women's heart health program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Poppe, Pelowski, Lillie, McFarlane, Dettmer, Olin, Sailer, Reinert, Lieder and Brown introduced:

H. F. No. 505, A bill for an act relating to higher education; modifying certain requirements for an associate of applied science degree at Minnesota State Colleges and Universities.

The bill was read for the first time and referred to the Higher Education and Workforce Development Finance and Policy Division.

Abeler, Greiling, Loeffler and Thissen introduced:

H. F. No. 506, A bill for an act relating to human services; including licensed mental health professional counselors as a qualified provider under medical assistance; amending Minnesota Statutes 2008, sections 245.462, subdivision 18; 245.470, subdivision 1; 245.4871, subdivision 27; 245.488, subdivision 1; 256B.0622, subdivision 2; 256B.0623, subdivision 5; 256B.0624, subdivisions 5, 8; 256B.0625, subdivision 42; 256B.0943, subdivision 1; 256J.08, subdivision 73a.

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

Paymar; Morgan; Murphy, E.; Greiling; Scalze; Bunn and Kelly introduced:

H. F. No. 507, A bill for an act relating to agriculture; repealing the ethanol producer payment program; repealing Minnesota Statutes 2008, section 41A.09, subdivisions 1a, 2a, 3a, 4, 10.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Bly, Ward, Doty, Laine, Tillberry and Rosenthal introduced:

H. F. No. 508, A resolution memorializing the Congress of the United States not to reauthorize the No Child Left Behind Act in its current form.

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

Hilstrom, Smith, Lesch and Paymar introduced:

H. F. No. 509, A bill for an act relating to public defenders; modifying provisions providing for representation by a public defender; amending Minnesota Statutes 2008, sections 609.131, subdivision 1; 611.16; 611.17; 611.18; 611.20, subdivisions 3, 4; repealing Minnesota Statutes 2008, section 611.20, subdivisions 6, 7.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Juhnke and Magnus introduced:

H. F. No. 510, A bill for an act relating to agriculture; changing certain provisions of the pesticide control law and the fertilizer, soil amendment, and plant amendment law; amending Minnesota Statutes 2008, sections 18B.065, subdivisions 2, 2a; 18C.415, subdivision 3; 18C.421; 18C.425, subdivisions 4, 6.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Marquart and Lanning introduced:

H. F. No. 511, A bill for an act relating to taxation; property; providing for a seasonal recreational property tax deferral program; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 290D.

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

Simon, Gunther, McNamara, Zellers, Hornstein, Benson, Reinert, Kahn, Masin, Hosch, Hayden, Newton, Brod, Davids, Fritz, Thao, Scalze, Morrow, Lesch, McFarlane and Lillie introduced:

H. F. No. 512, A bill for an act relating to elections; enacting the Agreement Among the States to Elect the President by National Popular Vote; proposing coding for new law in Minnesota Statutes, chapter 208.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Davids introduced:

H. F. No. 513, A bill for an act relating to education; allowing 9th and 10th grade pupils to participate in college in the schools programs; amending Minnesota Statutes 2008, section 124D.09, subdivision 10.

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

Mullery and Hornstein introduced:

H. F. No. 514, A bill for an act relating to capital improvements; appropriating money for Minneapolis parkway improvements; authorizing the sale and issuance of state bonds.

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

Peppin introduced:

H. F. No. 515, A bill for an act relating to public safety; creating new penalties for criminal neglect of a vulnerable adult; amending Minnesota Statutes 2008, section 609.233, subdivision 1, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Peppin, Dean, Scott and Hackbarth introduced:

H. F. No. 516, A bill for an act relating to insurance; establishing a moratorium on implementation of new mandated health benefits; amending Minnesota Statutes 2008, section 62J.26, by adding a subdivision.

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

Severson introduced:

H. F. No. 517, A bill for an act relating to crime; allocating and limiting payment of costs of medical examination of victim of criminal sexual conduct; amending Minnesota Statutes 2008, section 609.35.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Atkins introduced:

H. F. No. 518, A bill for an act relating to state government; changing a budget forecast date; amending Minnesota Statutes 2008, section 16A.103, subdivision 1.

