

CHAPTER 113—S. F. No. 623

[Not Coded]

An act authorizing the City of Fairmont to appropriate municipal liquor store earnings for the construction, equipment, repair, and operation of a community hospital.

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

Section 1. Fairmont, use of municipal liquor store earnings. The governing body of the city of Fairmont may appropriate annually from its liquor dispensary fund not to exceed 25 percent of the annual net earnings of its municipal liquor store to the Fairmont Community Hospital Association, Inc., for the construction, equipment, repair, and operation of said hospital.

Sec. 2. This act becomes effective upon approval by a majority vote of the governing body of the city of Fairmont.

Approved March 23, 1959.

CHAPTER 114—S. F. No. 663

[Not Coded]

An act authorizing annexation of the Town of Fairmont in Martin County to the City of Fairmont; prescribing procedures therefor and permitting amendment of the charter of the City of Fairmont in connection therewith.

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

Section 1. Fairmont, city of, annexation of town of Fairmont. The town of Fairmont in the county of Martin may be annexed to the city of Fairmont pursuant to this act. For the purposes of this act the town of Fairmont is deemed to be so conditioned as properly to be subjected to city government.

Sec. 2. The town board may adopt and submit a resolution to the city proposing that the city council initiate proceedings for a charter amendment providing for the annexation of the town. If the city council favors the proposal it may take such action as is necessary to provide for a charter commission to prepare an appropriate proposed charter amendment.

Sec. 3. Subdivision 1. In addition to provisions oth-

erwise authorized by law the charter amendment providing for annexation of the town may contain provisions on the matters set forth in this section.

Subd. 2. It may provide for a different rate of taxation for city purposes on agricultural lands in the city. In so doing it may provide that the city tax rate on agricultural lands within the city shall not exceed the average tax rate on agricultural lands for the same year in the four adjoining towns, or that such rate shall not exceed the average tax rate on agricultural lands for the same year in all of the towns in the county.

Subd. 3. It may provide for a different rate of taxation for city purposes on nonagricultural lands in the area to be annexed as well as on other nonagricultural lands in the city which are similarly situated. In so doing it may also provide for a termination of such tax differential. Such termination may be based upon either the lapse of a specified time or upon the happening of certain specified events, or both.

Subd. 4. It may provide for assumption by the city of any outstanding debt of the town.

Subd. 5. It shall specify the date when the annexation is to take effect.

Sec. 4. When the proposed charter amendment providing for such annexation is submitted for approval or rejection in an election in the city it shall also be submitted to the voters of the town at a special town election on the same day. When the date of the city election on the proposition has been determined the city clerk shall promptly notify the town board. The town board is authorized to call and it shall then call a special town election for the purpose of voting on the question. The election in the town shall be held in the same manner as regular town elections. If both a majority of the voters voting on the question in the town and the required majority of the voters voting on the question in the city vote in favor of the charter amendment a certificate of the results of the election and a certified copy of the charter amendment shall be filed in the office of the county auditor of Martin county and a similar certificate shall be filed with the secretary of state. The annexation shall then take effect on the date specified in the charter amendment.

Sec. 5. If the annexation proposal fails to be adopted the same proposal or another proposal on the subject may be submitted at another election, upon compliance with the procedures provided herein, but at least six months must elapse between elections held pursuant to this act.

Sec. 6. On the effective date of the annexation the town shall automatically be dissolved, and all books, records, money, and other property of the town shall be the property of the city. Taxes levied but not collected by the town shall be collected and turned over to the city by the county treasurer. Unless otherwise provided the city shall succeed to the obligations of the town.

Sec. 7. Between the effective date of the annexation and the effective date of the next succeeding federal census, for the purposes of any law relating to or based upon population, the city population shall be the sum of the populations of the city and the town, before the annexation, as shown by the last federal census.

Sec. 8. Notwithstanding Minnesota Statutes 1957, Section 645.20, if any provision of this act is found to be unconstitutional and void the remaining provisions shall be of no effect.

Sec. 9. This act shall become effective only after its approval by both a majority of the town board of the town of Fairmont and a majority of the city council of the city of Fairmont.

Approved March 23, 1959.

CHAPTER 115—S. F. No. 676

An act relating to the processing of farm products; amending Minnesota Statutes 1957, Sections 514.65 and 514.66.

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

Section 1. Minnesota Statutes 1957, Section 514.65, is amended to read:

514.65. **Right to lien; priority.** Any person owning or operating a threshing machine, combined thresher and harvester, clover huller, corn picking machine, corn sheller, corn shredder, *grain dryer*, ensilage cutter or hay baler shall have a lien upon the grain threshed, clover hulled, corn shelled or shredded, or picked, *or dried*, ensilage cut, or hay baled, as the case may be, for the price or value of such service, which shall be preferred to all other liens or encumbrances except those given for the seed from which the grain was grown.