

law of this state, whether general or special, to the contrary notwithstanding.

Approved March 16, 1921.

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CHAPTER 92—S. F. No. 333.

*An act authorizing the erection of poles and wires for the transmission of electrical current within and without the corporate limits of any city of the fourth class, village or borough in the state, and providing for the issuance of bonds to meet the expense thereof.*

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

**Section 1. Cities and villages may erect poles and string wires in certain cases.**—In any city of the fourth class, village or borough, howsoever organized, the council or other governing body thereof shall have power to erect poles and string wires and cables thereon within the corporate limits of such city, village or borough and install in connection therewith such equipment as may be necessary to light the streets of such municipality and furnish electrical current to the inhabitants thereof; and shall have power to connect such a system of poles, wires and cables with an electric light and power plant being maintained and operated without the corporate limits of such city, village or borough, whether the same is being so maintained and operated as a municipal plant or otherwise, by erecting poles along any public road or highway extending from such city, village or borough to such electric light and power plant, subject to the provisions of law relating to the use of public roads, highways and streets by light and power companies and string along such poles wires and cables for the transmission of electrical current from such plant to the system of poles, wires and cables erected in such city, village or borough; and such council may enter into such contract or contracts for and on behalf of its municipality and the inhabitants thereof for furnishing electrical current and power as to it may be deemed advisable and may prescribe the rates to be charged for such current and power.

**Sec. 2. To be voted on—Bonds.**—Before incurring any expense under the powers conferred by Section 1 of this act the approval of the voters of such city, village or borough shall first be had at a general or special election held therein. If a majority of the voters of such city, village or borough participating at such election shall vote in favor of the construction of the system of poles, wires and cables herein authorized to be made, the council shall proceed with such construction, provided, however, that no such expense shall be incurred, nor shall any bonds be issued under the provisions of this Act unless, the governing body of such municipal corporation shall, within *seven* months after the passage of this Act,

have provided for the holding of an election as required by the provisions of this Section.

**Sec. 3. Expense paid out of general fund.**—The expense incurred in carrying out the provisions of this act may be paid out of any money in the general fund of the city, village or borough available for the purpose. If there is no money in such fund available, the bonds of the city, village or borough may be issued under and pursuant to the provisions of Chapter 10 of the General Statutes of Minnesota for 1913. The proposition of constructing a system of poles wires and cables and the proposition to issue bonds therefor may be submitted at the same election.

**Sec. 4.** This act shall take effect and be in force from and after its passage.

Approved March 16, 1921.

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#### CHAPTER 93—S. F. No. 557.

*An act authorizing the grantees of gas franchises in cities of this state now or hereafter having a population of more than fifty thousand inhabitants to use and occupy the streets, lanes, alleys, bridges, parks, and public grounds of said city for the purpose of extending and maintaining mains, conduits and tunnels to supply gas to any other immediately adjoining city and the inhabitants thereof, and exempting the earnings of the grantee in the latter city from gross earnings tax in and by the former.*

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

**Section 1. Gas companies may use pipes, etc., to supply gas to adjoining cities in certain cases.**—That whenever in any city now or hereafter having a population of over 50,000 inhabitants (whether operating under a charter adopted pursuant to Section 36 of Article 4 of the State Constitution or otherwise) a franchise has heretofore been granted to any person, firm or corporation giving the right, privilege and authority to enter upon, use and occupy the streets, lanes, alleys, bridges, parks and public grounds of such city for the purpose of laying, maintaining, constructing, and operating pipes, tunnels and conduits for the purpose of supplying gas for any or all purposes to such city or its inhabitants, the grantee of such franchise is hereby given the right, privilege and authority during the life of such franchise to use the pipes, tunnels and conduits so constructed and maintained by it and to enlarge and extend the same for the purpose of supplying gas to any other city having a population of ten thousand inhabitants or less, or its inhabitants, which other city immediately adjoins the city which has granted such franchise, and the proceeds or earnings from gas so supplied to such adjoining city or its inhabitants shall not be subject to any gross earnings tax imposed, levied or collected by or in the city