
CHAPTER 191—S.F.No.2078

An act relating to metropolitan revenue distribution; changing settlement dates and the method of computing the taxable valuation of governmental units; amending Minnesota Statutes 1974, Sections 473F.02, Subdivisions 7, 11 and 12; 473F.06; 473F.07, Subdivision 2; 473F.08, Subdivisions 2, 3, 7 and 8; 473F.12, Subdivisions 2 and 4; 473F.13, Subdivisions 1 and 2; repealing Minnesota Statutes 1974, Section 473F.08, Subdivision 9.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 473F.02, Subdivision 7, is amended to read:

Subd. 7. **METROPOLITAN REVENUE DISTRIBUTION; SETTLEMENT DATES; TAXABLE VALUATION.** "Population" means the most recent estimate of the population of a municipality made by the metropolitan council and filed with the commissioner of ~~finance-revenue~~ . The council shall annually estimate the population of each municipality as of a date which it determines and, in the case of a municipality which is located partly within and partly without the area, the proportion of the total which resides within the area, and shall promptly thereafter file its estimates with the commissioner of ~~finance-revenue~~ .

Sec. 2. Minnesota Statutes 1974, Section 473F.02, Subdivision 11, is amended to read:

Subd. 11. "Locally raised revenues" means the total money receipts of a municipality, including those of its constituent agencies, boards, commissions, and other bodies, from all sources and for all purposes, reduced by the expenses, including a reasonable allowance for depreciation of capital assets, incurred in the operation by the municipality of facilities for the production or sale of electricity, water, gas, heat, or telephone service, except that locally raised revenues shall not include:

(a) Revenues derived from the operation of municipal liquor stores;

(b) Public grants, as defined in subdivision 17, except that for purposes of this subdivision the amount prescribed by clause (2) of subdivision 17 shall be multiplied by 10;

(c) Grants or gifts from private persons, unless made by an entity exempt from ad valorem taxation in an amount which does not exceed the ad valorem tax which would have been payable by the entity during that year for the benefit of the recipient if the exemption did not exist; and

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(d) The proceeds of any indebtedness incurred by the municipality.

The state auditor shall certify the locally raised revenues of each municipality for each year to the commissioner of ~~finance-revenue~~ not later than September 1 of the subsequent year. If the fiscal year of a municipality ends on a date other than December 31, the certification shall relate to the fiscal year which ended in the calendar year preceding that in which the certificate is required to be made, and references in sections 473F.01 to 473F.13 to the locally raised revenues of a municipality in a specified year shall be deemed to refer to the fiscal year ended in the specified calendar year.

Sec. 3. Minnesota Statutes 1974, Section 473F.02, Subdivision 12, is amended to read:

Subd. 12. "Market value" of real property within a municipality means the "actual market value" of real property within the municipality, determined in the manner and with respect to the property described for school districts in section 475.53, subdivision 4, except that no adjustment shall be made for property on which taxes are paid into the state treasury under gross earnings tax laws applicable to common carrier railroads. For purposes of sections 473F.01 to 473F.13, the equalization aid review committee shall annually make determinations and reports with respect to each municipality which are comparable to those it makes for school districts under section 124.212, subdivision 10, in the same manner and at the same times as are prescribed by the subdivision. The ~~auditor of each county and the~~ commissioner of revenue shall annually determine ~~and certify to the commissioner of finance~~, for each municipality, information comparable to that required ~~of each of them~~ by section 475.53, subdivision 4, for school districts, as soon as practicable after it becomes available. The commissioner of ~~finance-revenue~~ shall then compute the market value of property within each municipality.

Sec. 4. Minnesota Statutes 1974, Section 473F.06, is amended to read:

473F.06 INCREASE IN ASSESSED VALUATION. On or before ~~November 20-September 1~~ of ~~1972-1976~~ and each subsequent year, the auditor of each county in the area shall determine the amount, if any, by which the assessed valuation ~~determined in that the preceding year pursuant to section 473F.05,~~ of commercial-industrial property subject to taxation within each municipality in his county exceeds the assessed valuation in 1971 of commercial-industrial property subject to taxation within that municipality. If a municipality is located in two or more counties within the area, the auditors of those counties shall certify the data required by sections 473F.04 and 473F.05 to the county auditor who is responsible under other provisions of law for allocating the levies of that municipality between or among the affected counties. That county auditor shall determine the amount of the net excess, if any, for

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the municipality under this section, and certify that amount under section 473F.07. Notwithstanding any other provision of sections 473F.01 to 473F.13 to the contrary, in the case of a municipality which is designated on July 24, 1971, as a redevelopment area pursuant to Section 401(a) (4) of the Public Works and Economic Development Act of 1965, P.L. 89-136, the increase in its assessed valuation of commercial-industrial property for purposes of this section shall be determined in each year subsequent to the termination of such designation by using as a base the assessed valuation of commercial-industrial property in that municipality in the year following that in which such designation is terminated, rather than the assessed valuation of such property in 1971. The increase in assessed valuation determined by this section shall be reduced by the amount of any decreases in the assessed valuation of commercial-industrial property resulting from any court decisions, court related stipulation agreements, or abatements for a prior year, and only in the amount of such decreases made during the 12 month period ending on June 30 of the current assessment year, where such decreases, if originally reflected in the determination of a prior year's valuation under section 473F.05, would have resulted in a smaller contribution from the municipality in that year. An adjustment for such decreases shall be made only if the municipality made a contribution in a prior year based on the higher valuation of the commercial-industrial property.

