

February 18, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2342

Page 1, line 2, replace "61-32" with "57-39.2"

Page 1, line 4, after the first "and" insert "a sales and use tax refund for qualifying"

Page 1, line 4, replace "tiling projects" with "tile systems"

Page 1, line 4, remove the second "and"

Page 1, line 5, remove ", subsection 45 of section 57-39.2-04, and sections 57-39.5-02 and 61-32-03"

Page 1, line 6, remove "sustainably grown crops,"

Page 1, line 7, remove ", sales tax on field tile, and"

Page 1, line 8, replace "drainage permits" with "; and to provide for a legislative management study"

Page 2, remove lines 4 through 29

Page 3, remove lines 1 through 30

Page 4, replace lines 1 through 15 with:

**"SECTION 4.** A new section to chapter 57-39.2 of the North Dakota Century Code is created and enacted as follows:

**Sales tax refund for subsurface field tile drainage system.**

The owner of a subsurface field tile drainage system within the boundaries of a drainage project authorized by chapter 61-21 may apply for a refund of a portion of the sales or use tax due and paid on the qualifying subsurface field tile system. The tax eligible for refund includes tax paid by the system owner and tax paid by contractors installing the system and is equal to two percentage points of the sales or use tax imposed under this chapter or chapter 57-40.2 on tangible personal property incorporated into the subsurface field tile system. Application for a refund must be made at the times and in the manner directed by the tax commissioner and must include sufficient information to permit the tax commissioner to verify the qualifying drainage project, the purchase and use of the tangible personal property, and the sales and use taxes paid.

**SECTION 5. LEGISLATIVE MANAGEMENT STUDY - SUBSURFACE FIELD TILING.** During the 2011-12 interim, the legislative management shall consider studying the laws and rules relating to subsurface field tiling. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly