

1.1 moves to amend H.F. No. 1049, the delete everything amendment
1.2 (H1049DE4), as follows:

1.3 Page 15, delete lines 17 to 21

1.4 Page 26, after line 17 insert:

1.5 "Sec. **TRANSFER OF INCOME FROM CERTAIN PUBLIC SERVICE**
1.6 **ENTERPRISES.**

1.7 Notwithstanding any other law or charter provision to the contrary, a home rule
1.8 charter or statutory city that has a public service enterprise that sells electricity shall
1.9 make a payment to the state by December 31, 2011, equal to a percent of the calendar
1.10 year 2009 net income of the public service enterprise, as reported to the state auditor. If
1.11 a city's public service enterprise that sells electricity had a net income less than zero for
1.12 calendar year 2009 it is not subject to the payment requirement under this section. The
1.13 percent of the transfer shall be the same for all affected cities and shall be equal to the
1.14 amount necessary to have the total payments under this section equal \$60,000,000. The
1.15 commissioner of revenue shall calculate the percent, based on information supplied by the
1.16 state auditor, and inform each city of the amount owed by August 1, 2011. The city may
1.17 make the payment from the public service enterprise fund selling electricity, or, if the city
1.18 has transferred money from the public service enterprise fund to another city fund, the
1.19 payment may come from the city fund that received the transfer. Monies received under
1.20 this section shall be deposited in the state general fund.

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