

CHAPTER 416—H. F. No. 1090

An act limiting and controlling future expenditures of villages heretofore or hereafter issuing bonds pursuant to the provisions of Chapter 331, General Laws, 1927.

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

Section 1. **Expenditures limited.**—The governing body of each village heretofore or hereafter issuing bonds pursuant to the provisions of Chapter 331, General Laws, 1927, shall annually at its first meeting in each fiscal year determine the amount of funds which will be available during the current year for all and each of its public purposes, from the proceeds of the tax levy lawfully made therefor in the preceding year and from state aid and from other sources known or reasonably anticipated to be due and payable into its treasury during such year, and shall thereupon, at such meeting, make and spread on its minutes a definite budget of the expenditures made and to be made and indebtedness incurred and to be incurred by it for all and each of such purposes during such year, which expenditures and indebtedness shall in no case exceed the aggregate amount of revenues so determined to be available for all and each of such purposes for such year. Such budget shall first allot, and there shall be first set aside and payable, out of the receipts for such year, pursuant to levies therefor, the amount required to meet principal and interest due in that year on the bonds issued pursuant to said Chapter 331 and on any outstanding bonds and items not funded or refunded, contemplated by said Chapter 331. There shall then be allotted, respectively, such amounts as shall be required and appropriate to pay outstanding warrants or orders and for each of the necessary current purposes, and such amount as shall be deemed necessary for an emergency fund, and what remains may be allotted to be expended on new undertakings of construction, improvement, extension or otherwise to which it is lawfully appropriable. As nearly as may be, a specific program of expenditures shall be determined upon and the amount to be expended on each item determined and allotted; and no change in such program shall be made, nor additional expenditures made nor indebtedness incurred, which shall cause to be diverted to other purposes any part of the amount herein required to be allotted for payment of principal and interest, and for payment of outstanding warrants or orders and for necessary current purposes and for the emergency fund, nor which shall cause the expenditures made or indebtedness incurred in any year to exceed the total revenues determined, as aforesaid, to be available for such year. The emergency fund may be used to pay extraordinary items

of lawful expenditures occasioned by emergency which could not be anticipated when the budget was made.

Sec. 2. Recording officer to keep record.—The recording officer shall keep a record showing accurately the amount allotted to each item of the budget for each year and the amounts incurred and expended from time to time on account of each of such items, which record shall be presented and examined at each meeting of the governing body and show the true condition of affairs at the date of such meeting. No indebtedness shall be incurred for any purpose except pursuant to action of the governing body while in meeting assembled, specifying, as nearly as may be, the purposes and the amount thereof.

Sec. 3. Filing of claims.—All claims against any such municipality must be filed with the recording officer within thirty days after the accrual thereof; if not so filed, no liability shall exist therefor unless and until funds shall be appropriable therefor without disturbing the preferred funds specified in Section 1 hereof and without increasing expenditures or indebtedness beyond the limits therein prescribed. It shall be the duty of the recording officer after any such claim has been filed with him to present same to the governing body at its next meeting, and at such meeting such claim shall be acted upon.

Sec. 4. Violations a misdemeanor.—Any member of the governing body or other officer or employe of such municipality knowingly authorizing or participating in any violation of this act shall be guilty of a misdemeanor, punishable by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding three months for each offense. Every contract entered into or indebtedness or pecuniary liability attempted to be incurred on violation of the provisions of this act shall be null and void in respect to any obligation sought thereby to be imposed upon the municipality; and no claim therefor shall be allowed by the governing body, nor shall any officer issue or pay any warrant, order or other evidence of debt on account thereof. Each member of the governing body or other officer or employe so knowingly participating in or authorizing any violation of this act shall be individually liable to the corporation or to any other person for any damages caused thereby; and for the purpose of enforcing such liability without impairing any other remedy, one-fourth of the salary of each such officer and employe shall be withheld from him and applied towards reimbursing the corporation or any other such person for such damages, until all claims by reason thereof have been paid. Each member of the governing body present at a meeting thereof when any action is taken with reference to paying money or incurring indebtedness or entering

into any contract shall be deemed to have participated in and authorized the same unless he shall cause his dissent therefrom to be entered on the minutes of the meeting.

Sec. 5. Voters may modify act.—The voters of any such village may, at any regular or special election, upon due submission of the question to them, modify the application of any provision of this act, except so far as vested rights may be substantially affected thereby.

Approved April 27, 1929.

CHAPTER 417—H. F. No. 1275

An act relating to wild animals, and the preservation, protection, and propagation thereof, amending certain laws relating thereto.

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

Section 1. Manner of taking fish.—That General Statutes 1923, Section 5499, as amended by General Laws 1925, Chapter 380, be and the same hereby is amended so as to read as follows:

“5499. Fish, unless otherwise specifically permitted by law, shall be taken *only* by angling. It shall be unlawful to take fish of *any kind in any manner* by the use or with the aid of artificial lights of *any kind.*”

Sec. 2. Limits of game and fish—Wanton waste.—That General Statutes 1923, Section 5500 as amended by General Laws 1925, Chapter 380, be and the same hereby is amended so as to read as follows:

“5500. No person shall wantonly waste or destroy wild animals *except as otherwise expressly permitted by law.* The catching, taking or killing of more than fifteen game birds by any one person in any one day, or the catching, taking or killing of more than twenty-five fish by any one person in any one day, except fish lawfully caught, taken or killed with licensed nets, as by this chapter permitted, shall be deemed a wanton waste. No person shall, after taking or killing any protected wild animal, abandon or permit the edible part of the carcass thereof to waste or decay, provided this shall not prevent the