

1.1 moves to amend H.F. No. 42 as follows:

1.2 Page 62, after line 10, insert:

1.3 "Sec. 7. Minnesota Statutes 2010, section 275.70, subdivision 5, is amended to read:

1.4 Subd. 5. **Special levies.** "Special levies" means those portions of ad valorem taxes
1.5 levied by a local governmental unit for the following purposes or in the following manner:

1.6 (1) to pay the costs of the principal and interest on bonded indebtedness or to
1.7 reimburse for the amount of liquor store revenues used to pay the principal and interest
1.8 due on municipal liquor store bonds in the year preceding the year for which the levy
1.9 limit is calculated;

1.10 (2) to pay the costs of principal and interest on certificates of indebtedness issued for
1.11 any corporate purpose except for the following:

1.12 (i) tax anticipation or aid anticipation certificates of indebtedness;

1.13 (ii) certificates of indebtedness issued under sections 298.28 and 298.282;

1.14 (iii) certificates of indebtedness used to fund current expenses or to pay the costs of
1.15 extraordinary expenditures that result from a public emergency; or

1.16 (iv) certificates of indebtedness used to fund an insufficiency in tax receipts or an
1.17 insufficiency in other revenue sources, provided that nothing in this subdivision limits the
1.18 special levy authorized under section 475.755;

1.19 (3) to provide for the bonded indebtedness portion of payments made to another
1.20 political subdivision of the state of Minnesota;

1.21 (4) to fund payments made to the Minnesota State Armory Building Commission
1.22 under section 193.145, subdivision 2, to retire the principal and interest on armory
1.23 construction bonds;

1.24 (5) property taxes approved by voters which are levied against the referendum
1.25 market value as provided under section 275.61;

1.26 (6) to fund matching requirements needed to qualify for federal or state grants or
1.27 programs to the extent that either (i) the matching requirement exceeds the matching

2.1 requirement in calendar year 2001, or (ii) it is a new matching requirement that did not
2.2 exist prior to 2002;

2.3 (7) to pay the expenses reasonably and necessarily incurred in preparing for or
2.4 repairing the effects of natural disaster including the occurrence or threat of widespread
2.5 or severe damage, injury, or loss of life or property resulting from natural causes, in
2.6 accordance with standards formulated by the Emergency Services Division of the state
2.7 Department of Public Safety, as allowed by the commissioner of revenue under section
2.8 275.74, subdivision 2;

2.9 (8) pay amounts required to correct an error in the levy certified to the county
2.10 auditor by a city or county in a levy year, but only to the extent that when added to the
2.11 preceding year's levy it is not in excess of an applicable statutory, special law or charter
2.12 limitation, or the limitation imposed on the governmental subdivision by sections 275.70
2.13 to 275.74 in the preceding levy year;

2.14 (9) to pay an abatement under section 469.1815;

2.15 (10) to pay any costs attributable to increases in the employer contribution rates
2.16 under chapter 353, or locally administered pension plans, that are effective after June
2.17 30, 2001;

2.18 (11) to pay the operating or maintenance costs of a county jail as authorized in
2.19 section 641.01 or 641.262, or of a correctional facility as defined in section 241.021,
2.20 subdivision 1, paragraph (f), to the extent that the county can demonstrate to the
2.21 commissioner of revenue that the amount has been included in the county budget as
2.22 a direct result of a rule, minimum requirement, minimum standard, or directive of the
2.23 Department of Corrections, or to pay the operating or maintenance costs of a regional jail
2.24 as authorized in section 641.262. For purposes of this clause, a district court order is
2.25 not a rule, minimum requirement, minimum standard, or directive of the Department of
2.26 Corrections. If the county utilizes this special levy, except to pay operating or maintenance
2.27 costs of a new regional jail facility under sections 641.262 to 641.264 which will not
2.28 replace an existing jail facility, any amount levied by the county in the previous levy year
2.29 for the purposes specified under this clause and included in the county's previous year's
2.30 levy limitation computed under section 275.71, shall be deducted from the levy limit
2.31 base under section 275.71, subdivision 2, when determining the county's current year
2.32 levy limitation. The county shall provide the necessary information to the commissioner
2.33 of revenue for making this determination;

