

gross income (or the amount included in gross income, whichever is lower) bears to the value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1.

(B) **Estates and trusts.** *In the case of an estate or trust, the amount allowed as a deduction under subparagraph (A) of this subdivision shall be computed by excluding from the gross income of the estate or trust the portion (if any) of the items described in Minnesota Statutes, Section 290.077, Subdivision 1, which is properly paid, credited, or to be distributed to the beneficiaries during the taxable year. This subparagraph shall apply to the same taxable years, and to the same extent as is provided in Minnesota Statutes, Section 290.23, Subdivision 5.*

(4) **Method of computing deduction.** *For purposes of paragraph (3) of this subdivision*

(A) *The term "inheritance tax" means the tax imposed on the estate of the decedent or any prior decedent under Minnesota Statutes, Chapter 291, reduced by the credits against such tax.*

(B) *The net value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, shall be the excess of the value for inheritance tax purposes of all the items described in Minnesota Statutes, Section 290.077, Subdivision 1, over the deductions from the gross inheritance in respect of claims which represent the deductions and credit described in Minnesota Statutes, Section 290.077, Subdivision 2.*

(C) *The inheritance tax attributable to such net value shall be an amount equal to the excess of the inheritance tax over the inheritance tax computed without including in the gross inheritance such net value.*

Approved April 20, 1961.

CHAPTER 479—S. F. No. 953

[Not Coded]

An act relating to tax-forfeited lands in the county of St. Louis.

Changes or additions indicated by italics, deletions by ~~strikeout~~.

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

Section 1. St. Louis county; tax-forfeited lands; lease.
Subdivision 1. For the purpose of promoting development and use of the timber resources in the county of St. Louis, the county auditor thereof as directed by the county board thereof, may lease for a period not exceeding 50 years subject to renewal ten years before expiration any tax-forfeited land which has been classified as conservation or non-conservation, to individuals or corporations at public or private vendue, and at such prices and upon such terms as the county board may specify, provided that any lease made under authority of this section shall be subject also to the following terms and conditions, to wit:

1. The individual or corporation seeking to lease tax-forfeited land under authority of this section shall file with the county board a written proposal which shall set forth the following:

(a) A complete description of the lands proposed to be leased;

(b) A complete description of the purposes for which the land proposed to be leased will be used, and the methods to be employed to sustain and promote such use which will meet the following minimum requirements:

(1) The establishment of new or expanded timber processing facilities capable of converting over fifty percent of the forest products produced on the leased land to a commodity worth at least fifty percent more than the value of the primary forest product at the new or expanded processing plant and capable of converting twice the quantity of primary forest products that are to be utilized from the land under this lease.

(2) A forest management plan which shall include area, volume, and growth information in addition to cutting budgets and reforestation plans.

(c) A complete description of the new or expanded wood processing facilities which will be constructed by the lessee, together with three copies of the plans and general specifications of such facilities;

(d) The minimum amount which will be expended by the lessee for the construction of such new or expanded wood processing facilities;

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(e) The date when the construction of such facilities will be completed and will be in full operation.

2. If the lessee fails to carry out any part of the forest management plan referred to in paragraph 1 (b) (2) of this subdivision, the lessor may carry out the same and the lessee shall pay to the lessor as liquidated damages for such failure one and one-half times the cost to the lessor so to do.

3. The forest management plan referred to in paragraph 1 (b) (2) may be amended by mutual agreement of the lessor and lessee and approval of the amendment by the commissioner of conservation.

4. The failure to have such facilities in full operation on the date specified in the proposal or upon any other later date specified by the county board by resolution duly adopted prior to the date theretofore specified for completion and full operation of the plant or to comply with any other provision of the lease shall terminate the lease and all rights of the lessee under the lease. Such termination of the lease and the rights of the lessee thereunder shall be effective on the 180th day after the day of the mailing of notice of termination by the county auditor pursuant to instructions of the county board so to do. Such notice shall be mailed to lessee at the address set forth in the lease or at such other address as the lessee may theretofore designate in writing sent to the county auditor at the court house, Duluth, Minnesota, by registered mail.

5. The state of Minnesota and the county of St. Louis shall not be liable for any loss resulting from any injury to or claim of injury by any person upon the lands herein leased or upon any facilities constructed thereon by the lessee.

6. The lease shall not be effective unless it bears upon it the approval of the commissioner of conservation who shall certify that the lease of said lands will not adversely affect any possible future taconite or semi-taconite development.

7. The lease shall not be assigned by the lessee without the consent of the county board by resolution duly adopted and without the written consent of the commissioner of conservation.

8. The lessee shall pay any and all taxes levied upon any of the lands herein leased and upon any facilities con-

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structed thereon under authority of the lease before they become delinquent.

9. The lessee shall file in the office of the county auditor a surety bond in an amount prescribed by the county board written by a surety company approved by the county board indemnifying the state of Minnesota and the county of St. Louis against any loss resulting from claims or liens for wages, materials, supplies, or services arising from the construction or operation of facilities upon the lands leased hereby.

Subd. 2. No lease of any tax-forfeited land under authority of this section shall be made until the county board has first held the public hearing hereinafter provided for and has by resolution duly adopted made a finding that the proposed lease is in the public interest in the development and use of the timber resources of the county of St. Louis. When directed by the county board, the county auditor shall cause notice of such hearing to be published once in a legal newspaper in the county at least ten days before the day set for the hearing and shall post a copy of such notice in his office in the court house in Duluth at least 20 days before the day set for the hearing. Proof of the publication and posting of the notice shall be filed in the office of the county auditor on or before the day of the hearing.

Subd. 3. Upon written application by the lessee to purchase all or any portion of the tax-forfeited lands described in this lease, the county board may appraise the lands and offer them for sale at a public sale as otherwise provided by law for the sale of tax-forfeited land. The lessee may purchase within 60 days of the day of the public sale the lands offered at public sale for the highest amount bid thereat for each parcel thereof but in no event for less than the appraised value thereof. If not so purchased by the lessee the county board shall withdraw any or all of such lands from sale while the lease is in effect.

Subd. 4. Notwithstanding any other provision of law to the contrary, lands leased under authority of this section shall not be subject to exchange under the provisions of Minnesota Statutes 1957, Sections 94.341 to 94.348.

Sec. 2. This act shall become effective only after its

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approval by a majority vote of the county board of St. Louis county and upon compliance with Laws 1959, Chapter 368.

Approved April 20, 1961.

CHAPTER 480—S. F. No. 981

[Not Coded]

An act relating to cities; providing for the use for certain purposes of population as determined by federal census.

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

Section 1. Cities in counties of between 300,000 and 600,000; census. The population of any city in the last federal special census thereof taken pursuant to Laws 1957, Chapter 327, filed with secretary of state and certified to the state auditor shall be the population of such city for all purposes including the purposes of Minnesota Statutes 1957, Sections 297.13, Subdivision 2, and 340.60, Subdivision 4, for all years between the date of the filing of such certification in the office of the state auditor and the date of filing the certification of the next following federal decennial census in the office of the state auditor.

Approved April 20, 1961.

CHAPTER 481—S. F. No. 1006

An act relating to property exempt from taxation; amending Minnesota Statutes 1957, Section 272.02, as amended by Laws 1959, Chapter 610.

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

Section 1. Minnesota Statutes, 1957, Section 272.02, as amended by Laws 1959, Chapter 610, is amended to read:

272.02 Exempt property. All property described in this section to the extent herein limited shall be exempt from taxation:

- (1) All public burying grounds;
- (2) All public schoolhouses;

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