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

Nelson, Hilstrom, Howes and Urdahl introduced:

H. F. No. 519, A bill for an act relating to local government; regulating nonconforming lots in shoreland areas; amending Minnesota Statutes 2008, sections 82.22, subdivision 8; 394.36, subdivision 4, by adding a subdivision; 462.357, subdivision 1e; 513.56, subdivision 3.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Olin and Juhnke introduced:

H. F. No. 520, A bill for an act relating to agriculture; appropriating money for native plant, forage, and turf seed research.

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

Thissen introduced:

H. F. No. 521, A bill for an act relating to health; modifying provisions for volunteer health practitioners; amending Minnesota Statutes 2008, section 145A.06, subdivision 8.

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

Hayden, Rosenthal and Clark introduced:

H. F. No. 522, A bill for an act relating to human services; appropriating money for the Bridges rental housing assistance program.

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

Bigham, Swails and Brod introduced:

H. F. No. 523, A bill for an act relating to education; modifying school background check requirements relating to disciplinary actions; amending Minnesota Statutes 2008, section 123B.03, subdivision 1a.

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

Mullery introduced:

H. F. No. 524, A bill for an act relating to public safety; establishing the county jail reentry project; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 641.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Mullery introduced:

H. F. No. 525, A bill for an act relating to public safety; expanding the current DWI ignition interlock device pilot program by two years and applying it statewide; amending Minnesota Statutes 2008, section 171.306, subdivisions 1, 3.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Otremba introduced:

H. F. No. 526, A bill for an act relating to taxation; sales and use; modifying filing requirements; amending Minnesota Statutes 2008, sections 289A.11, subdivision 1; 289A.20, subdivision 4.

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

Juhnke introduced:

H. F. No. 527, A bill for an act relating to the state budget; making technical changes to a statute requiring budget projections; amending Minnesota Statutes 2008, section 16A.04.

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

Davnie; Doty; Olin; Murphy, E.; Hornstein; Morgan; Anzelc; Laine; Mullery; Slocum; Hortman; Champion; Hayden and Ward introduced:

H. F. No. 528, A bill for an act relating to reverse mortgages; eliminating the requirement that a reverse mortgage becomes due when committed principal has been fully paid; mandating counseling by an independent housing agency; regulating lender default; imposing liability on a subsequent purchaser of a reverse mortgage; providing for a right of rescission; defining suitability; amending Minnesota Statutes 2008, section 47.58, subdivisions 1, 3, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 58; 60K.

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

Sailer, Greiling, Mariani, Hausman, Kalin, Bly, Knuth, Hilty, Obermueller, Persell, Otremba and Gunther introduced:

H. F. No. 529, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for grants for the design of renewable energy projects in K-12 public schools.

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

Nelson, Hornstein and Beard introduced:

H. F. No. 530, A bill for an act relating to metropolitan government; modifying the time period for comprehensive plan reviews by adjacent governmental units; clarifying water management plan requirements; amending Minnesota Statutes 2008, sections 103B.235, subdivision 3a; 473.858, subdivision 2; 473.859, subdivision 2.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Winkler, Simon and Kalin introduced:

H. F. No. 531, A bill for an act relating to elections; modifying the procedures for filling a vacancy in the Office of United States Senator or Representative in Congress; amending Minnesota Statutes 2008, sections 204D.17; 204D.19; proposing coding for new law in Minnesota Statutes, chapter 204D; repealing Minnesota Statutes 2008, section 204D.28.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Koenen introduced:

H. F. No. 532, A bill for an act relating to capital improvements; appropriating money for expansion of the Renville wastewater treatment facility; authorizing the sale and issuance of state bonds.

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

Koenen introduced:

H. F. No. 533, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a veterans home in Montevideo.

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

Dauids and Atkins introduced:

H. F. No. 534, A bill for an act relating to insurance; authorizing and regulating the issuance of certificates of insurance; amending Minnesota Statutes 2008, section 60K.46, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

Thao introduced:

H. F. No. 535, A bill for an act relating to occupations; modifying health-related licensing board provisions; amending Minnesota Statutes 2008, section 214.103, subdivision 9.

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

Persell; Solberg; Sailer; Juhnke; Falk; Hortman; Kiffmeyer; Sterner; Jackson; Rosenthal; Torkelson; Anderson, P.; Hamilton and Hansen introduced:

H. F. No. 536, A bill for an act relating to waters; modifying local match requirements for certain grants; amending Minnesota Statutes 2008, section 103B.3369, subdivision 5.