Sec. 5. Minnesota Statutes 1974, Section 473F.07, Subdivision 2, is amended to read:

Subd. 2. The commissioner of ~~finance-revenue~~ shall certify to the administrative auditor, on or before November 20 of 1972 and each subsequent year, the population of each municipality for the preceding year, the proportion of that population which resides within the area, the average fiscal capacity of municipalities for the preceding year, and the fiscal capacity of each municipality for the preceding year.

Sec. 6. Minnesota Statutes 1974, Section 473F.08, Subdivision 2, is amended to read:

Subd. 2. The taxable value of a governmental unit is its assessed valuation, as determined in accordance with other provisions of law, subject to the following adjustments:

(a) There shall be subtracted from its assessed valuation, in each municipality in which the governmental unit exercises ad valorem taxing jurisdiction, an amount which bears the same proportion to 40 percent of the amount certified in that year pursuant to section 473F.06 in respect to that municipality as the total preceding year's assessed valuation of commercial-industrial property which is subject to the taxing jurisdiction of the governmental unit within the municipality bears to the total preceding year's assessed valuation of commercial-industrial property within the municipality;

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(b) There shall be added to its assessed valuation, in each municipality in which the governmental unit exercises ad valorem taxing jurisdiction, an amount which bears the same proportion to the area-wide base for the year attributable to that municipality as the total preceding year's assessed valuation of residential property which is subject to the taxing jurisdiction of the governmental unit within the municipality bears to the total preceding year's assessed valuation of residential property of the municipality.

Sec. 7. Minnesota Statutes 1974, Section 473F.08, Subdivision 3, is amended to read:

Subd. 3. On or before ~~November 30~~ October 15 of ~~1972~~ 1976 and each subsequent year, the county auditor shall apportion the levy of each governmental unit in his county in the manner prescribed by this subdivision. He shall:

(a) Determine ~~that portion of the levy which bears the same proportion to the total levy as the amount set forth in subdivision 2, clause (b); bears to the taxable value of the governmental unit—the area-wide portion of the levy for each governmental unit by multiplying the nonagricultural mill rate of the governmental unit for the preceding levy year times the distribution value set forth in section 473F.08, subdivision 2, clause (b); and~~

(b) Determine ~~the excess of the levy over that portion of the levy determined pursuant to clause (a)—the local portion of the current year's levy by subtracting the resulting amount from clause (a) from the governmental unit's current year's total levy.~~

Sec. 8. Minnesota Statutes 1974, Section 473F.08, Subdivision 7, is amended to read:

Subd. 7. On or before January 1 of ~~1973~~ and each subsequent year, the administrative auditor shall certify to the state treasurer the amount of that portion of the levy made by each governmental unit set forth in subdivision 3, clause (a). Each county treasurer shall remit ~~at~~ 50 percent of the total real and personal property tax payments levies computed pursuant to subdivision 5 to the state treasurer not later than 20 days before the times prescribed by chapter 276, for the apportionment and distribution of tax revenues by county treasurers of the May settlement and the remaining one half shall be remitted on or before December 31. The state treasurer shall deposit ~~such these~~ payments to the credit of the area-wide tax account, which is hereby created. Marginal expenses incurred by the state treasurer under this section, and all refunds of tax receipts paid into the account, shall be paid from the account, and all interest earned on moneys in the account shall be credited to the account, and the distributions under subdivision 8 shall be adjusted proportionately to reflect expense payments and interest income and reduced to reflect the payment of each refund in amounts proportionate to the distributions received in the

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year the tax was paid.

Sec. 9. Minnesota Statutes 1974, Section 473F.08, Subdivision 8, is amended to read:

Subd. 8. The state treasurer shall apportion and distribute amounts received by him pursuant to subdivision 7 to the county treasurer having jurisdiction of each governmental unit entitled thereto as shown by the certification to him in accordance with subdivision 7. The apportionment and distribution shall be made in the manner and not later than ~~ten-15~~ days before the times prescribed by chapter 276, for the apportionment and distribution of tax revenues by county treasurers after the receipt of the payments from the county treasurers. Each county treasurer shall include the amounts thus received in his distributions pursuant to chapter 276. Amounts necessary for distributions, refunds and payment of administrative expenses under sections 473F.01 to 473F.13 are hereby appropriated.

