

January 22, 2009

PROPOSED AMENDMENTS TO SENATE BILL NO. 2035

Page 1, line 5, replace "and" with "to provide for a study and report to the legislative council;"  
and after "date" insert "; and to provide an expiration date"

Page 4, line 8, after "states" insert "or any facility owned by the state or a political subdivision"

Page 4, line 11, after "states" insert "or any facility owned by the state or a political subdivision"

Page 4, line 15, after "facilities" insert "or any facility owned by the state or a political  
subdivision"

Page 4, after line 15, insert:

**"SECTION 5. TAX COMMISSIONER STUDY - LEGISLATIVE COUNCIL  
REPORT.**

1. During the 2009-11 and 2011-13 bienniums, the tax commissioner shall conduct a cost-benefit analysis of the coal severance tax exemption authorized under section 57-61-01.4.
2. The tax commissioner shall report the findings and recommendations of the analysis to the legislative council's interim energy development and transmission committee during the 2013-14 interim.
3. The report must be based upon information available to the tax commissioner and must include an analysis of the costs and benefits to the state and the taxpayers who qualify for the exemption under section 57-61-01.4.
4. The tax commissioner shall establish the procedure by which the tax commissioner will compile the data and the format in which the tax commissioner will provide this data to the interim committee.
5. The tax commissioner may use confidential tax information filed by or on behalf of a person pursuant to a tax law of this state to compile this report. Confidential tax information must be provided to the interim committee in a manner that will not divulge information specific to any taxpayer."

Page 4, line 16, replace "This Act is" with "Sections 1 through 4 of this Act are"

Page 4, line 17, after "2009" insert ", and before July 1, 2015, and are thereafter ineffective"

Renumber accordingly