

Sections 5 to 14 are effective the day following final enactment.

Approved June 5, 1985

CHAPTER 302 — H.F.No. 384

An act relating to the cities of Minneapolis and Blaine; permitting the establishment of special service districts in the city of Minneapolis and providing taxing and other authority; authorizing Blaine city council members to serve as a housing and redevelopment authority.

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

Section 1. DEFINITIONS.

Subdivision 1. TERMS DEFINED. For the purposes of sections 1 to 7, the terms defined in this section have the following meanings.

Subd. 2. CITY. "City" means the city of Minneapolis.

Subd. 3. SPECIAL SERVICES. "Special services" means all services rendered or contracted for by the city for snow, ice, and litter removal and cleaning of sidewalks, curbs, gutters, and streets and for banners and other decorations to be used to identify and promote the commercial area.

Special services do not include services that are ordinarily provided throughout the city from ordinary revenues of the city unless an increased level of service is provided in the special service district.

Subd. 4. SPECIAL SERVICE DISTRICT. "Special service district" means that defined area within the city where special services are rendered and their costs are paid from revenues collected from taxes and service charges imposed within the area.

Subd. 5. ASSESSED VALUE. "Assessed value" means the assessed value as most recently certified by the commissioner of revenue on the effective date of the ordinance or resolution adopted pursuant to section 2 or 3.

Subd. 6. LAND AREA. "Land area" means the land area located within the district that is subject to property taxation.

Sec. 2. ESTABLISHMENT OF SPECIAL SERVICE DISTRICT.

Subdivision 1. ORDINANCE. The governing body of the city may adopt an ordinance establishing a special service district in the part of Minneapolis which is south of 28th Street, west of Fremont Avenue South, north of 31st Street, and east of Humboldt Avenue South.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Only property which is zoned for commercial, business, or industrial use under a municipal zoning ordinance may be included in a special service district. The ordinance shall describe with particularity the areas to be included in the district and the special services to be furnished. The ordinance may not be adopted until after a public hearing on the question. Notice of the hearing shall include:

- (1) the time and place of the hearing;
- (2) a map showing the boundaries of the proposed district; and
- (3) a statement that all persons owning property in the proposed district will be given an opportunity to be heard at the hearing.

Subd. 2. NOTICE. Notice of the hearing shall be given by publication in two issues of the official newspaper of the city. The two publications shall be a week apart and the hearing shall be held at least three days after the last publication. Not less than ten days before the hearing, notice shall also be mailed to the owner of each parcel of real estate within the area proposed to be included in the district. For the purpose of giving mailed notice, owners shall be those shown on the records of the county auditor. Other records may be used to supply necessary information. For properties which are tax exempt or subject to taxation on a gross earning basis in lieu of property tax and are not listed on the records of the county auditor, the owners shall be ascertained by any practicable means and mailed notice given them. At the public hearing, any person affected by a proposed district may be heard orally in respect to any issues embodied in the notice. The hearing may be adjourned from time to time and the ordinance establishing a district may be adopted at any time within six months after the date of the conclusion of the hearing by a vote of the majority of the governing body of the city.

Sec. 3. TAXING AUTHORITY; NOTICE AND HEARING REQUIREMENTS.

Subdivision 1. TAXES; HEARING. A tax may be levied on taxable property, or service charges may be imposed by the city within a special service district at a rate or in an amount sufficient to produce revenues required to provide the special services within the district. For purposes of determining the appropriate tax rate, taxable property or value shall be determined without regard to captured or original assessed value under Minnesota Statutes, section 273.76, or to the distribution or contribution value under Minnesota Statutes, section 473F.08. Taxes and service charges may be imposed to finance a special service that is ordinarily provided by the city only if the service is provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase. A service charge may not be imposed on the receipts from the sale of intoxicating liquor, food, or lodging. Before the levy of taxes or imposition of service charges in a district, for each calendar year, notice shall be given and

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

hearing shall be held pursuant to section 2 and notice shall also be mailed to any individual or business organization subject to a service charge. For purposes of this section, the notice shall also include:

(a) A statement that all interested persons will be given an opportunity to be heard at the hearing regarding the proposed tax levy or service charge.

(b) The proposed rate or amount of taxes to be levied or the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year.

Within six months of the public hearing, the city may adopt a resolution levying a tax or imposing a service charge within the district that does not exceed the amount or rate stated in the notice issued pursuant to this section.

Subd. 2. EXEMPTION OF CERTAIN PROPERTIES FROM TAXES. Property exempt from taxation by Minnesota Statutes, section 272.02, is exempt from any property taxes imposed pursuant to sections 1 to 7.

Subd. 3. LEVY LIMIT EXEMPTIONS. Taxes and service charges imposed pursuant to sections 1 to 7 shall not be included in the calculation of levies or limits on levies provided by other law or home rule charter.

Subd. 4. EXCLUSION FROM HOMESTEAD CREDIT. Taxes levied under this section shall not be reduced pursuant to Minnesota Statutes, section 273.13, subdivisions 7, 7d, or 14a.

Sec. 4. ENLARGEMENT OF SPECIAL SERVICE DISTRICTS.

The boundary of a special service district may be enlarged, to an area not to exceed one square mile, within the part of Minneapolis described in section 2 only after hearing and notice as provided in section 2. Notice shall be served in the original district and in the area proposed to be added to the district. Property added to the district shall be subject to all taxes levied and service charges imposed within the district after the property becomes a part of the district.

Sec. 5. COLLECTION OF TAXES.

Property taxes levied within a special service district shall be collected like other property taxes but only from property described in the ordinance. Service charges imposed shall be collected as provided by ordinance. Taxes collected pursuant to sections 1 to 7 shall not be included in computations under Minnesota Statutes, section 273.76, chapter 473F, or any other law that applies to general property taxes.

Sec. 6. ADVISORY BOARD.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The governing body of the city shall create and appoint an advisory board for the special service district in the city to advise the governing body in connection with the construction, maintenance, and operation of improvements, and the furnishing of special services in a district. The advisory board shall make recommendations to the governing body on the requests and complaints of owners, occupants, and users of property within the district and members of the public. Before the adoption of any proposal by the governing body to provide services or impose taxes or service charges within the district, the advisory board of the district must have an opportunity to review and comment upon the proposal. All members of the advisory board shall be residents or property owners within the part of Minneapolis described in section 2.

Sec. 7. EFFECTIVE DATE.

Sections 1 to 7 are effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Minneapolis.

Sec. 8. BLAINE HOUSING AND REDEVELOPMENT AUTHORITY.

Notwithstanding the limitations on the number of housing and redevelopment commissioners provided by Minnesota Statutes, section 462.425, subdivisions 5 and 6, all the members of the governing body of the city of Blaine may serve as commissioners of the Blaine housing and redevelopment authority at the same time.

Sec. 9. LOCAL APPROVAL; EFFECTIVE DATE.

Section 8 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Blaine.

Approved June 5, 1985

CHAPTER 303 — S.F.No. 743

An act relating to corporations; allowing nonprofit corporations to establish, maintain, and operate common trust funds; proposing coding for new law in Minnesota Statutes, chapter 317.

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

Section 1. [317.175] COMMON TRUST FUNDS.

Subdivision 1. AUTHORIZATION. A corporation organized under this chapter may establish, maintain, and operate common trust funds as provided in this section under the appropriate standard of investment applicable to it.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.