

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

SENATE BILL NO. 2072
(Finance and Taxation Committee)
(At the request of the Tax Commissioner)

AN ACT to create and enact a new subsection to section 57-40.2-02.1 of the North Dakota Century Code, relating to the imposition of a use tax on natural gas; to amend and reenact subsection 6 of section 57-39.2-04 and section 57-40.3-05 of the North Dakota Century Code, relating to a sales tax exemption for a political subdivision of another state and the requirement for a seller's certificate under the motor vehicle excise tax; and to repeal sections 57-37.1-12, 57-37.1-13, 57-37.1-14, and 57-40.3-05.1 of the North Dakota Century Code, relating to inventory of safety deposit boxes upon the death of the lessor, the notice of transfer of a decedent's assets, penalties for violating the duties of a depository, and the requirement of a seller's certificate under the motor vehicle excise tax.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 6 of section 57-39.2-04 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6. Gross receipts from all sales otherwise taxable under this chapter made to the United States or to any state, including the state of North Dakota, or any of the subdivisions, departments, agencies, or institutions of any state. A political subdivision of another state is exempt under this subsection only if it is exempt from sales tax in its home state a sale to a North Dakota political subdivision is treated as an exempt sale in that state. The governmental units exempted by this subsection must be issued a certificate of exemption by the commissioner and such the certificate must be presented to each retailer whenever this exemption is claimed.

SECTION 2. A new subsection to section 57-40.2-02.1 of the North Dakota Century Code is created and enacted as follows:

An excise tax is imposed on the storage, use, or consumption in this state of natural gas consumed by a final user at the rate of four percent from January 1, 1993, through December 31, 1993; three percent from January 1, 1994, through December 31, 1994; and two percent after December 31, 1994, if sales tax has not been applied as provided by section 57-39.2-03.6.

SECTION 3. AMENDMENT. Section 57-40.3-05 of the North Dakota Century Code is amended and reenacted as follows:

57-40.3-05. Purchaser to furnish motor vehicle purchaser's certificate to director of the department of transportation. Any person purchasing a motor vehicle and any person acquiring a motor vehicle by way of gift from a husband or wife, parent or child, or from a brother or sister shall complete a motor vehicle purchaser's certificate in such form and manner as may be prescribed by the director of the department of transportation, showing a complete description of the motor vehicle, the seller's name and address, the buyer's name and address, the full purchase price of the vehicle, trade-in allowance and description of the trade-in, if any, whether the vehicle was the subject of a gift, and any other information that the director of the department of transportation may require. ~~If the motor vehicle was the subject of a sale, the purchaser must, upon request of the department of transportation, also attach to the motor vehicle purchaser's certificate a copy of the seller's certificate required under section 57-40.3-05.1.~~

SECTION 4. REPEAL. Sections 57-37.1-13 and 57-37.1-14 of the North Dakota Century Code and sections 57-37.1-12 and 57-40.3-05.1 of the 1995 Supplement to the North Dakota Century Code are repealed.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2072.

Senate Vote: Yeas 47 Nays 0 Absent 2

House Vote: Yeas 95 Nays 1 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State