

CHAPTER 386—H. F. No. 1005

[Not Coded]

An act relating to school districts; authorizing the issuance of emergency tax anticipation certificates of indebtedness due to taconite or semitaconite plant construction and authorizing tax levies.

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

Section 1. School districts; taconite areas; taxation; increase in enrollment. The construction of commercial plants for the mining and concentration of taconite or semitaconite, as defined in Minnesota Statutes, Section 298.23 and Section 298.34, has resulted in increasing to an unusual degree the enrollment in school districts located near such plants, and the cost of operating and maintaining the schools. This act is an emergency act, applicable to school districts in which a taconite plant or plants will be constructed and school districts which are located near areas where a taconite plant or plants will be constructed, and in which the increase in school enrollment, as a result of such construction, exceeds by ten percent the average pupil units of the school enrollment for the school years 1960-61, 1961-62, 1962-63, 1963-64, 1964-65. The adoption of a resolution by the school board determining that there is under construction near or in the limits of such district a taconite or semitaconite plant and that the increase in school enrollment as a result thereof exceeds the average pupil units of enrollment hereinabove set forth shall be prima facie evidence of such facts.

Sec. 2. Maintenance of schools; funds, tax anticipation certificates, tax levy. **Subdivision 1.** In order to provide increased funds for the operation and maintenance of the schools in any such district during the period of construction of such taconite and semitaconite plants, the school board of such districts may issue tax anticipation certificates for each school year in an aggregate amount equal to the difference between the maintenance cost per pupil unit and the amount of state aid per pupil unit received times the number of pupil units exceeding a ten percent increase over the average pupil units in enrollment for the school years of 1960-61, 1961-62, 1962-63, 1963-64, 1964-65, to defray the additional operation and maintenance costs resulting from increases in school enrollment resulting from the construction of such plants.

Subd. 2. Such certificates shall be issued in such denominations as the board may determine, shall bear interest at such rate as may be fixed by the board, not exceeding five percent per annum, and shall be sold for not less than par and accrued interest. They

Changes or additions indicated by italics, deletions by strikeout.

shall be due and payable at such times as may be fixed by the board, not later than December 31 of the second year following the year in which issued. The board may pledge the faith and credit of the district and the levies authorized hereunder for the payment of such certificates in full, and they shall be a first charge upon the levy so pledged. In the event that at the time of the issuance of any of such certificates the district shall have money in the hands of the treasurer levied for its operation in the following calendar or fiscal year, it may issue such certificates to the treasurer, in lieu of selling them as heretofore provided, in which event funds equal to the face value of such certificates may be transferred so as to be available for expenditures in the year of issuance. Certificates so issued to the treasurer shall be held by him, and may be sold under the direction of the board when necessary to replace the funds so advanced, and shall bear interest from the date of such sale.

Subd. 3. Tax levy. At the time of making its general tax levy the district may levy a tax in an amount sufficient for the payment of such certificates issued with interest thereon. Moneys levied for such purpose shall be put in a special fund and shall be used for no other purpose than the payment of such certificates, and any balance in said fund after the payment thereof shall be applied towards the reduction of subsequent levies of the district. Such levies shall be in excess of levies permitted by Minnesota Statutes, Section 275.12, and the amount thereof shall not be included in computing the permissible levies under such statute, so long as levies of the school district under such statute are based upon a population not exceeding the population used as a basis for spreading the tax levy of said district in the year 1965. In the event that as a result of the taking of any census the population basis for computing the limit of levies under said section is increased above the population used as a basis for spreading the tax levy in the year 1965, or in the event that the basis of section 275.12 is changed to a basis other than population, the amount of the levies authorized hereby shall be included in computing the permissible levies under said section.

Sec. 3. Certification of levy. The tax levies authorized hereby shall be certified by the clerk to the county auditor and shall be spread against and collected in the same manner as real and personal property taxes are levied, spread and collected.

Approved May 11, 1965.

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