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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **308**

January 26, 2009

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The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to taxation; sales and use; expanding the exemption for certain public
1.3 safety radio equipment; amending Minnesota Statutes 2008, sections 297A.70,
1.4 subdivision 8; 297A.75, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 297A.70, subdivision 8, is amended to
1.7 read:

1.8 Subd. 8. **Regionwide public safety radio communication system; products and**
1.9 **services.** Products and services including, but not limited to, end user equipment used
1.10 for construction, ownership, operation, maintenance, and enhancement of the backbone
1.11 system of the regionwide public safety radio communication system established under
1.12 sections 403.21 to 403.40, are exempt. For purposes of this subdivision, backbone system
1.13 is defined in section 403.21, subdivision 9. ~~This subdivision is effective for purchases,~~
1.14 ~~sales, storage, use, or consumption for use in the first and second phases of the system, as~~
1.15 ~~defined in section 403.21, subdivisions 3, 10, and 11, that portion of the third phase of~~
1.16 ~~the system that is located in the southeast district of the State Patrol and the counties of~~
1.17 ~~Benton, Sherburne, Stearns, and Wright, and that portion of the system that is located in~~
1.18 ~~Itasca County.~~ For purchases and sales made after December 31, 2007, and before June
1.19 1, 2009, on which the tax was paid, the purchaser may apply for a refund in the manner
1.20 provided in section 297A.75.

1.21 **EFFECTIVE DATE.** This section is effective for sales and purchases made after
1.22 December 31, 2007.

1.23 Sec. 2. Minnesota Statutes 2008, section 297A.75, subdivision 1, is amended to read:

2.1 Subdivision 1. **Tax collected.** The tax on the gross receipts from the sale of the
2.2 following exempt items must be imposed and collected as if the sale were taxable and the
2.3 rate under section 297A.62, subdivision 1, applied. The exempt items include:

2.4 (1) capital equipment exempt under section 297A.68, subdivision 5;

2.5 (2) building materials for an agricultural processing facility exempt under section
2.6 297A.71, subdivision 13;

2.7 (3) building materials for mineral production facilities exempt under section
2.8 297A.71, subdivision 14;

2.9 (4) building materials for correctional facilities under section 297A.71, subdivision
2.10 3;

2.11 (5) building materials used in a residence for disabled veterans exempt under section
2.12 297A.71, subdivision 11;

2.13 (6) elevators and building materials exempt under section 297A.71, subdivision 12;

2.14 (7) building materials for the Long Lake Conservation Center exempt under section
2.15 297A.71, subdivision 17;

2.16 (8) ~~materials, supplies, fixtures, furnishings, and equipment~~ products and services
2.17 ~~for a county law enforcement and family service center~~ regionwide public safety radio
2.18 communication system under section ~~297A.71~~ 297A.70, subdivision ~~26~~ 8;

2.19 (9) materials and supplies for qualified low-income housing under section 297A.71,
2.20 subdivision 23;

2.21 (10) materials, supplies, and equipment for municipal electric utility facilities under
2.22 section 297A.71, subdivision 35;

2.23 (11) equipment and materials used for the generation, transmission, and distribution
2.24 of electrical energy and an aerial camera package exempt under section 297A.68,
2.25 subdivision 37;

2.26 (12) tangible personal property and taxable services and construction materials,
2.27 supplies, and equipment exempt under section 297A.68, subdivision 41;

2.28 (13) commuter rail vehicle and repair parts under section 297A.70, subdivision
2.29 3, clause (11); and

2.30 (14) materials, supplies, and equipment for construction or improvement of projects
2.31 and facilities under section 297A.71, subdivision 40.

2.32 **EFFECTIVE DATE.** This section is effective for sales and purchases made after
2.33 December 31, 2007.