

Bill/Resolution No.: _____ Amendment to: SB 2095

Requested by: Legislative Council Date of Receipt: 3-16-83

Please estimate the fiscal impact of the above measure for:

State general or special funds Counties Cities

In the following space note the fiscal effect in dollars of this measure:

Narrative:

SB 2095, if enacted into law, as amended (amendments attached) would decrease revenue to the Highway Distribution Fund by \$150,000 and increase revenue to the Agricultural Fuel Fund by \$404,000 in the 1983-85 biennium.

State Fiscal Effect:


<u>1983-84</u>		<u>1984-85</u>		<u>Biennium Total</u>	
<u>Special Funds</u>	<u>General Fund</u>	<u>Special Funds</u>	<u>General Fund</u>	<u>Special Funds</u>	<u>General Fund</u>
-\$30,000 (Highway Dist. Fund)		-\$120,000 (Highway Dist. Fund)		-\$150,000 (Highway Dist. Fund)	
+\$204,000 (Ag. Fuel Fund)		+\$200,000 (Ag. Fuel Fund)		+\$404,000 (Ag. Fuel Fund)	

County and City Fiscal Effect:

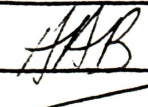
<u>1983-84</u>		<u>1984-85</u>		<u>Biennium Total</u>	
<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>	<u>Counties</u>	<u>Cities</u>

If additional space is needed, attach a supplemental sheet.

Date prepared: 3-24-83

Signed 

Typed Name C. William Cudworth

Department TAX 

On page 1 of the engrossed bill, line 2, after the numeral "4-14.1-03," insert the numeral "4-14.1-04," and after the numeral "57-50-03.1," insert the word "and", and after the numeral "57-05-05" delete the words ", and 57-54-08"

On page 1 of the engrossed bill, line 3, delete the words "relating to the agriculturally"

On page 1 of the engrossed bill, line 4, delete the words "derived alcohol motor vehicle fuel tax fund" and insert in lieu thereof the following new language: " and to amend and reenact section 57-54-08 of the North Dakota Century Code, or in the alternative to amend and reenact section 57-43.1-02 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, relating to agriculturally derived motor fuel and motor fuel taxes"

On page 2 of the engrossed bill, after line 3, insert the following new subsection:

Insert

"1. At least three-fourths of the funds provided for under section 57-50-01 of the North Dakota Century Code shall be used as grants in aid to organizations working to develop agriculturally derived fuels."

On page 2 of the engrossed bill, after line 26, insert the following new subsection:

"Employment of needed personnel, hiring of consultants, and contracting with public entities or private parties for services as may be necessary to implement the policy and purposes of this chapter."

On page 2 of the engrossed bill, line 32, after the word "the" insert the words "commissioner of agriculture with the advice and counsel of an"

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On page 3 of the engrossed bill, after line 6, insert the following new sections:

"SECTION 4. AMENDMENT. Section 4-14.1-04 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

Insert C

4-14.1-04. AGRICULTURAL PRODUCTS UTILIZATION COMMISSION - MEETINGS --PERSONNEL---ADVISORY COMMITTEE. The agricultural products utilization commission shall meet at least once annually, and shall report to each session of the legislative assembly. The commission may secure office space and employ needed personnel for the performance of its duties, may hire consultants, and may contract with public entities or private parties for services. The agricultural products utilization commission shall have an advisory committee composed of three persons, one each designated by the director of the economic development commission, the president of the North Dakota state university, and the state commissioner of agriculture.

SECTION 5. AMENDMENT. Section 57-43.1-02 of the North Dakota Century Code as created by section 1 of House Bill No. 1073, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

Insert D

57-43.1-02. Tax imposed on motor vehicle fuels - Tax reduced for agriculturally derived alcohol-blended fuels. A

1. Except as otherwise provided in this section, a tax of eight cents per gallon [3.79 liters] is imposed on all motor vehicle fuel sold or used in this state except the.
2. The tax imposed on gasoline sold which contains a minimum ten percent blend of an agricultural ethyl alcohol or methanol whose purity is at least ninety-nine percent alcohol is:
 - a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1;

b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1;

c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1; and

d. From December 31, 1985, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.

e. After June 30, 1992, at the same rate as the tax imposed under subsection 1.

3. The dealer shall collect the tax imposed by this section from the consumer on all sales.

4. Sales of fuel in the original package may be made to a licensed dealer, and the dealer may collect the tax imposed by this chapter, but on sales in the original package to persons other than licensed dealers, the dealer is liable for the tax."

On page 5 of the engrossed bill, delete lines 27 through 35 and insert in lieu thereof the following new section:

"SECTION 8. AMENDMENT. If House Bill No. 1073 does not become effective, section 57-54-08 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-54-08. Tax imposed on motor vehicle fuels - Tax reduced for agriculturally derived alcohol-blended fuels. There is hereby imposed

- 1. Except as otherwise provided in this section a tax of eight cents per gallon [3.79 liters] is imposed on all motor vehicle fuel sold or used in this state. Provided, however, the
- 2. The tax imposed by this section on gasoline sold which contains a minimum ten percent blend of an agricultural ethyl alcohol or methanol whose purity is at least ninety-nine percent alcohol shall be is:
 - a. Through December 31, 1983, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1;
 - b. From January 1, 1984, through December 31, 1984, five cents per gallon [3.79 liters] less than the tax imposed under subsection 1;
 - c. From January 1, 1985, through December 31, 1985, six cents per gallon [3.79 liters] less than the tax imposed under subsection 1; and
 - d. From December 31, 1985, through June 30, 1992, four cents per gallon [3.79 liters] less than the tax imposed under subsection 1.
 - e. After June 30, 1992, at the same rate as the tax imposed under subsection 1.
- 3. The tax imposed by this section shall must be collected by the dealer from the consumer on all sales.
- 4. Sales of fuel in the original package may be made to a licensed dealer, and he shall have the option of collecting who may collect the tax imposed by this chapter, but on sales in the original package to persons other than licensed dealers, the dealer shall be is liable for the tax thereon."

Insert

On page 6 of the engrossed bill, delete lines 1 through 9

And renumber the lines, sections, subsections, and pages
accordingly.