

highway system by Laws 1965, Chapter 207, and to assume the obligations of all outstanding bonds issued by the village for the construction of said bridge, as set forth in the resolutions and indenture authorizing and securing said bonds, and to call said bonds for redemption and retire the same.

Sec. 5. [167.522] **Rainy River toll bridge.** Tolls shall be collected for the use of this bridge at rates sufficient to liquidate the capital costs in a reasonable length of time.

Approved May 27, 1965.

CHAPTER 893—S. F. No. 1810

[Coded]

An act relating to the taxation of agglomerating facilities and agglomerate reserves, as defined herein, and providing methods of collecting and distributing such taxes and penalties for the violation thereof.

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

Section 1. [298.391] **Taxation; agglomerating facilities; definitions.** Subdivision 1. When used in this act, the following terms have the meaning assigned to them in this section, unless the context otherwise requires.

Subd. 2. “Agglomerates” means the merchantable iron ore aggregates which are produced by agglomeration.

Subd. 3. “Agglomerating facility” means a plant or plants, other than taconite plants or semi-taconite facilities for the production of agglomerates and other merchantable iron ore products not less than 80 percent of the total annual productive capacity of which is designed and used for the production of agglomerates, together with all lands, except iron ore and iron bearing material therein; all structures, buildings, machinery, equipment, tools and supplies which are used or to be used in connection with such plant or plants or in connection with the mining of agglomerate reserves; mined iron ore, iron bearing materials and concentrates stockpiled at said plant or plants for processing therein; and stockpiles of the merchantable iron ore products which have been produced therein.

Subd. 4. “Agglomeration” means the application of a proc-

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ess either of pelletizing, sintering, nodulizing, briquetting, extruding or mechanical pressure to iron ore and iron bearing material, other than taconite and semi-taconite, at temperatures in excess of 900 degrees Fahrenheit.

Subd. 5. "Commissioner" means the commissioner of taxation of the state of Minnesota.

Sec. 2. [298.392] **Qualification of agglomerating facilities; procedure and order.** An agglomerating facility shall be or become subject to taxation under this act after it shall have been approved as such by order of the commissioner. Request for such approval shall be in writing and shall contain a description of the facility, together with such additional information and supporting data as the commissioner may require. The commissioner may make reasonable regulations not inconsistent herewith prescribing the form of such requests. If the commissioner determines that the facility, which may include existing structures, buildings, machinery, equipment, tools and supplies, qualifies as an agglomerating facility under this act, he shall by order approve the same as such and the facility shall thereupon become subject to the provisions of this act.

Sec. 3. [298.393] **Imposition of tax; amount.** There is hereby imposed upon agglomerating facilities and upon the production of agglomerates and other merchantable iron ore products therein and upon the agglomerates and other products so produced, a tax equal to five cents per gross ton of agglomerates and other merchantable iron ore products which shall have been produced in the agglomerating facility during the calendar year plus one-tenth of one cent per gross ton for each one percent that the iron content of such products exceeds 55 percent, when dried at 212 degrees Fahrenheit.

Sec. 4. [298.394] **Nature of tax.** Such tax shall be in addition to the occupation tax imposed upon the business of mining and producing iron ore and in addition to the royalty tax imposed upon royalties received for permission to mine and produce iron ore. Except as herein otherwise provided, it shall be in lieu of all other taxes upon the agglomerating facility or upon the production of agglomerates and other merchantable iron ore products therein, or upon the agglomerates and other products so produced.

Sec. 5. [298.395] **Payment and collection.** The tax provided in section 3 of this act shall be collected and paid in the same manner and at the same time as provided by law for the payment of the occupation tax. Reports shall be made and hearings held upon the determination of the tax at the same times and in the same man-

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ner as provided by law for the occupation tax. The commissioner of taxation shall have authority to make reasonable regulations as to the form and manner of filing reports necessary for the determination of the tax hereunder, and by such regulations may require the submission by taxpayer of such information as may be reasonably necessary or convenient for the determination and apportionment of the tax. All the provisions of the occupation tax law with reference to the assessment, determination and collection of the occupation tax, including all provisions for penalties and for appeals from or review of the orders of the commissioner of taxation relative thereto, are hereby made applicable to the tax imposed by said section 3, except insofar as inconsistent herewith.

Sec. 6. [298.396] **Distribution of proceeds.** The proceeds of the tax collected under section 3 of this act shall be distributed by the state treasurer, upon certificate of the commissioner to the general revenue fund of the state and to the various taxing districts in which the agglomerating facility is located in the following proportions: 22 percent thereof to the city, village or town; 50 percent thereof to the school district; 22 percent thereof to the county; 6 percent thereof to the state. If the agglomerating facility is located in more than one tax district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities, villages or towns among such subdivisions, and the part going to school districts among such districts, and the part going to counties among such counties, giving due consideration to the relative extent of the facilities located in each such taxing district. His order making such apportionment shall be subject to review by the board of tax appeals at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner. The amount to be distributed among the several taxing districts of the state shall be divided by such districts among the funds of such districts in the same proportion as the general ad valorem tax thereof. The amount distributed to any city, village or school district under the provisions hereof shall be included in computing the permissible amount of the levies of such city, village or school district under Minnesota Statutes, Sections 275.11 or 275.12, but shall not be included in computing mill rate limitations, including cost of living adjustments thereof, so long as the levies do not exceed the limitations provided by said sections 275.11 or 275.12.

Approved May 27, 1965.

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