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

Abeler, Hilty, Hornstein and Magnus introduced:

H. F. No. 537, A bill for an act relating to consumer protection; establishing criteria for timely utility payments; amending Minnesota Statutes 2008, section 216B.098, by adding a subdivision.

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

Winkler, Dittrich, Peterson, McFarlane and Swails introduced:

H. F. No. 538, A bill for an act relating to education finance; establishing a shared services purchasing program; requiring all school districts and charter schools to participate in the shared services program; requiring the Department of Education to administer the shared services program; requiring the Department of Education to enter a contract with a vendor to establish the shared services program; establishing a deduction from the general education program; setting state and district technology guidelines; creating a quality rating and improvement system; updating annual report on district passage rate; clarifying the definition of comprehensive scientifically based reading instruction; making requirements of kindergarten and elementary teachers; appropriating money; amending Minnesota Statutes 2008, sections 122A.06, subdivision 4; 122A.18, subdivisions 2, 2a, by adding a subdivision; 123B.143, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 123B; 124D; 125B; 127A.

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

Slocum and Davnie introduced:

H. F. No. 539, A bill for an act relating to education; modifying provisions related to children with disabilities; requiring the safe schools levy to pay for costs of mental health crisis intervention team training for peace officers; amending Minnesota Statutes 2008, sections 120A.22, subdivision 12; 125A.15; 125A.51; 126C.44.

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

Koenen introduced:

H. F. No. 540, A bill for an act relating to taxation; providing for assessment of certain rural vacant land; modifying the recapture that applies to certain property in the green acres program; amending Minnesota Statutes 2008, sections 273.111, subdivisions 3a, 9; 273.13, subdivision 23.

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

Juhnke, Sterner and Obermueller introduced:

H. F. No. 541, A bill for an act relating to property taxes; extending the time frame for eligibility for the surviving spouses of certain disabled military veterans to receive the residential homestead market value exclusion; amending Minnesota Statutes 2008, section 273.13, subdivision 34.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Smith, Davids, Nornes, Demmer and Kiffmeyer introduced:

H. F. No. 542, A bill for an act relating to family law; providing for grandparent visitation rights on behalf of the child; expanding grandparent visitation rights; specifying procedures; requiring mediation; amending Minnesota Statutes 2008, section 257C.08, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2008, section 257C.08, subdivisions 2, 3.

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

Scott, Drazkowski, Shimanski, Loon, Sterner and Jackson introduced:

H. F. No. 543, A bill for an act relating to child support; changing certain provisions and deadlines; redirecting payment of child support; amending Minnesota Statutes 2008, sections 518A.46, subdivision 5, by adding a subdivision; 541.04; 548.09, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2008, sections 548.091, subdivision 3b; 548.092.

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

Faust introduced:

H. F. No. 544, A bill for an act relating to day care facilities; instructing the commissioner of human services to amend a rule.

The bill was read for the first time and referred to the Early Childhood Finance and Policy Division.

Champion, Hayden, Simon, Hornstein, Lesch, Rosenthal, Reinert, Gardner, Hilty and Lillie introduced:

H. F. No. 545, A bill for an act relating to elections; requiring notice of restoration of civil rights; amending Minnesota Statutes 2008, sections 201.014, subdivision 2; 201.091, by adding a subdivision; 201.155; 203B.02, subdivision 1; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 243; 630; 631.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Nelson introduced:

H. F. No. 546, A bill for an act relating to alcohol; creating a new class of brewer and establishing a license fee; amending Minnesota Statutes 2008, section 340A.301, subdivision 6.

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

Lieder, Dill, Beard, Gottwalt, Eken, Severson, Kath, Anzelc, Kalin, Poppe and Brown introduced:

H. F. No. 547, A bill for an act relating to airports; eliminating requirement of local match for federal stimulus grants for airport project costs; amending Minnesota Statutes 2008, section 360.305, subdivision 4.

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

Lieder, Dill, Beard, Gottwalt, Eken, Severson, Anzelc, Juhnke, Kalin, Poppe and Brown introduced:

H. F. No. 548, A bill for an act relating to transportation; appropriating money from state airports fund.

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

Davnie, Thissen, Zellers, Jackson, Mahoney, Hilstrom, Hayden, Gardner, Nelson, Fritz, Falk, Kalin, Slocum, Ward, Kelly, Lillie, Hornstein, Clark, Atkins, Swails, Simon, Liebling, Hansen and Sanders introduced:

H. F. No. 549, A bill for an act relating to commerce; regulating debt management and debt settlement services; amending Minnesota Statutes 2008, sections 332A.02, subdivisions 5, 8, 9, 10, 13, by adding a subdivision; 332A.04, subdivision 6; 332A.08; 332A.10; 332A.11, subdivision 2; 332A.14; proposing coding for new law as Minnesota Statutes, chapter 332B.

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

Ruud and Murphy, E., introduced:

H. F. No. 550, A bill for an act relating to public health; preventing sexually transmitted infections and teen pregnancy; studying the prevalence of sexually transmitted infections and the cost to the health care system resulting from them; creating a responsible family life and sexuality education program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2008, section 121A.23.

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

Kalin introduced:

H. F. No. 551, A bill for an act relating to public safety; amending the risk-level assessment process for out-of-state predatory offenders who move to the state; increasing penalties for certain repeat offenders; requiring training regarding predatory offenders for those who care for children and vulnerable adults; amending Minnesota Statutes 2008, sections 244.052, subdivision 3a; 609.3451, subdivision 3.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Norton, Liebling, Demmer, Mahoney and Welti introduced:

H. F. No. 552, A bill for an act relating to higher education; appropriating money for the research partnership between the University of Minnesota and the Mayo Foundation.

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

Dittrich, Mariani, Brynaert, Pelowski and Davnie introduced:

H. F. No. 553, A bill for an act relating to education; modifying requirements for online learning providers; amending Minnesota Statutes 2008, section 124D.095, subdivision 7.

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

Davnie introduced:

H. F. No. 554, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for an emergency operations center and regional fire training center in the city of Minneapolis.

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

Anzelc introduced:

H. F. No. 555, A bill for an act relating to natural resources; specifying that money received from certain utility permits be deposited in the permanent school fund; allowing exchanges of riparian lands administered by the commissioner of natural resources for other lands administered by the commissioner without certain restrictions; amending Minnesota Statutes 2008, sections 84.415, subdivision 5; 94.342, subdivision 3.

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

Morrow, Otremba, Severson, Gunther, Haws, Reinert, Juhnke and Koenen introduced:

H. F. No. 556, A bill for an act relating to veterans; appropriating money for a grant to the Minnesota Assistance Council for Veterans for continued outreach to homeless veterans in Minnesota.

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

Severson, Dettmer, Smith, Westrom, Newton, Jackson and Haws introduced:

H. F. No. 557, A bill for an act relating to state government; authorizing preferences in state procurement for veteran-owned small businesses and disabled veteran-owned small businesses; amending Minnesota Statutes 2008, sections 16C.16, by adding a subdivision; 16C.19.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Severson, Dettmer, Smith, Newton, Jackson and Haws introduced:

H. F. No. 558, A bill for an act relating to taxation; individual income; providing a military retirement pay subtraction and repealing the military retirement pay credit; amending Minnesota Statutes 2008, sections 290.01, subdivision 19b; 290.0677, subdivision 2; 290.091, subdivision 2; repealing Minnesota Statutes 2008, section 290.0677, subdivision 1a.

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

Howes introduced:

H. F. No. 559, A bill for an act relating to game and fish; modifying provisions for using artificial lights to locate animals; amending Minnesota Statutes 2008, section 97B.081, subdivision 2.

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

Hansen, Simon, Beard, Shimanski and Hilty introduced:

H. F. No. 560, A bill for an act relating to state government; adding duties to the commissioner of finance; amending Minnesota Statutes 2008, section 16A.055, subdivision 1.

The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

Dauids introduced:

H. F. No. 561, A bill for an act relating to taxation; modifying requirements for classification as class 4c property; amending Minnesota Statutes 2008, section 273.13, subdivision 25.

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

Wagenius, Sterner, Rosenthal, Urdahl and Falk introduced:

H. F. No. 562, A bill for an act relating to capital investment; modifying standards for higher education asset preservation; amending Minnesota Statutes 2008, section 135A.046, subdivision 2.

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

Urdahl; Juhnke; Otremba; Magnus; Anderson, P., and Hamilton introduced:

H. F. No. 563, A bill for an act relating to agriculture; appropriating money for livestock investment grants.

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

Urdahl; Juhnke; Otremba; Hamilton; Anderson, P., and Magnus introduced:

H. F. No. 564, A bill for an act relating to agriculture; bioenergy; requiring study and report on feasibility of producing ethanol from whey.

