

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1487

Page 1, line 1, remove "to create and enact a new subsection to section 57-39.2-04 of the North"

Page 1, line 2, remove "Dakota Century Code, relating to a tax exemption for farm machinery parts;"

Page 1, line 4, replace "a tax exemption for" with "the rate of sales and use tax for farm machinery," after "machinery" insert "repair", after "parts" insert ", and irrigation equipment used exclusively for agricultural purposes", and replace "and" with "to provide an effective date;"

Page 1, line 5, after "date" insert "; and to declare an emergency"

Page 1, line 11, after the second "of" insert "new"

Page 1, line 12, after "and" insert "new"

Page 1, line 15, after the period insert "There is imposed a tax of one and one-half percent upon the gross receipts of retailers from all sales at retail of used farm machinery, farm machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes, including the leasing or renting of used farm machinery and used irrigation equipment used exclusively for agricultural purposes within this state to consumers or users. For purposes of this subsection, "used" means:

- a. Tax under this chapter has been paid on a previous sale;
- b. Originally purchased outside this state and previously owned by a farmer; or
- c. Has been under lease or rental for three years or more."

Page 1, remove lines 16 through 18

Page 1, line 23, after the second "of" insert "new"

Page 1, line 24, after "and" insert "new"

Page 2, line 5, after "of" insert "new" and overstrike ", farm machinery repair"

Page 2, line 6, overstrike "parts," and after "and" insert "new"

Page 2, line 9, after "of" insert "new", overstrike ", farm machinery repair parts,", and after the second "and" insert "new"

Page 2, line 11, after the period insert "An excise tax is imposed on the storage, use, or consumption in this state of used farm machinery, farm machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes purchased at retail for storage, use, or consumption in this state at the rate of one and one-half percent of the purchase price thereof. Except as limited by section 57-40.2-11, an excise tax is imposed on the storage, use, or consumption in this state of used farm machinery, farm

machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes not originally purchased for storage, use, or consumption in this state at the rate of one and one-half percent of the fair market value of the used farm machinery, farm machinery repair parts, and used irrigation equipment used exclusively for agricultural purposes at the time it was brought into this state. For purposes of this subsection, "used" means:

- a. Tax under this chapter has been paid on a previous sale;
- b. Originally purchased outside this state and previously owned by a farmer; or
- c. Has been under lease or rental for three years or more."

Page 2, line 12, after the first period insert "**EFFECTIVE DATE -**" and replace "through December 31, 2000" with "for taxable events occurring after April 30, 1999, and before July 1, 2001"

Page 2, after line 13, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly