

CHAPTER 364—H. F. No. 623

An act to promote the development and utilization of low-grade iron-bearing formations and defining the same, by providing a classification for such low-grade iron-bearing formations and for the determination thereof for taxation.

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

Section 1. **Definitions.**—(a) For all purposes of this Act the word “person” shall be construed to include individuals, copartnerships, companies, joint stock companies, corporations and all associations however and for whatever purpose organized.

(b) “Deposit” means a body of iron-bearing materials which in accordance with good engineering and metallurgical practice should be mined as a unit.

(c) Low-grade iron-bearing formations shall mean those commercial deposits of iron-bearing materials, not including paint rock, located beneath the surface of the earth, which in their natural state require beneficiation to make them suitable for blast furnace use, and which after such beneficiation produce in tonnage less than fifty (50) percent in iron ore concentrates from the tonnage of low-grade iron-bearing formations delivered to a beneficiation plant and which formations must be mined in accordance with good engineering and metallurgical practice to produce such concentrates.

(d) “Beneficiation” shall mean the process of concentrating that portion of the iron-bearing formations entering the beneficiating plant as defined in this Act.

(e) “Concentrates” shall mean such ores which by the process of beneficiation have been made suitable for blast furnace use.

(f) The term “tonnage recovery” or “tonnage recovery of iron ore concentrates” shall mean the proportion which the weight of concentrates recovered or recoverable after beneficiation bears to the weight of the low-grade iron-bearing material entering the beneficiating plant.

Section 2. **Classifications of low grade iron ore.**—There are hereby established classifications for purposes of taxation which are designated Class 1 (a), which shall consist of all low-grade iron-bearing formations as defined above. Such classifications shall be assessed at the following percentages of their full and true value: If the tonnage recovery is less than fifty per cent (50%) and not less than forty-nine per cent (49%), the assessed value shall be forty-eight and one-half per cent (48½%) of the full and true value; if the tonnage recovery is less than forty-nine per cent (49%) and not less than forty-eight per cent (48%), the assessed value shall

be forty-seven per cent (47%) of the full and true value; and for each subsequent reduction of one per cent (1%) in tonnage recovery, the percentage of assessed value to full and true value shall be reduced an additional one and one-half per cent (1½%) of the full and true value, but the assessed value shall never be less than thirty per cent (30%) of the full and true value. The land, exclusive of such formations, shall be assessed as otherwise provided by law.

Section 3. Determination of classification.—The classification of iron-bearing formations under the provisions of this Act shall be determined in the manner hereinafter set forth. Any person engaged in the business of mining whose tonnage recovery of iron-ore concentrates for a taxable year in producing concentrates from the iron-bearing material entering the beneficiating plant has been less than fifty per cent (50%) may file a petition with the Minnesota Tax Commission requesting classification of such deposit under the provisions of this Act. The taxpayer shall furnish such available data and information concerning the operation of such deposit as the Minnesota Tax Commission may require and who shall upon receipt thereof submit such petition and data to the University of Minnesota Mines Experiment Station. Said Mines Experiment Station shall consider the deposit referred to in said petition as a unified commercial operation, and based on all engineering data and information furnished shall file a written report thereon with the Minnesota Tax Commission who, after hearing duly had, shall approve or disapprove said report. If a classification is made covering such deposit and property the Commission shall give appropriate notice thereof to the taxing districts affected thereby. If the Commission disapprove such classification, their findings and order thereon may be reviewed by a writ of certiorari issued out of the Supreme Court on petition of the party aggrieved presented to said court within thirty days after the date of said order. Such classifications shall also be subject to further review by the Mines Experiment Station from time to time upon request of the Commission or upon further petition by the taxpayer. Valuations determined hereunder shall be subject to the provisions of Section 2372 of the 1934 supplement to Mason's Minnesota Statutes.

Section 4. Provisions severable.—If any part or provision of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate any other part or provision in the remainder of the Act.

Section 5. Inconsistent acts repealed.—All acts or parts of acts inconsistent herewith are hereby repealed.

Section 6. This Act shall be in force from and after its passage.

Approved April 22, 1937.