2.34 (12) to pay for operation of a lake improvement district, as authorized under section
2.35 103B.555. If the county utilizes this special levy, any amount levied by the county in the
2.36 previous levy year for the purposes specified under this clause and included in the county's

3.1 previous year's levy limitation computed under section 275.71 shall be deducted from
3.2 the levy limit base under section 275.71, subdivision 2, when determining the county's
3.3 current year levy limitation. The county shall provide the necessary information to the
3.4 commissioner of revenue for making this determination;

3.5 (13) to repay a state or federal loan used to fund the direct or indirect required
3.6 spending by the local government due to a state or federal transportation project or other
3.7 state or federal capital project. This authority may only be used if the project is not a
3.8 local government initiative;

3.9 (14) to pay for court administration costs as required under section 273.1398,
3.10 subdivision 4b, less the (i) county's share of transferred fines and fees collected by the
3.11 district courts in the county for calendar year 2001 and (ii) the aid amount certified to be
3.12 paid to the county in 2004 under section 273.1398, subdivision 4c; however, for taxes
3.13 levied to pay for these costs in the year in which the court financing is transferred to the
3.14 state, the amount under this clause is limited to the amount of aid the county is certified to
3.15 receive under section 273.1398, subdivision 4a;

3.16 (15) to fund a police or firefighters relief association as required under section 69.77
3.17 to the extent that the required amount exceeds the amount levied for this purpose in 2001;

3.18 (16) for purposes of a storm sewer improvement district under section 444.20;

3.19 (17) to pay for the maintenance and support of a city or county society for the
3.20 prevention of cruelty to animals under section 343.11, but not to exceed in any year
3.21 \$4,800 or the sum of \$1 per capita based on the county's or city's population as of the most
3.22 recent federal census, whichever is greater. If the city or county uses this special levy, any
3.23 amount levied by the city or county in the previous levy year for the purposes specified
3.24 in this clause and included in the city's or county's previous year's levy limit computed
3.25 under section 275.71, must be deducted from the levy limit base under section 275.71,
3.26 subdivision 2, in determining the city's or county's current year levy limit;

3.27 (18) for counties, to pay for the increase in their share of health and human service
3.28 costs caused by reductions in federal health and human services grants effective after
3.29 September 30, 2007;

3.30 (19) for a city, for the costs reasonably and necessarily incurred for securing,
3.31 maintaining, or demolishing foreclosed or abandoned residential properties, as allowed by
3.32 the commissioner of revenue under section 275.74, subdivision 2. A city must have either
3.33 (i) a foreclosure rate of at least 1.4 percent in 2007, or (ii) a foreclosure rate in 2007 in
3.34 the city or in a zip code area of the city that is at least 50 percent higher than the average
3.35 foreclosure rate in the metropolitan area, as defined in section 473.121, subdivision 2,
3.36 to use this special levy. For purposes of this paragraph, "foreclosure rate" means the

4.1 number of foreclosures, as indicated by sheriff sales records, divided by the number of
4.2 households in the city in 2007;

4.3 (20) for a city, for the unreimbursed costs of redeployed traffic-control agents and
4.4 lost traffic citation revenue due to the collapse of the Interstate 35W bridge, as certified
4.5 to the Federal Highway Administration;

4.6 (21) to pay costs attributable to wages and benefits for sheriff, police, and fire
4.7 personnel. If a local governmental unit did not use this special levy in the previous year its
4.8 levy limit base under section 275.71 shall be reduced by the amount equal to the amount it
4.9 levied for the purposes specified in this clause in the previous year;

4.10 (22) an amount equal to any reductions in the certified aids ~~or credit reimbursements~~
4.11 payable under sections 477A.011 to 477A.014, ~~and section 273.1384~~, due to unallotment
4.12 under section 16A.152 or reductions under another provision of law. The amount of the
4.13 levy allowed under this clause for each year is limited to the amount unallotted or reduced
4.14 from the aids ~~and credit reimbursements~~ certified for payment in the year following the
4.15 calendar year in which the tax levy is certified unless the unallotment ~~or reduction~~ amount
4.16 is not known by September 1 of the levy certification year, and the local government has
4.17 not adjusted its levy under section 275.065, subdivision 6, or 275.07, subdivision 6, in
4.18 which case that unallotment or reduction amount may be levied in the following year;