The bill was read for the first time and referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

Abeler and Thao introduced:

H. F. No. 565, A bill for an act relating to occupations and professions; changing license provisions for chiropractors; amending Minnesota Statutes 2008, section 148.06, subdivision 1.

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

Magnus; Hamilton; Falk; Torkelson; Brown; Anderson, P.; Seifert; Gunther; Demmer; Poppe; Lanning and Cornish introduced:

H. F. No. 566, A bill for an act relating to taxation; levy limits; removing the inclusion of wind generation production tax; amending Minnesota Statutes 2008, sections 275.70, subdivision 6; 275.71, subdivisions 2, 5.

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

Gunther, Brynaert, Poppe, Morrow and Cornish introduced:

H. F. No. 567, A bill for an act relating to economic development; expanding bioscience business development public infrastructure grant program; amending Minnesota Statutes 2008, section 116J.435, subdivisions 2, 3.

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

Eken and Marquart introduced:

H. F. No. 568, A bill for an act relating to highways; designating Becker County Veterans Memorial Highway on portions of marked Trunk Highways 34 and 87; amending Minnesota Statutes 2008, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Sailer, Gardner, Gunther, Atkins, Howes, Dill and Simon introduced:

H. F. No. 569, A bill for an act relating to solid waste; requiring a pilot program to be implemented by paint manufacturers to recycle paint; amending Minnesota Statutes 2008, section 13.7411, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Champion, Hayden, Simon, Hornstein, Hortman, Newton, Rosenthal, Bigham and Lesch introduced:

H. F. No. 570, A bill for an act relating to transportation; highways; prohibiting certain activities at rest areas; prescribing petty misdemeanor penalty; proposing coding for new law in Minnesota Statutes, chapter 160.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Sailer, Nornes, Eken, Howes, Hilty, Otremba, Knuth, Koenen, Persell and Urdahl introduced:

H. F. No. 571, A bill for an act relating to transportation; regulating titling, registration, and operation of mini trucks; amending Minnesota Statutes 2008, sections 84.798, subdivision 2; 84.922, subdivision 1a; 168.002, subdivision 24, by adding a subdivision; 168.013, by adding a subdivision; 168A.03, subdivision 1; 169.011, subdivision 52, by adding a subdivision; 169.224.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Haws, Hosch, Severson and Otremba introduced:

H. F. No. 572, A bill for an act relating to drivers' licenses; providing for designation of veteran status on drivers' licenses and Minnesota identification cards; amending Minnesota Statutes 2008, sections 171.06, subdivision 3; 171.07, by adding a subdivision.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Juhnke and Sterner introduced:

H. F. No. 573, A bill for an act relating to companion animals; creating a required permit for certain dog and cat breeders; proposing coding for new law in Minnesota Statutes, chapter 347.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Thissen introduced:

H. F. No. 574, A bill for an act relating to motor vehicles; establishing special plates remembering victims of impaired drivers; amending Minnesota Statutes 2008, section 168.1291, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 168.

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

Simon, Hausman, Holberg, Newton and Lieder introduced:

H. F. No. 575, A bill for an act relating to drivers' licenses; modifying provision relating to driving instruction permits for home-school students; amending Minnesota Statutes 2008, section 171.05, subdivision 2.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Carlson, Swails, Knuth, Wagenius, Lillie, Nelson, Obermueller, Scalze, Bigham and Bunn introduced:

H. F. No. 576, A bill for an act relating to environment; providing for plastic bag recycling; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Hosch, Hayden, Champion and Clark introduced:

H. F. No. 577, A bill for an act relating to human services; repealing the MFIP housing penalty; amending Minnesota Statutes 2008, section 256J.95, subdivision 9; repealing Minnesota Statutes 2008, section 256J.37, subdivision 3a.

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

Hortman introduced:

H. F. No. 578, A bill for an act relating to commerce; regulating building and construction contracts and indemnification agreements; amending Minnesota Statutes 2008, sections 337.01; 337.02; 337.05, subdivision 1; 337.10.

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

Olin introduced:

H. F. No. 579, A bill for an act relating to game and fish; providing for certain licenses to be issued without a fee; amending Minnesota Statutes 2008, section 97A.441, by adding a subdivision.

