

# PROPOSED AMENDMENT

TO THE CONSTITUTION OF THE STATE OF  
MINNESOTA, TO BE VOTED ON AT  
THE GENERAL ELECTION IN  
NOVEMBER, A. D. 1902.

## CHAPTER I.

H.F. No. 55.

Constitutional amendment.

*An act proposing an amendment to sections one (1), two (2) and three (3) of article nine (9) of the constitution of the State of Minnesota.*

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That sections one (1), two (2) and three (3) of article nine (9) of the constitution of the State of Minnesota be amended so as to read as follows:

Section 1. The power of taxation shall never be surrendered, suspended or contracted away. The legislature shall provide for an annual tax sufficient to defray the estimated ordinary expenses of the state for each year and whenever it shall happen that such ordinary expenses for any year shall exceed the income of the state for such year the legislature shall at its next general session provide for levying a tax sufficient to pay such deficiency. And whenever the income of the state from other sources shall be sufficient to defray all of its ordinary expenses without the levy of any annual state tax, such tax levy shall be omitted. All taxes to be raised in this state shall be as nearly equal as may be, and shall be levied and collected for public purposes only; and all property on which taxes are to be levied, except as herein otherwise provided, shall have a cash valuation, and shall be equalized and uniform throughout the state; provided that whenever the levy of a tax for state purposes is omitted as above provided, the taxes levied for local purposes shall be upon a valuation of the property within the several counties and the subdivisions thereof which shall be equalized and uniform throughout each county. The legislature may by general

or special law authorize municipal corporations to levy assessments for local improvements upon the property fronting upon such improvements, or upon property benefited thereby, or both, without regard to a cash valuation in such manner as the legislature may prescribe. There may be levied and collected an annual tax upon franchises granted by public authority, in addition to the tax on the real property and other personal property of the person or corporation holding such franchise; or in lieu of a tax on such franchise alone, or in lieu of a tax on such franchise and the personal property used in connection with the exercise of the same, there may be imposed such tax upon the gross earnings of the person or corporation holding such franchise as the legislature may determine; and said tax shall be apportioned between the state, counties and municipalities where such franchise is exercised, in the same manner as real estate taxes are apportioned. There may be levied and collected a transfer tax not to exceed five per centum upon the estates of decedents, above a fixed and specified sum, which tax may be uniform or graded or progressive. There may be levied and collected a registry tax upon all real estate mortgages which shall be in lieu of all other taxes on the debt secured by such mortgages; and a tax upon the income from all credits owned by persons or corporations, as such credits are now or may be hereafter defined by law, and also on the income arising from all personal property, and also upon the income of all persons or corporations above the sum of one thousand dollars per annum, not arising from such credits or from such personal property, or from property otherwise taxed in this state. Such income tax shall be uniform throughout the state and may be graded or progressive or both, and shall be levied at a rate not to exceed ten per centum upon the income from such credits, and upon the income from personal property, and at a rate not exceeding four per centum upon such other income. Laws shall be passed taxing all real and personal property; provided that credits and personal property shall not be subject to other taxation than the income or registry tax herein authorized, while the law imposing such income or registry tax shall be in force; provided, public burying grounds, public schools, public hospitals, public library associations, colleges, universities and all seminaries of learning, all churches and church property used exclusively for religious purposes and institutions of purely public

charity, and public property used exclusively for public purposes, and personal property to an amount not exceeding three hundred dollars to each individual shall be exempt from taxation, but such personal exemption shall not be allowed to more than one member of the same family. Provided, further, that nothing in this act contained shall be construed to affect, modify or repeal any law providing for the taxation of the gross earnings of railroads.

SEC. 2. The amendment herein proposed shall be submitted to the people for their approval or rejection at the general election for the year 1902, and the qualified voters of the state shall, in their respective districts at such election, vote for or against such amendment, by ballot, and the returns thereof shall be made and certified at the same time and in the same manner as is provided by law with reference to state officers, and if it shall appear that a majority of all the voters voting at such election shall have voted in favor of said amendment, the Governor shall make proclamation thereof and said amendment shall thereupon take effect and be in force as a part of the constitution of said state. The ballots used at such elections shall have printed thereon the following:

"Amendment to section one (1), two (2) and three (3), of article nine (9), of the constitution providing for a tax on real estate mortgages and on the franchises of corporations and upon the income of corporations and individuals in excess of the sum of one thousand dollars (\$1,000) per year 'Yes'.—'No.' Each elector voting upon such proposed amendment shall place a cross (X) mark in the space to be left opposite the word 'Yes' or 'No,' and each vote shall be counted for or against such proposed amendment in accordance with the provisions of the election laws of this state."

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 12, 1902.