

competent jurisdiction a complaint seeking recovery from the plaintiff on the counterclaim and stating the nature and amount thereof, the clerk shall strike the action from the calendar and so advise the plaintiff or his attorney by mail. If the plaintiff, not less than 30 days nor more than three years after the filing of such an affidavit, shall file an affidavit showing that he has not been served with a summons in the other action or that the other action has been finally determined, the clerk shall again set the cause for court hearing and summon the defendant in the same manner as for the initial hearing and the court shall proceed to hear and determine plaintiff's claim. If no such counter-affidavit is filed by plaintiff within three years, his original claim is dismissed without prejudice without any further action by the clerk or any judge. Prior to the expiration of this three year period the plaintiff's original claim may be dismissed by plaintiff or by court order at a hearing upon motion of the defendant.

Sec. 5. The annual salary of the clerk of the Washington county municipal court shall be established by the Washington county board of commissioners, but in no event shall be less than \$14,500.

Approved May 20, 1971.

CHAPTER 427—H.F.No.35

[Coded in Part]

An act relating to taxation and assessment of property; limiting property tax rates and maximum net indebtedness; amending Minnesota Statutes 1969, Sections 124.03, Subdivision 2; 270.074; 273.11; 273.12; 273.13, Subdivisions 2, 3, 4, 5, 6, 7, 7a, 8a, 9, 13, 14, and 17; 273.135, Subdivision 1; 273.15; 273.37, Subdivision 2; 273.38; 273.40; 273.49; and repealing Minnesota Statutes 1969, Section 272.03, Subdivision 12.

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

Section 1. Minnesota Statutes 1969, Section 273.11, is amended to read:

273.11 TAXATION; ASSESSMENT OF PROPERTY. All property shall be valued at its market value. In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate

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with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. Taxable leasehold estates shall be valued at such a price as they would bring at a fair, voluntary sale, for cash. Money, whether in possession or on deposit, shall be entered in the statement at the full amount thereof. Every credit for a sum certain, payable either in money, property of any kind, labor, or services, shall be valued at the full price thereof so payable; if for a specific article, or for a specified number or quantity of any article of property, or for a certain amount of labor, or for services of any kind, it shall be valued at the current price of such property, or for such labor or services, at the place where payable. ~~Each assessing officer responsible for the determination of adjusted market value shall annually file with the county auditor the ratio which he has used of adjusted market value to market value of all the taxable personal and real property within the taxing district, except property which by law, custom, or practice is valued by the commissioner of taxation.~~

Sec. 2. Minnesota Statutes 1969, Section 273.12, is amended to read:

273.12 ASSESSMENT OF REAL PROPERTY. It shall be the duty of every assessor and board, in estimating and determining the value of lands for the purpose of taxation, ~~and in fixing the assessed value thereof,~~ to consider and give due weight to every element and factor affecting the market value thereof, including its location with reference to roads and streets and the location of roads and streets thereon or over the same, and to take into consideration a reduction in the acreage of each tract or lot sufficient to cover the amount of land actually used for any improved public highway and the reduction in area of land caused thereby, provided, that in determining the market value of vacant land, the fact that such land is platted shall not be taken into account. It shall be the duty of every assessor and board, in estimating and determining the value of lands for the purpose of taxation, ~~and in fixing the assessed value thereof,~~ to consider and give due weight to lands which are comparable in character, quality, and location, to the end that all lands similarly located and improved will be assessed upon a uniform basis and without discrimination.

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Sec. 3. Minnesota Statutes 1969, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. **CLASS 3.** All agricultural products, except as provided by class 3a, stocks of merchandise of all sorts together with the furniture and fixtures used therewith, manufacturers' materials and manufactured articles, except as is provided in section 272.02, all tools, implements and machinery, whether fixtures or otherwise, except as is provided in section 272.02, all agricultural land, except as provided by classes 1, 3b, 3e and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes and all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33 $\frac{1}{3}$ percent of the ~~full and true~~ market value thereof.

Sec. 4. Minnesota Statutes 1969, Section 273.13, Subdivision 5, is amended to read:

Subd. 5. **CLASS 3a.** All agricultural products in the hands of the producer shall constitute class 3a and shall be valued and assessed at ten percent of the ~~full and true~~ market value thereof. Provided, however, that grain in the hands of the producer shall be exempt from taxation and there shall be no assessment of such grain. Wine produced in this state and in the possession of the producer and held in storage under bond to the United States government, shall be classed as agricultural products for the purposes of this subdivision.