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

Hosch and Hayden introduced:

H. F. No. 580, A bill for an act relating to human services; modifying MFIP family stabilization and work programs; amending Minnesota Statutes 2008, sections 256J.425, subdivision 4; 256J.46, subdivision 1; 256J.53, subdivision 1; 256J.57, subdivision 1; 256J.575, subdivisions 3, 6, 7.

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

Hosch, Paymar, Greiling, Masin, Haws, Thissen and Gottwalt introduced:

H. F. No. 581, A bill for an act relating to human services; expanding the definition of services available under medical assistance for disabled children's services; amending Minnesota Statutes 2008, section 252.27, subdivision 1a.

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

Lesch, Olin and Anderson, B., introduced:

H. F. No. 582, A bill for an act relating to crimes; changing requirement that defendant waiver of jury trial be consented to by prosecutor; proposing coding for new law in Minnesota Statutes, chapter 631.

The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight.

Severson, Smith, Gottwalt, Drazkowski and Dettmer introduced:

H. F. No. 583, A bill for an act relating to civil liability; providing immunity for certain firearms safety instructors, course providers, sponsoring organizations, and participants; amending Minnesota Statutes 2008, section 87A.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 87A; 604A.

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

## **MOTIONS AND RESOLUTIONS**

Doty moved that the name of Sterner be added as an author on H. F. No. 10. The motion prevailed.

Juhnke moved that the name of Lanning be added as an author on H. F. No. 26. The motion prevailed.

Bigham moved that the name of Urdahl be added as an author on H. F. No. 45. The motion prevailed.

Thissen moved that the name of Morrow be added as an author on H. F. No. 51. The motion prevailed.

Emmer moved that the name of Abeler be added as an author on H. F. No. 57. The motion prevailed.

Swails moved that the name of Morrow be added as an author on H. F. No. 106. The motion prevailed.

Thissen moved that the name of Slawik be added as an author on H. F. No. 174. The motion prevailed.

Thissen moved that the name of Slawik be added as an author on H. F. No. 181. The motion prevailed.

Dettmer moved that the name of Abeler be added as an author on H. F. No. 184. The motion prevailed.

Nelson moved that the name of Abeler be added as an author on H. F. No. 196. The motion prevailed.

Thissen moved that the name of Abeler be added as an author on H. F. No. 247. The motion prevailed.

Knuth moved that the names of Abeler, Morrow and Slawik be added as authors on H. F. No. 250. The motion prevailed.

Lillie moved that the name of Abeler be added as an author on H. F. No. 259. The motion prevailed.

Hausman moved that the name of Abeler be added as an author on H. F. No. 263. The motion prevailed.

Fritz moved that the name of Abeler be added as an author on H. F. No. 266. The motion prevailed.

Hortman moved that the names of Ward and Persell be added as authors on H. F. No. 267. The motion prevailed.

Fritz moved that the name of Abeler be added as an author on H. F. No. 277. The motion prevailed.

Clark moved that the names of Carlson and Davnie be added as authors on H. F. No. 286. The motion prevailed.

Ruud moved that the name of Abeler be added as an author on H. F. No. 293. The motion prevailed.

Hosch moved that the name of Morrow be added as an author on H. F. No. 302. The motion prevailed.

Lillie moved that the name of Abeler be added as an author on H. F. No. 303. The motion prevailed.

Seifert moved that the name of Abeler be added as an author on H. F. No. 313. The motion prevailed.

Clark moved that the names of Sterner, Abeler, Mullery and Slawik be added as authors on H. F. No. 326. The motion prevailed.

Hausman moved that the names of Abeler and Hosch be added as authors on H. F. No. 343. The motion prevailed.

Fritz moved that the name of Slawik be added as an author on H. F. No. 351. The motion prevailed.

Hilstrom moved that the name of Nelson be added as an author on H. F. No. 354. The motion prevailed.

Slocum moved that her name be stricken as an author on H. F. No. 359. The motion prevailed.

Norton moved that the names of Fritz, Greiling, Morrow, Haws and Loeffler be added as authors on H. F. No. 359. The motion prevailed.

Zellers moved that the name of Abeler be added as an author on H. F. No. 363. The motion prevailed.

Urdahl moved that the name of Beard be added as an author on H. F. No. 368. The motion prevailed.

Murphy, M., moved that the name of Abeler be added as an author on H. F. No. 373. The motion prevailed.

