

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1046

In lieu of the amendments adopted by the Senate as printed on pages 1044 and 1045 of the Senate Journal, Engrossed House Bill No. 1046 is amended as follows:

Page 1, line 5, remove "an appropriation and"

Page 1, line 6, after "appropriation" insert "and a statement of legislative intent regarding a future appropriation"

Page 1, line 6, remove "and"

Page 1, line 6, after "date" insert "; and to provide an expiration date"

Page 3, line 4, replace "four" with "one and one-half"

Page 3, line 7, after "potash" insert "is assessed against the sales price of the potash in an arm's-length contract between the taxpayer and the purchaser. If a potash sale or transfer is not the result of an arm's-length contract, the tax"

Page 3, line 10, after "index" insert "(commodity code PCU212391212391)"

Page 3, line 23, remove ", less, when applicable, transportation"

Page 3, remove line 24

Page 3, line 25, remove "point of sale under the contract"

Page 3, line 28, remove ", less, when applicable, transportation costs associated with moving the"

Page 3, line 29, remove "byproducts to the point of sale"

Page 4, line 8, after "upon" insert "the processing plant, mining facility, or satellite facility and any associated pipelines:"

Page 4, line 12, remove "and the processing plant,"

Page 4, line 13, remove "mining facility, or satellite facility"

Page 4, line 19, remove "and city auditor"

Page 4, line 25, replace the first "spacing unit" with "mining permit area"

Page 4, line 25, replace the second "spacing unit" with "mining permit area"

Page 4, line 26, replace "spacing unit" with "mining permit area"

Page 4, line 27, replace "unit" with "area"

Page 4, line 28, replace "spacing unit" with "mining permit area"

Page 4, line 30, replace "road and bridge" with "general"

Page 4, line 30, after the underscored period insert "Five percent of each monthly allocation to counties under this subsection and subsection 2 must be retained by the state"

treasurer and deposited in the state general fund until a total of two million dollars has been deposited in the state general fund under this subsection."

Page 5, line 2, replace "spacing unit" with "mining permit area"

Page 5, line 3, replace "For the first calendar year, sixty" with "Ten"

Page 5, line 3, remove "and forty percent"

Page 5, line 4, remove "to the state general fund"

Page 5, line 5, remove "For the first calendar year after the allocation under subdivision a is completed."

Page 5, line 6, replace "fifty percent to the producing county and fifty" with "Ninety"

Page 5, remove lines 7 through 23

Page 13, replace lines 6 through 11 with:

"SECTION 4. LEGISLATIVE INTENT - IMPACT GRANT FUNDING 2013-15 BIENNIUM. It is the intent of the sixty-second legislative assembly that the sixty-third legislative assembly will appropriate out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the energy development impact office, or its successor, for the purpose of impact grant funding for potash development-impacted political subdivisions, for the biennium beginning July 1, 2013, and ending June 30, 2015. The appropriation described in this section must be transferred and deposited in a special account within the impact grant fund and is not subject to section 54-44.1-11. The unexpended portion of this appropriation may be carried over through June 30, 2017. An expenditure may not be made from this appropriation until a building permit has been issued for a potash processing plant in this state."

Page 13, line 17, after "**DATE**" insert "**- EXPIRATION DATE**"

Page 13, line 17, replace "after June 30, 2011" with "from July 1, 2011, through June 30, 2017, and is thereafter ineffective"

Renumber accordingly