Sec. 5. Minnesota Statutes 1969, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. **CLASS 3b.** Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead, shall constitute class 3b and shall be valued and assessed at 20 percent of the ~~full and true~~ market value thereof. The property tax to be paid on class 3b property as otherwise determined by law not exceeding 80 acres, regardless of whether or not the ~~true and full~~ market value is in excess of ~~\$4,000~~ \$12,000, for all purposes except the payment of principal and interest on bonded indebtedness, shall be reduced by 35 percent of the tax; provided that the amount of said reduction shall not exceed \$250. Valuation subject to relief shall be limited to 80 acres of land, most contiguous surrounding, or bordering the house occupied by the owner as his dwelling place, and, such other structures as may be included thereon utilized by the owner in an agricultural pursuit. If the ~~full and true~~ market value is in excess of the sum of ~~\$4,000~~ \$12,000, the amount in excess of that sum shall be valued and assessed as provided for by class 3. The first ~~\$4,000~~ full and true \$12,000 market value of each tract of real estate which is

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rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 124.03, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than 10 acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Sec. 6. Minnesota Statutes 1969, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. **CLASS 3c, 3cc.** All other real estate, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 25 percent of the ~~full and true market~~ value thereof. The property tax to be paid on class 3c property as otherwise determined by law, regardless of whether or not the ~~true and full market~~ value is in excess of ~~\$4,000~~ \$12,000, for all purposes except the payment of principal or interest on bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. If the ~~full and true market~~ value is in excess of the sum of ~~\$4,000~~ \$12,000, the amount in excess of that sum shall be valued and assessed as provided for by class 4. The first ~~\$4,000 full and true~~ \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. All real estate which is used for the purposes of a homestead by any blind person, as defined by section 256.12; or by any person (hereinafter referred to as veteran) who served in the active military or naval service of the United States and who is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheel chair, and who with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, shall constitute class 3cc and shall be valued and assessed at five percent of the ~~full and true market~~ value thereof. The property tax to be paid on class 3cc property as otherwise determined by law, regardless of whether or not the ~~true and full market~~ value is

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in excess of ~~\$4,000~~ \$12,000, for all purposes except the payment of principal or interest on bonded indebtedness, shall be reduced by 35 percent of the amount of such tax; provided that the amount of said reduction shall not exceed \$250. If the ~~full and true market~~ value is in excess of the sum of ~~\$8,000~~ \$24,000, the amount in excess of that sum shall be valued and assessed as provided in class 4.

Sec. 7. Minnesota Statutes 1969, Section 273.13, Subdivision 7a, is amended to read:

Subd. 7a. **PERCENTAGE OF FULL AND TRUE VALUE.** Except as otherwise provided for the purpose of determining salaries of all officials based on assessed valuations and of determining tax limitations now established by statute or by charter, class 3b and class 3c property shall be figured at 33 1/3 percent and 40 percent of the ~~full and true market~~ value thereof, respectively.

Sec. 8. Minnesota Statutes 1969, Section 273.13, Subdivision 8a, is amended to read:

Subd. 8a. **CLASS 3e.** Real estate, rural in character, and used exclusively for the purpose of growing trees for timber, lumber, wood and wood products shall constitute class 3e, and shall be valued and assessed at 20 percent of the ~~full and true market~~ value thereof.

Sec. 9. Minnesota Statutes 1969, Section 273.13, Subdivision 9, is amended to read:

Subd. 9. **CLASS 4.** All property not included in the preceding classes shall constitute class 4 and shall be valued and assessed at 40 percent of the ~~full and true market~~ value thereof.

Sec. 10. Minnesota Statutes 1969, Section 273.13, Subdivision 13, is amended to read:

Subd. 13. **CLASS 3h, CLASS 3j.** All real and personal property which is used for the purposes of any refinery for processing crude petroleum or any derivative thereof, which is subject to a general property tax, shall be classified for purposes of taxation as follows: All such real property of any such refinery shall constitute class 3h and be valued and assessed at 27 percent of the ~~full and true market~~ value thereof and all such personal property of any such refinery shall constitute class 3j and be valued and assessed at 17 percent of the ~~full and true market~~ value thereof.