4.19 (23) to pay for the difference between one-half of the costs of confining sex offenders
4.20 undergoing the civil commitment process and any state payments for this purpose pursuant
4.21 to section 253B.185, subdivision 5; and

4.22 (24) for a county to pay the costs of the first year of maintaining and operating a new
4.23 facility or new expansion, either of which contains courts, corrections, dispatch, criminal
4.24 investigation labs, or other public safety facilities and for which all or a portion of the
4.25 funding for the site acquisition, building design, site preparation, construction, and related
4.26 equipment was issued or authorized prior to the imposition of levy limits in 2008. The
4.27 levy limit base shall then be increased by an amount equal to the new facility's first full
4.28 year's operating costs as described in this clause; and

4.29 ~~(25) for the estimated amount of reduction to market value credit reimbursements~~
4.30 ~~under section 273.1384 for credits payable in the year in which the levy is payable.~~

4.31 **EFFECTIVE DATE.** This section is effective for taxes levied in 2012.

4.32 Sec. 8. Minnesota Statutes 2010, section 275.71, subdivision 2, is amended to read:

4.33 Subd. 2. **Levy limit base.** (a) The levy limit base for a local governmental unit for
4.34 taxes levied in 2008 is its levy aid base from the previous year, subject to any adjustments
4.35 under section 275.72. For taxes levied in 2009 ~~and 2010~~ through 2012, the levy limit base

5.1 for a local governmental unit is its adjusted levy limit base in the previous year, subject
5.2 to any adjustments under section 275.72.

5.3 **EFFECTIVE DATE.** This section is effective for taxes levied in 2011 and 2012.

5.4 Sec. 9. Minnesota Statutes 2010, section 275.71, subdivision 4, is amended to read:

5.5 Subd. 4. **Adjusted levy limit base.** For taxes levied in 2008 through ~~2010~~ 2012,
5.6 the adjusted levy limit base is equal to the levy limit base computed under subdivision 2
5.7 or section 275.72, multiplied by:

5.8 (1) one plus the percentage growth in the implicit price deflator, but the percentage
5.9 shall not be less than zero or exceed 3.9 percent;

5.10 (2) one plus a percentage equal to 50 percent of the percentage increase in the number
5.11 of households, if any, for the most recent 12-month period for which data is available; and

5.12 (3) one plus a percentage equal to 50 percent of the percentage increase in the
5.13 taxable market value of the jurisdiction due to new construction of class 3 property, as
5.14 defined in section 273.13, subdivision 4, except for state-assessed utility and railroad
5.15 property, for the most recent year for which data is available.

5.16 **EFFECTIVE DATE.** This section is effective for taxes levied in 2011 and 2012.

5.17 Sec. 10. Minnesota Statutes 2010, section 275.71, subdivision 5, is amended to read:

5.18 Subd. 5. **Property tax levy limit.** (a) For taxes levied in 2008 through ~~2010~~ 2012,
5.19 the property tax levy limit for a local governmental unit is equal to its adjusted levy limit
5.20 base determined under subdivision 4 plus any additional levy authorized under section
5.21 275.73, which is levied against net tax capacity, reduced by the sum of (i) the total amount
5.22 of aids and reimbursements that the local governmental unit is certified to receive under
5.23 sections 477A.011 to 477A.014, (ii) taconite aids under sections 298.28 and 298.282
5.24 including any aid which was required to be placed in a special fund for expenditure in
5.25 the next succeeding year, (iii) estimated payments to the local governmental unit under
5.26 section 272.029, adjusted for any error in estimation in the preceding year, and (iv) aids
5.27 under section 477A.16.

5.28 (b) If an aid, payment, or other amount used in paragraph (a) to reduce a local
5.29 government unit's levy limit is reduced by an unallotment under section 16A.152, the
5.30 amount of the aid, payment, or other amount prior to the unallotment is used in the
5.31 computations in paragraph (a). In order for a local government unit to levy outside of its
5.32 limit to offset the reduction in revenues attributable to an unallotment, it must do so under,
5.33 and to the extent authorized by, a special levy authorization.

- 6.1 **EFFECTIVE DATE.** This section is effective for taxes levied in 2011 and 2012."
- 6.2 Renumber the sections in sequence and correct the internal references
- 6.3 Amend the title accordingly