Sec. 10. Minnesota Statutes 1974, Section 473F.12, Subdivision 2, is amended to read:

Subd. 2. On September 1 of ~~1971~~ and each ~~subsequent~~ year, the commissioner of ~~finance-revenue~~ shall estimate the total amount available for distribution to municipalities from the municipal equity account during the subsequent calendar year. The amount so estimated shall be the sum of the estimated balance in the account on November 15 of the year in which the estimate is made, the estimated deposits to the credit of the account thereafter through November 15 of the subsequent year, and interest earned by the fund over the 12 month period. The amount to be distributed to each qualifying municipality shall be the amount determined in accordance with subdivision 3, except that (a) if the sum of the amounts so determined differs from the total amount estimated to be available for distribution, the amount of the distribution to each municipality shall be adjusted proportionately, and (b) the amount to be distributed to each qualifying municipality, after any adjustment prescribed by clause (a), shall not be less than \$9, or, if the total amount estimated to be available for distribution is less than \$40 millions, that proportion of \$9 which equals the proportion which the total amount estimated to be available for distribution bears to \$40 millions, multiplied by the population of the municipality residing within the area as determined in the year preceding that in which the estimate is made. To the extent that the distributions to any municipality or group of municipalities are adjusted pursuant to clause (b), the distributions to all other municipalities shall be adjusted proportionately in amounts sufficient to make the total of the distributions to all municipalities equal the total amount estimated to be available for distribution. The commissioner of ~~finance-revenue~~ shall notify the governing body of each qualifying municipality of the amount so determined with respect to that municipality before September 20.

Sec. 11. Minnesota Statutes 1974, Section 473F.12, Subdivision 4,

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is amended to read:

Subd. 4. On or before each of the dates June 15 and November 15 of ~~1972 and each subsequent~~ year, the commissioner of ~~finance-revenue~~ shall issue his warrant in favor of the treasurer of each qualifying municipality in an amount equal to one half the amount determined by the commissioner of ~~finance-revenue~~ to be due the municipality in that year under the terms of subdivision 2. There is hereby appropriated from the municipal equity account, to each municipality entitled to payments authorized by this section, sufficient moneys to make such payments.

Sec. 12. Minnesota Statutes 1974, Section 473F.13, Subdivision 1, is amended to read:

473F.13 CHANGE IN STATUS OF MUNICIPALITY. Subdivision 1. If a qualifying municipality is dissolved, is consolidated with all or part of another municipality, annexes territory, has a portion of its territory detached from it, or is newly incorporated, the secretary of state shall immediately certify that fact to the commissioner of ~~finance-revenue~~. The secretary of state shall also certify to the commissioner of ~~finance-revenue~~ the current population of the new, enlarged, or successor municipality, if determined by the municipal commission incident to consolidation, annexation, or incorporation proceedings. The population so certified shall govern for purposes of sections 473F.01 to 473F.13 until the metropolitan council files its first population estimate as of a later date with the commissioner of ~~finance-revenue~~. If an annexation of unincorporated land occurs without proceedings before the municipal commission, the population of the annexing municipality as previously determined shall continue to govern for purposes of sections 473F.01 to 473F.13 until the metropolitan council files its first population estimate as of a later date with the commissioner of ~~finance-revenue~~.

Sec. 13. Minnesota Statutes 1974, Section 473F.13, Subdivision 2, is amended to read:

Subd. 2. The amount of each distribution from the municipal equity account shall reflect the status of municipalities as certified to the commissioner of ~~finance-revenue~~ on September 1 of the year preceding that in which the distribution is made. If the status of a municipality thereafter changes before the distribution is made, the distribution shall be made to the successor municipality or municipalities. If there are two or more successors, the distribution shall be apportioned among them in accordance with section 414.067.

Sec. 14. Minnesota Statutes 1974, Section 473F.08, Subdivision 9, is repealed.

Sec. 15. This act is effective for taxes levied in 1976 and payable in 1977 and all subsequent years.

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Approved April 8, 1976.

CHAPTER 192—S.F.No.2232

[Coded in Part]

An act relating to optometric services; providing for inclusion of optometric services in benefits for expenses incurred for medical treatment or services; amending Minnesota Statutes 1974, Section 62A.15, Subdivision 1, and by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 62A.15, Subdivision 1, is amended to read:

62A.15 ACCIDENT AND HEALTH INSURANCE; CHIROPRACTIC AND OPTOMETRIC SERVICES IN ACCIDENT AND HEALTH AND NONPROFIT HEALTH SERVICE POLICIES. Subdivision 1. **APPLICABILITY.** The provisions of this section shall apply to all group policies or subscriber contracts providing payment for care in this state, which are issued or renewed after August 1, 1973, and after August 1, 1976, for optometric services, by accident and health insurance companies regulated under chapter 62A, and nonprofit health service plan corporations regulated under chapter 62C.

Sec. 2. Minnesota Statutes 1974, Section 62A.15, is amended by adding a subdivision to read:

Subd. 3. OPTOMETRIC SERVICES. All benefits provided by any policy or contract referred to in subdivision 1, relating to expenses incurred for medical treatment or services of a physician shall also include optometric treatment and services of an optometrist to the extent that the optometric services and treatment are within the scope of optometric licensure. This subdivision is intended to provide equal payment of benefits for optometric treatment and services and is not intended to change or add to the benefits provided for in such policies or contracts.

Approved April 8, 1976.

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