Sec. 11. Minnesota Statutes 1969, Section 273.13, Subdivision 14, is amended to read:

Subd. 14. **PARKING RAMPS IN CERTAIN FIRST CLASS CITIES.** In any city of the first class having a population of not more than 400,000 inhabitants that portion of real property which is

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assessed as a structure upon the land which is used for the sole purpose of a motor vehicle public parking ramp garage and purposes incidental thereto which is subject to a general property tax, shall be classified for purposes of taxation, for a period of 15 years from the date of completion of original construction, or the date of initial, though partial, use, whichever is the earlier date, as follows: That part, section, floor or area of such real property shall be valued and assessed at 20 percent of the full and true market value thereof.

Sec. 12. Minnesota Statutes, 1969, Section 273.13, Subdivision 17, is amended to read:

Subd. 17. **TITLE II PROPERTY OF NATIONAL HOUSING ACT.** A structure situated on real property that is used for housing for the elderly or for low and moderate income families as defined by Title II of the National Housing Act and financed by direct federal loan or federally insured loan pursuant to that act and acts amendatory thereof shall, for 15 years from the date of the completion of the original construction, be assessed at 20 percent of the ~~adjusted~~ market value thereof, provided that the fair market value as determined by the assessor is based on the normal approach to value using normal unrestricted rents.

Sec. 13. Minnesota Statutes 1969, Section 273.135, Subdivision 1, is amended to read:

273.135 HOMESTEAD PROPERTY TAX RELIEF. Subdivision 1. The property tax to be paid in respect to property taxable within a tax relief area on class 3b property not exceeding 80 acres, on class 3c property, and on class 3cc property, as otherwise determined by law and regardless of the ~~adjusted~~ market value of the property, for all purposes except the payment of principal or interest on bonded indebtedness, shall be reduced in the amount prescribed by subdivision 2, subject to the limitations contained in subdivision 3.

Sec. 14. Minnesota Statutes 1969, Section 124.03, Subdivision 2, is amended to read:

Subd. 2. The limitation imposed on the tax ratio by this section does not apply to the additional tax levy for maintenance made in excess of either of the following amounts:

(a) In any district formed under the reorganization or consolidation statutes or having an area of at least 18 sections or having acquired the rights and privileges of a consolidated district: The total amount of revenue available to the district, including state aid, that will be raised by a ~~50~~ 16.66 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, together with the proceeds from the

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maximum levy on agricultural land and personal property having a taxable situs on farms and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes; and

(b) In any district not included in (a): The total amount of revenue available to the district, including state aid, that will be raised by a ~~40~~ 13.33 mill levy on all taxable property other than agricultural land, and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, together with the proceeds from the *maximum levy on agricultural land and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes.*

Sec. 15. Minnesota Statutes 1969, Section 270.074, is amended to read:

270.074 VALUATION OF FLIGHT PROPERTY; METHODS OF APPORTIONMENT; RATIO OF TAX. Subdivision 1. The commissioner shall determine the ~~full and true market~~ valuation of all flight property operated or used by every airline company in air commerce in this state. The valuation apportioned to this state of such flight property shall be the proportion of the total valuation thereof determined on the basis of the total of the following percentages:

(1) $33 \frac{1}{3}$ percent of the percentage which the total tonnage of passengers, express and freight first received by the airline company in this state during the preceding calendar year plus the total tonnage of passengers, express and freight finally discharged by it within this state during the preceding calendar year is of the total of such tonnage first received by the airline company or finally discharged by it, within and without this state during the preceding calendar year.

(2) $33 \frac{1}{3}$ percent of the percentage which, in equated plane hours, the total time of all aircraft of the airline company in flight in this state during the preceding calendar year, is of the total of such time in flight within and without this state during the preceding calendar year.

(3) $33 \frac{1}{3}$ percent of the percentage which the number of revenue ton miles of passengers, mail, express and freight flown by the airline company within this state during the preceding calendar year is of the total number of such miles flown by it within and without this state during the preceding calendar year.

Subd. 2. The method prescribed by subdivision 1 shall be presumed to determine fairly and correctly the value of the flight property of an airline allocable to this state. Any airline aggrieved by

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the valuation of the flight property or the application to its case of the apportionment methods prescribed by subdivision 1, may petition the commissioner for determination of the valuation or the apportionment thereof to this state by the use of some other method. Thereupon, if the commissioner finds that the application of the methods prescribed by subdivision 1 will be unjust to the airline, he may allow the use of the methods so petitioned for by the airline, or may determine the valuation or apportionment thereof by other methods if satisfied that such other methods will fairly reflect such valuation or apportionment thereof.

Subd. 3. The flight property of every airline company shall be assessed at 33 $\frac{1}{3}$ percent of the ~~full and true~~ value thereof apportioned to this state under subdivision 1.

Sec. 16. Minnesota Statutes 1969, Section 273.13, Subdivision 2, is amended to read:

Subd. 2. **CLASS 1.** Iron ore, whether mined or unmined, shall constitute class 1 and shall be valued and assessed at 50 percent of its ~~full and true~~ value. If unmined, it shall be assessed with and as a part of the real estate in which it is located, but at the rate aforesaid. Iron ore which either (a) is mined by underground methods and either placed in stockpile or concentrated and placed in stockpile or (b) is mined by open-pit methods and, in accordance with good engineering and metallurgical practice, requires concentration other than crushing or screening or both to make it suitable for commercial blast furnace use, and is either placed in stockpile for the purpose of concentration in the course of a concentration operation, or is concentrated and placed in stockpile, for three taxable years after being mined only, shall be listed and assessed in the taxing district where mined at the same amount per ton as it would be assessed if still unmined, except that if such ore contains phosphorous in excess of .180 percent or is classified in the trade as manganiferous ore, then irrespective of whether it requires such concentration or has been so concentrated it shall be so listed and assessed as if it were unmined ore for five taxable years after being mined only, and thereafter such ore in stockpiles shall be valued and assessed as mined iron ore, as otherwise provided by law. The real estate in which iron ore is located, other than the ore, shall be classified and assessed in accordance with the provisions of classes 3, 3b, and 4, as the case may be. In assessing any tract or lot of real estate in which iron ore is known to exist the assessable value of the ore exclusive of the land in which it is located, and the assessable value of the land exclusive of the ore shall be determined and set down separately and the aggregate of the two shall be assessed against the tract or lot.

CLASS 1a. All direct products of the blast and open hearth furnaces that are utilized in the form produced and are not further processed, shall constitute class 1a and shall be valued and assessed at 15 percent of the ~~full and true~~ market value thereof.

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Sec. 17. Minnesota Statutes 1969, Section 273.13, Subdivision 3, is amended to read:

Subd. 3. **CLASS 2.** All household goods and furniture, including clocks, musical instruments, sewing machines, wearing apparel of members of the family, and all personal property actually used by the owner for personal and domestic purposes, or for the furnishing or equipment of the family residence, shall constitute class 2 and shall be valued and assessed at 25 percent of the full and true market value thereof.

CLASS 2a. All mobile homes, as defined in section 168.011, subdivision 8, shall constitute class 2a and shall be valued, assessed, and taxed in the following manner. The secretary of state shall collect the following specific taxes at the time of registering a mobile home, as is provided in section 168.012, subdivision 9, and shall not issue number plates or register any mobile home until said specific taxes are paid. If said specific tax is not paid on or before January 10, then a penalty of eight percent shall attach and be a charge upon such tax. Utilizing the following percentages of the full and true market value of said mobile homes (the full and true market value of a mobile home shall be presumed to be the suggested factory retail list price thereof adjusted to the nearest figure evenly divisible by 100) the secretary commissioner of public safety shall compute the tax due and owing by applying the average rate of taxes of all counties throughout the state of Minnesota levied for all purposes and paid during the preceding year. For mobile home taxes payable in 1973, the rate of taxation shall be one third of the average rate of taxes for all purposes payable in the year 1972.

New	10	<u>30</u>	percent
One year old	8½	<u>25½</u>	percent
Two years old	7½	<u>22½</u>	percent
Three years old	6½	<u>19½</u>	percent
Four years old	5½	<u>16½</u>	percent

For each succeeding year the percentage shall be reduced ~~one half of one and one half~~ percent; provided, however, that no computed tax shall be less than the computed tax of a new mobile home having a full and true market value of \$2,000.

The secretary commissioner of public safety shall, with respect to mobile homes for which no list price is available, determine the taxable value thereof based on the weight and size of the mobile home, taking into account depreciation proportionate to the above table. The secretary of state commissioner of public safety may require the manufacturer to file sworn statements setting forth the information necessary to administer Laws 1961, Chapter 340.

