

CHAPTER 35—H. F. No. 34.

An act to create a state board of relief and to define its powers and duties; also to appropriate money for the maintenance of such board and to provide funds to be used for relief in emergencies caused by storms, floods, fires or other great calamities and amend Section 115, General Statutes of Minnesota 1913, so as to repeal and to eliminate from said section certain provisions inconsistent with this act.

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

Section 1. Composition of state board of relief and expenses of same.—A state board of relief is hereby created, to consist of three members as follows: First, the governor, shall be chairman of the board; second, the state auditor; third, the state treasurer. The members of the board shall serve for the period of their election to their respective offices and shall be succeeded by their successors in their elective offices.

Members of the board of relief shall serve without pay, but shall be reimbursed for all proper and necessary expenses incurred while in the performance of their duties, same to be approved by the board and paid by a warrant drawn by the secretary and signed by the chairman, which warrant shall be paid by the treasurer out of a special fund hereinafter appropriated. The board shall meet at such times and places as shall be designated by the chairman and members of the board shall be entitled to all expenses incurred in attending such meetings.

Sec. 2. Authority of procedure.—The state board of relief is hereby authorized to take any measures necessary to prevent or avert any impending disaster which threatens to destroy life or property in this state, to grant relief or temporary assistance to communities in this state stricken by disease, flood, storm, fire or action of the elements or prevent the occurrence or spread of any such calamity or disaster which might entail loss of life or property or result in great suffering and hardship among the people of this state, and in any such event, it shall have the authority to commandeer and take for use, in any such emergency, any property, vehicle, motor car or any means of transportation by rail or water or any means of communication or any public service, which in the opinion of the said board might be necessary to save life or property or prevent and avert any such impending disaster or furnish assistance or relief to communities in this state, so stricken, or for the prevention of any such calamity. The owner of any property so taken shall be given a receipt for the same and shall be paid for the use of such property or for any damage which might be caused to the same while in the service of the state board.

The state board of relief is further authorized to use any of the facilities or offices of the state when required for relief or to prevent any calamity, and in any such event it shall become the duty of the governor to command the services of the state militia or any other military organization of the state, the forces of the state fire marshal or any other state department or the services of any employee of the state. Such employees of the state shall serve without additional pay, except that all proper and necessary expenses incurred while in the performance of duty shall be paid out of the funds provided by this act. Members of the state militia or any other state military organization shall be paid for their services while on duty, as provided by the military code, upon warrants drawn by the adjutant general. Provided, however, that this act shall not be construed to apply in case of strikes, lockouts or other labor disturbances.

Sec. 3. Detailed report to be submitted.—The state board of relief shall transmit to the state legislature not later than March 1st of every year in which there is a regular session of the legislature, a report in detail of all the expenses of the board; of all moneys paid out for preventative measures and also of all moneys paid out for relief. It shall also transmit all information and make such recommendations as will assist the legislature in the enactment of further legislation which might be necessary in the prevention of great calamities.

Sec. 4. Clerk and stenographer.—The board may appoint a clerk and a stenographer, who shall serve at the pleasure of the board and who may be employed in other departments of the state when not engaged under the direction of the board.

Sec. 5. \$50,000 appropriated.—There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of fifty thousand dollars (\$50,000), which shall be subject to the order of the board of relief for necessary expenses and which shall be available on the passage of this act.

Sec. 6. \$500,000 loan authorized.—For the purpose of carrying out the provisions of this act, whenever an emergency exists, the board of relief hereby created is authorized to borrow such a sum of money, not exceeding five hundred thousand dollars (\$500,000), as shall in its judgment be necessary and sufficient.

Sec. 7. Issuance of interest bearing certificates.—Said board shall have power, for that purpose, to issue the interest-bearing certificates of indebtedness of the state in such denominations and sums as it shall determine advisable, to bear interest at a rate not exceeding five per cent per annum, payable semi-annually, and be due and payable at such times as it may designate, but none of said certificates shall be issued for a period exceeding ten years.

Sec. 8. Signatures to certificates.—The certificates of indebtedness issued under this act shall be signed by the chairman of said board and attested by the secretary thereof and be made payable at such place as said board shall by resolution determine. There shall be attached to each certificate, coupons evidencing the semi-annual installments of interest to fall due on the same, and which interest coupons shall be attested by the fac-simile of the signature of the chairman of said board and the secretary thereof.

Sec. 9. Tax levy authorized.—The state auditor is hereby authorized and required to formally levy, and enter and collect, annually, after the date of issuance of the certificates of said indebtedness, a tax upon the taxable property of the state in addition to all other taxes levied, sufficient to pay the interest annually accruing upon the certificates of indebtedness issued in pursuance of this act; and in advance of the maturity of the principal of any of said certificates, shall, in like manner, levy a tax upon the taxable property of the state sufficient to pay such principal sum when due.

Sec. 10. Sale of certificates.—Said board shall sell such certificates to such persons, associations and corporations, including the state of Minnesota as it deems advisable, but in no case for less than par.

Sec. 11. Officials not to exceed appropriations.—That section 115 of General Statutes of Minnesota 1913, be and the same is hereby amended so as to read as follows:

Sec. 115. Whenever there has been an appropriation for any purpose whatsoever, it shall be unlawful for any state board or official to incur indebtedness on behalf of said board, official or the state of Minnesota in excess of the appropriation made for such purpose. It is hereby made unlawful for any state board or official to incur any indebtedness in behalf of said board, official or the state of Minnesota, of any nature whatsoever, until after an appropriation therefor has been made by the legislature. Any official violating the provisions of this act shall be deemed guilty of a misdemeanor, and the governor of the state is hereby authorized and empowered to remove any such official from office.

Sec. 12. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 13. This act shall take effect and be in force from and after its passage.

Approved September 22, 1919.