

## CHAPTER 290—H. F. No. 951

*An act authorizing certain counties to issue bonds for the purpose of funding its county revenue fund and providing the procedure therefor.*

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

Section 1. **Certain counties may issue bonds for funding revenue fund.**—Any county in this state now or hereafter having an assessed valuation for taxation purposes, exclusive of money and credits, of not more than \$12,000,000.00, and with a bonded indebtedness of not more than \$26,000.00, exclusive of outstanding bonds issued for drainage and drainage refunding purposes and of outstanding bonds issued for road and highway purposes, for which such county is entitled to be reimbursed out of trunk highway funds of the State of Minnesota, and now or hereafter having outstanding warrants issued against its county revenue fund, aggregating in principal and accrued interest not more than \$50,000.00, is hereby authorized and empowered, upon the adoption of a resolution therefor by its county board, and without submitting the question of such issue to the electors of such county, to issue its county revenue funding bonds in an amount not exceeding the aggregate of such outstanding warrants, including the accrued interest thereon, for the purpose of paying, funding and retiring such outstanding warrants; said bonds to bear interest at a rate not exceeding 5% per annum. Except as otherwise provided herein, such bonds and the procedure for their issuance shall conform with the requirements of Laws 1927, Chapter 131, and such bonds shall be sold in the manner prescribed by General Statutes 1923, Section 1943, as amended; no bonds shall be issued pursuant to the provisions of this Act unless the county board of such county shall within 90 days after the passage and approval hereof adopt a resolution determining to issue such bonds and determining the validity of the warrants to be funded thereby, which determination shall be conclusive on such county as to such validity.

Approved April 17, 1933.

## CHAPTER 291—S. F. No. 1158

*An act relating to law libraries in counties now or hereafter having more than 475,000 inhabitants and authorizing the judges, or a majority thereof, of the District Court in said counties to make a certificate to the Clerks of the District Court of such counties*

*certifying the willingness of said law library association or corporation to permit the use of its law library and requiring the Clerk of the District Court in any such counties to collect fees for the payment for the use of such libraries and providing for the acquisition, maintenance and management of a county law library by such counties.*

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

**Section 1. Law libraries in certain counties.**—In each county now or hereafter having more than 475,000 inhabitants there may be established a county law library.

**Sec. 2. To be public libraries.**—The use of such county law library shall be free to the judges of the state, to state officials, to all the judges of the district, municipal, and probate courts of the county, to all the city and county officials, to the members of the bar, and to the inhabitants of the county, under proper regulation.

**Sec. 3. Existing law libraries may be turned over to counties.**—In each county to which this Act is applicable when any law library association or corporation owning or maintaining a law library at, or convenient to, the courthouse in such county shall give written notice to the judges of the district court in and for such county that it will permit the free use of its library in accordance with the provisions of Section two (2) of this act upon the payment to it of the fees herein provided for, and when the certificate of a majority of such judges setting forth the fact that such law library association or corporation will permit such free use of its law library shall be filed in the office of the clerk of such district court, such law library shall become and be a county law library and entitled to receive the fees herein provided.

**Sec. 4.—Fees in civil actions to be collected for upkeep of library.**—After the filing of such certificate, it shall be the duty of the clerk to collect in each civil suit, action, or proceeding filed in such court, in the manner in which other fees are collected therein and in addition thereto, as law library fees, the sum of one dollar from the plaintiff or person instituting such suit, action, or proceeding at the time of the filing of the first paper therein and the sum of one dollar from each defendant, respondent, intervenor, or other party who shall appear therein, either separately or jointly, to be collected at the time of the filing of the first paper by such defendant, respondent, intervenor, or other party, or at the time when his or their appearance is entered in the case. Such law library fees shall be costs in the case and taxable as such.

**Sec. 5. Not to apply to certain actions.**—The provisions of Section four (4) of this Act shall not apply to actions commenced

by the state or any municipality therein, to garnishment proceedings, or to compensation awards.

**Sec. 6. Clerk to pay collections to association monthly.**—On the first day of each month the clerk of the court making such collections shall pay to such law library association or corporation all the law library fees collected for the preceding month, taking its receipt therefor.