All mobile homes that are not registered on or before March 1 each year in accordance with the provisions of section 168.012,

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subdivision 9, shall be valued and assessed by the local assessor in accordance with the provisions of this subdivision and in the same manner as such value and assessment is determined by the ~~secretary commissioner of public safety~~ including penalty of eight percent; and the local assessor shall forthwith notify the county auditor of said assessment, upon receipt of which the county auditor shall forthwith levy the tax by applying the same average rate of taxes of all counties throughout the state as is applied by the ~~secretary commissioner of public safety~~ and immediately mail a statement of such tax to the taxpayer. This tax shall become a lien upon the mobile home assessed from the date of mailing of the statement by the county auditor. If the taxpayer fails to pay within 30 days, the claim shall be immediately reduced to judgment in the manner provided for all personal property taxes and the sheriff of the county shall immediately levy for the purpose of enforcing payment. Taxes so received by the county treasurer shall be placed in the general property tax fund of the county for distribution in the manner provided for the distribution of currently collected taxes, and the portion for municipality and school district shall go to the taxing district in which the mobile home is located.

Mobile homes which are purchased during the year, or are moved into the state of Minnesota during the year and have not heretofore been registered under section 168.012, subdivision 9, shall be subject to taxation under this subdivision on a pro rata basis determined by the number of months remaining in the year. In making this determination, the ~~secretary of state commissioner of public safety~~ shall ignore a period of less than one-half month and count a period of one-half month or more as a full month. If such mobile home is not registered and the tax paid within 14 days after becoming subject to such tax, a penalty of eight percent shall attach and be a charge upon such tax.

Mobile homes held by a licensed dealer and exempted from taxation as inventory pursuant to section 272.02, shall be taxed on a pro rata basis for any year during which they are sold to a person other than a licensed dealer. Mobile homes held by a licensed dealer for purposes other than as inventory shall be subject to registration and taxation as herein provided.

Whenever the tax on any mobile home as computed under the provisions of this subdivision is found to be indivisible by five, the ~~secretary of state commissioner of public safety~~ is authorized to adjust such tax to the nearest figure divisible by five.

A mobile home owned by a member of the military or naval forces of the United States is exempt from the requirements of Laws 1961, Chapter 340, requiring registration and taxation if such owner is a resident of another state and the mobile home is legally and properly registered in the state of his residence.

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All taxes levied, assessed, and collected by the secretary on class 2a property shall be deposited in the state treasury and the amount thereof is hereby appropriated annually to ~~the secretary of state commissioner of public safety~~ to be distributed in the following manner: 50 percent to the school district in which the mobile home is located at the time of payment of the tax, 30 percent to the municipality in which the mobile home is located at the time of payment of the tax, 10 percent to the county in which the mobile home is located at the time of payment of the tax, and 10 percent to the general fund in the state treasury. Such distribution shall be made on or before October 1 by the secretary of state who shall compute and prepare payment of this distribution from the records and data obtained by him in the process of registering such mobile homes.

Sec. 18. Minnesota Statutes 1969, Section 273.15, is amended to read:

273.15 CLASSIFICATIONS OF LOW-GRADE IRON ORE. There are hereby established classifications for purposes of taxation which are designated class 1a, which shall consist of all low-grade iron-bearing formations as defined in section 273.14. Such classifications shall be assessed at the following percentages of their ~~full and true~~ value: If the tonnage recovery is less than 50 percent and not less than 49 percent, the assessed value shall be 48 ½ percent of the ~~full and true~~ value; if the tonnage recovery is less than 49 percent and not less than 48 percent, the assessed value shall be 47 percent of the ~~full and true~~ value; and for each subsequent reduction of one percent in tonnage recovery, the percentage of assessed value to ~~full and true~~ value shall be reduced an additional one and one-half percent of the ~~full and true~~ value, but the assessed value shall never be less than 30 percent of the ~~full and true~~ value. The land, exclusive of such formations, shall be assessed as otherwise provided by law. The commissioner of taxation may estimate the reasonable market value of the iron ore on any parcel of land which at the assessment date is considered uneconomic to mine.

Sec. 19. Minnesota Statutes 1969, Section 273.37, Subdivision 2, is amended to read:

Subd. 2. All transmission and distribution lines, and equipment attached thereto, having a fixed situs outside the corporate limits of villages, cities and boroughs, except distribution lines taxed as provided in sections 273.40 and 273.41, shall be listed with and assessed by the commissioner of taxation in the county where situated. The commissioner shall assess such property at the percentage of ~~true and full market~~ value fixed by law; and, on or before the fifteenth day of November, shall certify to the auditor of each county in which such property is located the amount of the assessment made against each company and person owning such property.