Buesgens moved that the name of Abeler be added as an author on H. F. No. 404. The motion prevailed.

Brod moved that the name of Beard be added as an author on H. F. No. 405. The motion prevailed.

Brod moved that the name of Beard be added as an author on H. F. No. 406. The motion prevailed.

Brod moved that the name of Beard be added as an author on H. F. No. 407. The motion prevailed.

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

Brod moved that the name of Beard be added as an author on H. F. No. 409. The motion prevailed.

Bunn moved that the name of Hilstrom be added as an author on H. F. No. 412. The motion prevailed.

Bunn moved that the names of Hilstrom and Reinert be added as authors on H. F. No. 413. The motion prevailed.

Atkins moved that the names of Clark and Hilstrom be added as authors on H. F. No. 417. The motion prevailed.

Davnie moved that the name of Clark be added as an author on H. F. No. 419. The motion prevailed.

Obermueller moved that the names of Urdahl, Morrow, Hilstrom and Reinert be added as authors on H. F. No. 422. The motion prevailed.

Hilstrom moved that the name of Nelson be added as an author on H. F. No. 425. The motion prevailed.

Drazkowski moved that the names of Urdahl and Beard be added as authors on H. F. No. 426. The motion prevailed.

Hilstrom moved that the name of Nelson be added as an author on H. F. No. 427. The motion prevailed.

Welti moved that the name of Urdahl be added as an author on H. F. No. 428. The motion prevailed.

Hilstrom moved that the name of Nelson be added as an author on H. F. No. 429. The motion prevailed.

Obermueller moved that the names of Urdahl and Reinert be added as authors on H. F. No. 433. The motion prevailed.

Laine moved that the names of Champion and Clark be added as authors on H. F. No. 434. The motion prevailed.

Dauids moved that his name be stricken as an author on H. F. No. 436. The motion prevailed.

Drazkowski moved that the name of Urdahl be added as an author on H. F. No. 437. The motion prevailed.

Ruud moved that the names of Clark and Kahn be added as authors on H. F. No. 438. The motion prevailed.

Norton moved that the names of Clark, Urdahl and Paymar be added as authors on H. F. No. 439. The motion prevailed.

Zellers moved that the names of Kohls and Brod be added as authors on H. F. No. 445. The motion prevailed.

Mullery moved that the name of Clark be added as an author on H. F. No. 448. The motion prevailed.

Mullery moved that the name of Hilstrom be added as an author on H. F. No. 449. The motion prevailed.

Murdock moved that the name of Nornes be added as an author on H. F. No. 451. The motion prevailed.

Murdock moved that the names of Morgan and Beard be added as authors on H. F. No. 452. The motion prevailed.

Fritz moved that the names of Clark and Champion be added as authors on H. F. No. 453. The motion prevailed.

Dean moved that the name of Mack be added as an author on H. F. No. 455. The motion prevailed.

Johnson moved that the name of Clark be added as an author on H. F. No. 456. The motion prevailed.

Liebling moved that the names of Clark and Champion be added as authors on H. F. No. 460. The motion prevailed.

Carlson moved that the name of Hilstrom be added as an author on H. F. No. 466. The motion prevailed.

Davnie moved that the names of Clark and Hilstrom be added as authors on H. F. No. 467. The motion prevailed.

Winkler moved that the name of Morgan be added as an author on H. F. No. 475. The motion prevailed.

Kahn moved that the names of Juhnke, Koenen, Fritz, Otremba, Murdock and Dean be added as authors on H. F. No. 478. The motion prevailed.

Lesch moved that the name of Clark be added as an author on H. F. No. 483. The motion prevailed.

Kohls moved that the names of Peppin and Beard be added as authors on H. F. No. 489. The motion prevailed.

Liebling moved that the name of Persell be added as an author on H. F. No. 491. The motion prevailed.

Scalze moved that the names of Davnie, Mahoney, Slawik and Kahn be added as authors on H. F. No. 496. The motion prevailed.

Murphy, E., moved that the name of Johnson be added as an author on H. F. No. 498. The motion prevailed.

Murphy, E., moved that the name of Kahn be added as an author on H. F. No. 499. The motion prevailed.

Senate Concurrent Resolution No. 5, the unofficial engrossment, was reported to the House.

