

CHAPTER 236—S. F. No. 394.

An Act to amend chapter 165 of the General Laws of 1903, entitled "An Act to create in cities of the State of Minnesota which now have or hereafter may have no more than fifty thousand (50,000) and not less than twenty thousand (20,000) inhabitants a board of municipal works, to define its duties and powers and to regulate the management of certain municipal works of such cities," approved April 10, 1903, as amended by chapter 121 of the General Laws of Minnesota for the year 1909.

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

State census to govern.—Section 1. That section 1 of chapter 165 of the General Laws of Minnesota for the year 1903 be and the same is hereby amended so as to read as follows:

Section 1. That in each city in the State of Minnesota which now has, or hereafter may have, no more than fifty thousand (50,000) and not less than twenty thousand (20,000) inhabitants, there be and hereby is created and established a board of municipal works, which shall have the control and management of all such water works systems, lighting plants, and sewerage pumping plants of each such city as may be owned and operated by such city, with the powers and duties hereinafter designated. In determining at any time to what cities this act shall apply reference shall only be had to the state census last taken.

Duty of mayor on determination of state census.—Sec. 2. That the fifth paragraph of section 3 of said act be and the same is hereby amended by striking from the second line of said paragraph the words and parenthesis "(whether national, state or city)" and by inserting before the word "census" where it appears in said second line the word "state" so that said paragraph so amended shall read as follows:

That whenever it shall hereafter be shown by any official state census that any city in this state contains the number of inhabitants hereinbefore designated, and not theretofore shown, and there shall at that time be owned and operated by such city one or more of such municipal works, it shall be the duty of the mayor of such city, on the last Monday in April following the official notice of such census, to appoint the board hereinbefore designated, whose term of office shall commence on the first Monday of May following, and who shall be appointed to serve for the lengths of time first specified in this section, and their successors shall thereafter be appointed at the times and in the manner hereinbefore designated for the appointment of successors.

Election of vice president of board.—Sec. 3. That the ninth paragraph of section 3 of said chapter 165 of the said laws of 1903, be and the same is hereby amended so as to read as follows:

The said board shall elect annually one of their number to be president and one to be vice president of the board, and may make by-laws and regulations for their government not inconsistent herewith. In the absence of the president from the city or when the president by reason of sickness or other cause is incapacitated from acting, the said vice president shall be the acting president of said board with all the powers and duties of said president. A majority of said board shall constitute a quorum, and all contracts and engagements, acts and doings of said board, within the scope of their duty and authority, shall be obligatory and binding upon such city.

Power of board—Duty of city treasurer.—Section 4. That said chapter 165 of the General Laws of 1903 be and the same is hereby further amended by inserting in and adding to said act, immediately after section 8 and before section 9 thereof, the following section containing the following words and figures, to-wit:

Section 8a.—The said board may at any time create and establish a sinking fund for the accumulation of a fund to be used for the redemption of outstanding water works bonds at their maturity. Such sinking fund shall be created by ordinance passed by an affirmative vote of two-thirds of all the members of said board. Moneys shall be paid into such sinking fund during such years only in which no water works bonds mature in an amount exceeding five thousand dollars. The moneys to be paid into such fund shall be obtained from the following sources, to-wit: First. Such amount as may be designated each year by said board by resolution, shall be annually included by the secretary of said board in his estimate of the several amounts required during the next ensuing fiscal year, and shall be listed by him in his special estimate for the water works department as “for bonds sinking fund” under the “fourth” purpose designated and provided for in section 8 of this act, and shall be included in the amounts apportioned by said board to the several municipal purposes and included in the assessment on the several municipal departments, if any be made, as provided for in said section 8 of this act; *provided*, that the amount included in such assessment and intended for such fund shall not in any one year exceed the sum of five thousand dollars. Second. Said board may annually transfer, by resolution in writing, to said sinking fund such portion of the surplus found in the treasury of the water department at the end of any fiscal year, as said board

may deem advisable, and as said ordinance may permit; *provided*, that such transfer of surplus shall not in any one year exceed the amount of ten thousand dollars, nor shall the total of all moneys paid into said fund in any one year exceed said sum of ten thousand dollars.

The city treasurer shall keep said fund separate and distinct from other funds, and shall keep, preserve and invest the same and pay orders drawn upon the same in the manner and as may be designated by the ordinance creating the same. The said board may at any time direct the city treasurer to invest a specified portion of said fund or the whole thereof in bonds of its said city or in certificates of indebtedness issued by said city, or in bonds or certificates of the State of Minnesota, or in certificates of deposit accompanied by bonds of indemnity of one or more banks located in said city, if in the opinion of said board the same can be done advantageously.

Said fund shall be used exclusively for the payment of maturing water works bonds, and only such amount shall be paid therefrom annually, for the redemption of such bonds, as the said board may annually, by resolution, authorize and designate.

Increasing of water supply.—Sec. 5. That section 19a of said act, (being contained in chapter 121 of the General Laws of 1909, an act amendatory of said chapter 165 of the said laws of 1903) be and the same is hereby amended by striking from the sixth line of the first paragraph of said section the words “and for that purpose” where such words appear in said line, and by adding to the end of said paragraph the following words, to-wit: “or, if determined by it to be advisable, may provide or secure a new and additional supply of water from other sources than theretofore used; and may from time to time, as deemed necessary, increase the supply from the source theretofore employed” so that the said first paragraph of said section 19a, as so amended, shall read as follows:

Section 19a.—That each such board shall have the power and authority to adopt any and all means, and to do any and all things by it deemed necessary to be done, to protect or to enhance the purity of the water supply of any such city and to supply the citizens of such city with a pure and wholesome water for all purposes. Said board shall have the power and authority to decide upon, adopt, construct and install a system of filters or such other appliances, system or method as it may determine for the purpose of filtering or purifying the water to be furnished by any such city to its citizens; or, if determined by it to be advisable, may provide or secure a new and

additional supply of water from other sources than theretofore used; and may from time to time, as deemed necessary, increase the supply from the source theretofore employed.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.

CHAPTER 237 —H. F. No. 1138.

An Act to appropriate money for current expenses, buildings, and improvements at state institutions, and for other purposes.

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

Appropriations for state charitable institutions.—Section 1. The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from any moneys in the state treasury not otherwise appropriated, for the purposes specified in the following sections of this act, to be available at the time designated opposite each item.

Sec. 2. Anoka state asylum:

	Available for year ending	
Three cottages	July 31, 1912,	\$40,000
Completing same	July 31, 1913,	130,000
House for engineer.....	July 31, 1912,	3,000
Additional for root cellar.....	July 31, 1912,	2,000
Increasing size of boiler room and new coal vault	July 31, 1913,	8,000
Addition to ice house.....	July 31, 1912,	2,000
Additional feeders in tunnels, new engine and generator and repairing old one..	July 31, 1913,	7,500
Additional boiler and piping.....	July 31, 1912,	2,700
New pumping machinery, additional water piping about grounds and additional fire protection	July 31, 1913,	5,500
Sewer system	July 31, 1912,	16,000
Additional steam mains and returns in tunnels for new cottages.....	July 31, 1912,	6,000
Repairs and betterments.....	July 31, 1912,	1,500
Repairs and betterments.....	July 31, 1913,	1,500
Current expense	July 31, 1912,	65,000
Current expense	July 31, 1913,	85,000