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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4832

04/26/2022 Authored by Theis
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; modifying the Waite Park local sales tax
1.3 authorization; amending Laws 2021, First Special Session chapter 14, article 8,
1.4 section 20, subdivisions 2, 3, 4.

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

1.6 Section 1. Laws 2021, First Special Session chapter 14, article 8, section 20, subdivision
1.7 2, is amended to read:

1.8 Subd. 2. Use of sales and use tax revenues. (a) The revenues derived from the tax
1.9 authorized under subdivision 1 must be used by the city of Waite Park to pay the costs of
1.10 collecting and administering the tax and for the following projects in the city, including
1.11 securing and paying debt service on bonds issued to finance all or part of the following
1.12 projects:

1.13 (1) up to \$7,500,000 plus associated bonding costs for regional trail connections; and

1.14 (2) up to \$20,000,000 plus associated bonding costs for construction and equipping of
1.15 a public safety facility; and

1.16 (3) notwithstanding Minnesota Statutes, section 297A.99, subdivision 2, paragraph (d),
1.17 up to \$15,500,000 plus associated bonding costs for the 10th Avenue regional corridor
1.18 project.

1.19 (b) The modification to the use of sales and use tax revenues under paragraph (a), clause
1.20 (3), is notwithstanding the requirements of Minnesota Statutes, section 297A.99, subdivision
1.21 2, paragraphs (a) and (b).

2.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
2.2 city of Waite Park and its chief clerical officer comply with Minnesota Statutes, section
2.3 645.021, subdivisions 2 and 3.

2.4 Sec. 2. Laws 2021, First Special Session chapter 14, article 8, section 20, subdivision 3,
2.5 is amended to read:

2.6 Subd. 3. **Bonding authority.** (a) The city of Waite Park may issue bonds under Minnesota
2.7 Statutes, chapter 475, to finance all or a portion of the costs of the facilities authorized in
2.8 subdivision 2 and approved by the voters as required under Minnesota Statutes, section
2.9 297A.99, subdivision 3, paragraph (a). The aggregate principal amount of bonds issued
2.10 under this subdivision may not exceed:

2.11 (1) \$7,500,000 for the project listed in subdivision 2, clause (1), plus an amount needed
2.12 to pay capitalized interest and an amount to be applied to the payment of the costs of issuing
2.13 the bonds; ~~and~~

2.14 (2) \$20,000,000 for the project listed in subdivision 2, clause (2), plus an amount needed
2.15 to pay capitalized interest and an amount to be applied to the payment of the costs of issuing
2.16 the bonds; and

2.17 (3) \$15,500,000 for the project listed in subdivision 2, clause (3), plus an amount needed
2.18 to pay capitalized interest and an amount to be applied to the payment of the costs of issuing
2.19 the bonds.

2.20 The bonds may be paid from or secured by any funds available to the city of Waite Park,
2.21 including the tax authorized under subdivision 1. The issuance of bonds under this
2.22 subdivision is not subject to Minnesota Statutes, sections 275.60 and 275.61.

2.23 (b) The bonds are not included in computing any debt limitation applicable to the city
2.24 of Waite Park, and any levy of taxes under Minnesota Statutes, section 475.61, to pay
2.25 principal and interest on the bonds is not subject to any levy limitation. A separate election
2.26 to approve the bonds under Minnesota Statutes, section 475.58, is not required.

2.27 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
2.28 city of Waite Park and its chief clerical officer comply with Minnesota Statutes, section
2.29 645.021, subdivisions 2 and 3.

3.1 Sec. 3. Laws 2021, First Special Session chapter 14, article 8, section 20, subdivision 4,
3.2 is amended to read:

3.3 Subd. 4. **Termination of taxes.** Subject to Minnesota Statutes, section 297A.99,
3.4 subdivision 12, the tax imposed under subdivision 1 expires at the earlier of (1) ~~19~~ 20 years
3.5 after the tax is first imposed, or (2) when the city council determines that the amount received
3.6 from the tax is sufficient to pay for the project costs authorized under subdivision 2 for
3.7 projects approved by voters as required under Minnesota Statutes, section 297A.99,
3.8 subdivision 3, paragraph (a), plus an amount sufficient to pay the costs related to issuance
3.9 of any bonds authorized under subdivision 3, including interest on the bonds. Except as
3.10 otherwise provided in Minnesota Statutes, section 297A.99, subdivision 3, paragraph (f),
3.11 any funds remaining after payment of the allowed costs due to the timing of the termination
3.12 of the tax under Minnesota Statutes, section 297A.99, subdivision 12, shall be placed in the
3.13 general fund of the city. The tax imposed under subdivision 1 may expire at an earlier time
3.14 if the city so determines by ordinance.

3.15 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
3.16 city of Waite Park and its chief clerical officer comply with Minnesota Statutes, section
3.17 645.021, subdivisions 2 and 3.