#### SENATE CONCURRENT RESOLUTION NO. 5

A Senate concurrent resolution adopting deadlines for the 2009 regular session.

*Be It Resolved*, by the Senate of the State of Minnesota, the House of Representatives concurring:

In accordance with Joint Rule 2.03, as modified by this resolution, the deadlines in this resolution apply to the 2009 regular session.

(1) The first deadline, March 27, 2009, at 8:00 p.m., is for committees to act favorably on bills in the house of origin.

(2) The second deadline, April 7, 2009, at 11:59 p.m., is for committees to act favorably on bills, or companions of bills, that met the first deadline in the other house.

(3) The third deadline, April 16, 2009, is for divisions of the House and Senate Committees on Finance to act favorably on omnibus appropriation bills.

(4) The fourth deadline, April 22, 2009, is for the House and Senate Committees on Finance, the House Committee on Ways and Means, and the House and Senate Committees on Taxes to act favorably on omnibus appropriation and tax bills.

(5) The fifth deadline, May 7, 2009, is for conference committees on omnibus appropriation and tax bills to report bills to the floor.

When a committee in either house acts favorably on a bill after a deadline established in this resolution, the bill must be referred in the Senate to the Committee on Rules and Administration or in the House of Representatives to the Committee on Rules and Legislative Administration for disposition. Either rules committee, when reporting a bill referred to the committee in accordance with Joint Rule 2.03 and this resolution, may waive the application of the rule and resolution to subsequent actions on that bill by other committees.

Sertich moved that Senate Concurrent Resolution No. 5, the unofficial engrossment, be now adopted.

Seifert moved to amend Senate Concurrent Resolution No. 5, the unofficial engrossment, as follows:

Page 2, line 1, delete everything after the period

Page 2, delete lines 2 and 3

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 50 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Abeler	Dean	Gottwalt	Lanning	Peppin	Sterner
Anderson, B.	Demmer	Gunther	Loon	Rosenthal	Torkelson
Anderson, P.	Dettmer	Hackbarth	Mack	Sanders	Urdahl
Anderson, S.	Doepke	Hamilton	Magnus	Scalze	Westrom
Beard	Downey	Holberg	Masin	Scott	Zellers
Brod	Drazkowski	Hoppe	McFarlane	Seifert	
Buesgens	Eastlund	Kelly	McNamara	Severson	
Cornish	Emmer	Kiffmeyer	Murdock	Shimanski	
Davids	Garofalo	Kohls	Nornes	Smith	

Those who voted in the negative were:

Anzelc	Falk	Howes	Lillie	Otremba	Solberg
Atkins	Faust	Huntley	Loeffler	Paymar	Swails
Bly	Fritz	Jackson	Mariani	Pelowski	Thao
Brown	Gardner	Johnson	Marquart	Persell	Thissen
Brynaert	Greiling	Juhnke	Morgan	Peterson	Tillberry
Bunn	Hansen	Kahn	Morrow	Poppe	Wagenius
Carlson	Hausman	Kath	Mullery	Reinert	Ward
Champion	Haws	Knuth	Murphy, E.	Rukavina	Welti
Clark	Hayden	Koenen	Murphy, M.	Ruud	Winkler
Davnie	Hilstrom	Laine	Nelson	Sailer	Spk. Kelliher
Dill	Hilty	Lenczewski	Newton	Sertich	
Dittrich	Hornstein	Lesch	Norton	Simon	
Doty	Hortman	Liebling	Obermueller	Slawik	
Eken	Hosch	Lieder	Olin	Slocum	

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

The question recurred on the Sertich motion that Senate Concurrent Resolution No. 5, the unofficial engrossment, be now adopted. The motion prevailed and Senate Concurrent Resolution No. 5, the unofficial engrossment, was adopted.

Slawik moved that H. F. No. 276 be recalled from the Committee on Taxes and be re-referred to the Committee on Finance. The motion prevailed.

Nornes moved that H. F. No. 331 be recalled from the Committee on K-12 Education Policy and Oversight and be re-referred to the Committee on Finance. The motion prevailed.

Bunn moved that H. F. No. 412 be recalled from the Committee on Commerce and Labor and be re-referred to the Committee on Civil Justice. The motion prevailed.

## FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Lenczewski announced her intention to place S. F. No. 49 on the Fiscal Calendar for Monday, February 9, 2009.

## ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, February 9, 2009. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Monday, February 9, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives