

payment shall be applied as a credit upon rentals or royalties subsequently due hereunder as the case may be.

(2) If the part___ of the second part shall dispute any determination by the commissioner of the market value of such standard ore, the royalties affected thereby shall nevertheless be paid when due at the rates based on such determination; provided, that upon making any such payment when due, the part___ of the second part may file with the commissioner a protest against such determination, specifying the amount alleged to be the true market value of such standard ore for the purpose of computing such royalty. *If the dispute involves the determination of the market value of such standard ore as of the date of application for a prospecting permit, as set forth in Subd. 9 (1) above, such protest shall be filed once only and then within 30 days after the first royalty payments are due.* Within 30 days after filing such protest, the part___ of the second part may bring an action against the commissioner in the district court for Ramsey County for a declaratory judgment determining the market value of the ore in dispute as stated in the protest. Upon the taking effect of final judgment in such action, the value determined thereby shall supersede the value determined by the commissioner for the purposes hereof, and adjustment of the amounts paid or payable for royalties shall be made accordingly in like manner as hereinbefore provided upon determination of market value by the commissioner. If such action is not brought within the time aforesaid, the commissioner's determination of market value shall be final. In case the part___ of the second part shall be entitled to any adjustment on account of overpayment of royalties hereunder, and the rentals or royalties subsequently due on or before the termination of this lease are not sufficient to make such adjustment as hereinbefore provided, the excess of such royalties paid above the amount adjustable against subsequent rentals or royalties shall be refunded to the part___ of the second part as provided by Minnesota Statutes 1949, Section 6.136.

Approved April 20, 1955.

CHAPTER 576—S. F. No. 1546

[Not Coded]

An act relating to acquisition of sites and the purchase of school buildings and the furnishings and equipment thereof, and the issuance of bonds for such purposes in certain

school districts in which taconite plants are located, and the levy of taxes for the payment thereof.

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

Section 1. Independent school districts with 50 percent anticipated increase in school enrollment. The construction of plants for the mining and concentration of taconite, as defined in Minnesota Statutes 1953, Section 298.23, has resulted in increasing to an unusual degree the demand for school facilities in certain school districts in order to take care of greatly increased school enrollments resulting therefrom. This act is applicable to all independent school districts, having an assessed valuation of real and personal property of less than \$2,000,000 within whose limits a taconite plant or plants are under construction or in operation, and in which districts the anticipated increase in school enrollment, as a result of the construction and operation of said plants, exceed 50% of the school enrollment immediately prior to the commencement of such construction. The adoption of a resolution by the school board determining that there is under construction or in operation within the limits of such district a taconite plant, and that the anticipated increase in school enrollment as a result thereof will exceed the percentage hereinabove set forth shall be prima facie evidence of such facts, and, in the absence of legal proceedings to enjoin the issuance of bonds hereunder, shall be conclusive evidence of such fact.

Sec. 2. Bonds for additional school buildings. Any such school district may issue its bonds to provide funds for the purchase of existing school buildings, occupied but not owned by the district, and the site, equipment and furnishings thereof, deemed necessary because of the existence of such facts, in an aggregate principal amount not exceeding \$900,000 and may use the proceeds of the sale thereof for such purposes. Except as hereinafter specifically permitted, such bonds shall be authorized, issued, sold, executed and delivered in the manner provided by Minnesota Statutes 1953, Chapter 475. They may be issued on resolution adopted by a two-thirds vote of the members of the board of such district without a vote of the electors of said district. A resolution of the board levying taxes for the payment of said bonds and interest thereon as hereinafter authorized and pledging the proceeds of such levies for the payment of such bonds and interest thereon shall be deemed to be compliance with the provisions of such chapter with respect to the levying of taxes for the payment thereof. Such bonds and interest thereon shall mature serially in not less than ten nor more than fifteen annual installments, the first of which annual installments shall be payable within not

more than four years after the date of issuance. No such annual installment of principal payable in any year shall exceed by more than twenty-five per cent the smallest of such annual installments. No vote of the electors shall be necessary to authorize the location, purchase or acquisition of such sites or the construction or remodeling of such buildings.

Sec. 3. Taxable property. Subdivision 1. **Taconite plants and lands.** The lands containing taconite and the taconite plants and lands upon which located or which are used in connection therewith and the buildings, machinery, equipment, and other fixtures used in the production of taconite, as referred to and defined in Minnesota Statutes 1953, Sections 298.23 to 298.28, both inclusive, located in any such school district are hereby made subject to taxes for payment of the principal of and interest on any and all bonds issued under authority of this act, anything in said sections to the contrary notwithstanding. In event such properties are all owned by one person, it shall not be necessary to make any determination of the value thereof. In event such properties are owned by more than one person, the taxes shall be apportioned annually between them by the county auditor on the basis of the relative values thereof owned by each, upon such investigation of the facts as the auditor shall deem necessary. The taxes levied in accordance with this act shall be billed to and collected from such person or persons at the same time and in the same manner as taxes levied in and for such school district upon real property subject to taxation therein.

Subd. 2. **Tax levy.** After the sale and before the delivery of any bonds under authority of this act, the school board shall, by resolution, levy upon all of the property described in subdivision 1 located in such school district a direct, general tax for each year of the term of the bonds in amounts such that, if collected in full, they will produce the amounts needed to meet when due the principal and interest payments on the bonds. A copy of such resolution shall be filed and the taxes so levied shall be extended, assessed and collected and remitted as nearly as may be in the manner specified in Minnesota Statutes 1953, Section 475.61. Such levies shall not be included in computing permissible levies under Minnesota Statutes 1953, Section 275.12, or any amendments thereof.

Subd. 3. **Full faith and credit bonds.** The bonds issued under authority of this act shall be the general obligations of the school district, for which its full faith and credit and unlimited taxing powers shall be pledged, and, in event there shall be any deficiencies in the collections of the taxes levied pursuant to subdivision 2 hereof, the deficiencies shall be made

good by general levies on all taxable properties in the district in accordance with Minnesota Statutes 1953, Section 475.74, and if any such deficiency levies are found necessary the school board is empowered to effect a temporary loan or loans on certificates of indebtedness issued in anticipation thereof for the purpose of meeting payments of principal or interest on the bonds due or about to become due. Bonds may be issued under authority of this act notwithstanding any limitations upon the indebtedness of such districts, and the amounts thereof shall not be included in computing the indebtedness of the district for any purpose, including the issuance of subsequent bonds and the incurring of subsequent indebtedness.

Sec. 4. The authority to issue bonds under this act shall expire on January 1, 1958.

Approved April 20, 1955.

CHAPTER 577—S. F. No. 1576

An act relating to the use and disposition of gas tax money to pay certain county bonds or warrants; amending Minnesota Statutes 1953, Section 296.37, Subdivision 1.

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

296.37 Gas tax, use. Subdivision 1. Apportionment. The money apportioned to each county under the provisions hereof and not used to pay interest or principal on county road or bridge bonds as hereinafter provided, shall be used solely in the construction, improvement, and maintenance of county aid roads therein, including bridges, culverts, and other structures appurtenant to such county aid roads, and expended by the county board on such county aid roads as it shall determine and in the manner herein provided. All county aid roads constructed under the provisions of sections 296.32 to 296.42 shall be constructed under the supervision and according to plans and specifications made by the county highway engineer, filed with the county auditor, and approved by the county board.

In any county having an assessed valuation of less than \$750,000 the county board, by unanimous vote, and with the approval thereof by the council of any village of the county, may designate as a county aid road any streets, or parts of streets, within the platted or unplatted portion of any such village, and appropriate such sums of money for improving the same as it may, on motion, determine, and the county board, by a majority vote, may rescind this designation.