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Sec. 20. Minnesota Statutes 1969, Section 273.38, is amended to read:

273.38 PERCENTAGE OF ASSESSMENTS; EXCEPTIONS. The commissioner of taxation shall assess at five percent of ~~full and true~~ market value distribution lines, and the attachments and appurtenances thereto, used primarily for supplying electricity to farmers at retail, and which shall be taxed at the average rate of taxes of all counties throughout the state of Minnesota, levied for all purposes, for the preceding year, and which shall be entered, certified and credited as provided in section 273.42. It is further provided that the distribution lines and the attachments and appurtenances thereto of cooperative associations organized under the provisions of Laws 1923, Chapter 326, and laws amendatory thereof and supplemental thereto, and engaged in the electrical heat, light and power business, upon a mutual, non-profit and cooperative plan, shall be assessed and taxed as provided in sections 273.40 and 273.41.

Sec. 21. Minnesota Statutes 1969, Section 273.40, is amended to read:

273.40 ANNUAL TAX ON COOPERATIVE ASSOCIATIONS. Cooperative associations organized under the provisions of Laws 1923, Chapter 326, and laws amendatory thereof and laws supplemental thereto, and engaged in electrical heat, light or power business upon a mutual, non-profit, and cooperative plan in rural areas, as hereinafter defined, are hereby recognized as quasi-public in their nature and purposes; but such cooperative associations, which operate within the corporate limits of any village, city or borough shall be assessed on the basis of 40 percent of the ~~full and true~~ market value of that portion of its property located within the corporate limits of any village, city or borough as provided for in section 273.13.

Sec. 22. Minnesota Statutes 1969, Section 273.49, is amended to read:

273.49 FORMS FOR LISTING; ASSESSOR TO VALUE. The commissioner of taxation shall prepare suitable forms for the listing of personal property, each year. He may arrange and classify the items of such property in such groups and classes and, from time to time, change, separate, or consolidate the same as he may deem advisable for securing more accurate information concerning and the more perfect listing and valuation of such property. The assessor shall determine and fix the ~~full and true~~ market value of all items of personal property included in any such list and enter the same opposite such items, respectively, and the same shall be assessed for purposes of taxation according to law, so that when completed such statement shall truly and distinctly set forth the ~~full and true~~ market value and also the assessed valuation for taxation of such personal property, as required by law.

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Sec. 23. [273.1101] VALUATION; TERMINOLOGY IN STATUTES, LAWS OR CHARTERS. Notwithstanding the provisions of any statute, special law or city charter, all references in such provisions to "true and full" values, relating to the procedure of boards of review and equalization, and to certifications by assessors and other public officers, shall be construed as referring to the current market values as determined in assessment.

Sec. 24. [273.1102] RATE OF TAX; TERMINOLOGY OF LAWS OR CHARTERS. The rate of property taxation by any political subdivision or other public corporation for any purpose for which any law or charter now provides a maximum tax rate expressed in mills times the assessed value or times the full and true value of taxable property (except any value determined by the state equalization aid review committee) shall not exceed 33 1/3 percent of such maximum tax rate until and unless such law or charter is amended to provide a different maximum tax rate.

Sec. 25. [273.1103] NET DEBT; TERMINOLOGY OF LAWS OR CHARTERS. Net debt incurred by any political subdivision or other public corporation for which any law or any charter provision provides a limit expressed as a percentage of the assessed value or the full and true value of taxable property (except any value determined by the state equalization aid review committee) shall not exceed 33 1/3 percent of such limit until and unless such law or charter is amended to provide a different limit.

Sec. 26. Minnesota Statutes 1969, Section 272.03, Subdivision 12, is repealed.

Sec. 27. [273.1104] IRON ORE; VALUE. The term value as applied to iron ore in section 273.13, subdivision 2 and in section 273.15 shall be deemed to be three times the present value of future income notwithstanding the provisions of section 273.11. The present value of future income shall be determined by the commissioner of taxation in accordance with professionally recognized mineral valuation practice and procedure. Nothing contained herein shall be construed as requiring any change in the method of determining present value of iron ore utilized by the commissioner prior to the enactment hereof or as limiting any remedy presently available to the taxpayer in connection with the commissioner's determination of present value, or precluding the commissioner from making subsequent changes in the present worth formula.

Sec. 28. This act to be effective for the taxes assessed in 1972 and payable in 1973 and thereafter and for tax rate limits and net debt limits based on the assessment of property made in 1972 and thereafter.

Approved May 21, 1971.

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