**Sec. 7. No fees paid in certain cases.**—So long as such payments are made by the clerk to the law library association or corporation, no cash payments required to be made under the provisions of the General Statutes 1923, Section 5670, as amended by Laws 1931, Chapter 327, shall be made to such law library association or corporation.

**Sec. 8. Library association to retain title and management.**—The law library association or corporation shall retain the title and management of the county law library, appoint the librarian thereof, and make rules and regulations for its use, which may provide that no books shall be removed from the library except by the judges of the district, municipal and probate courts of the county, without the payment of such dues or making such deposit as the law library association or corporation may provide.

**Sec. 9. Library association to maintain library.**—The county law library shall be maintained by the law library association or corporation in a manner satisfactory to a majority of the judges of the district court in and for such county. Upon its failure so to do, whenever a certificate of a majority of the judges of the district court in and for such county setting forth the fact that the law library association or corporation has so failed is filed with the clerk of said court, the law library fees herein provided for shall cease, and such law library shall thereafter be subject to such laws for its support as exist at the date of the passage of this Act.

**Sec. 10. To become public library when.**—When any law library association or corporation owning such a library shall give the written notice provided in Section 3 hereof, said library shall become a public library as provided in Sections 1 and 2 hereof but such public use of said library and the support thereof as herein provided shall cease at the end of one year from the commencement of such arrangement, except in the event hereinafter set out.

**Sec. 11. Liquidation of library association.**—If and when during said one year period at least 95% of the stockholders of such association or corporation shall deposit with the District Court of said County their shares of stock endorsed to said county so that title to 95% of the stock of said association shall be vested in said

county, it shall thereupon become the duty of the officers of said corporation to bring an action in the District Court of said County to liquidate said corporation. The owners of the remaining stock not endorsed to said county shall be made defendants and the court upon the hearing or trial of said action shall decree a dissolution of said corporation and shall decree to said stockholders who have not endorsed their stock to said county such portion of the assets of said corporation in kind in proportion as the number of shares owned by such stockholders bears to the whole number of stock outstanding. Such division shall be made by the court or by a referee appointed by the court for that purpose. Upon such division being made all of the personal property of such library association or corporation, except the portion so allotted to said stockholders, shall become the property of said county and said library shall thereafter be owned and maintained by said county in the manner following.

**Sec. 12. County board may provide for maintenance in certain cases.**—For the support of said library there shall be allotted the fees prescribed in Section 4 herein and such other amounts as are now provided by law; provided, however, that the board of county commissioners of such county may, in their discretion, provide for the support and maintenance of such county law library out of county funds, and if such provision for such support and maintenance is made the county commissioners shall certify that fact to the Clerk of the District Court of such county, and thereupon the collection of fees provided for in Section 4 hereof shall cease.

**Sec. 13. Board of law library trustees to manage library.**—The management of said library shall be under a Board of Law Library Trustees to be chosen for the terms and in the manner following:

Said board shall consist of seven members;

Two district judges of said county to be selected by the District Judges of said county;

One municipal judge to be selected by the Municipal Judges of the principal city in said county;

Three members of the bar to be elected by the members or stockholders of the oldest incorporated bar association in said county;

One member of the Board of County Commissioners to be selected by said County Board annually at its annual election of officers of said Board.

Sec. 14. **Term of office.**—All members of said Trustees except the County Commissioner shall hold office for four years except the first Board, which shall be divided into two classes, with three trustees in each class, one class holding office for four years and one class holding office for two years. Immediately after the selection and election of said Trustees they shall be divided into said classes by lot.

Sec. 15. **Title of library to be in county.**—The title to said library shall be in said county and said Board of Trustees may sue and be sued in the name of said county. Said Trustees shall serve without compensation. The Board shall elect one of their number president and the librarian shall act as secretary. Said Board shall have authority to appoint a librarian and such assistants and clerical help as may be necessary and to fix their compensation.

Sec. 16. **Fees to be paid to county treasurer.**—The Clerk of the District Court of said county shall thereafter pay all the library fees collected by him, pursuant to Section four thereof, to the County Treasurer of said County, who is hereby authorized to disburse the same and any other moneys belonging to said library, upon the order of said Trustees to pay the necessary expenses of said library.

Approved April 17, 1933.

---

#### CHAPTER 292—H. F. No. 1243

*An act to amend Laws 1929, Chapter 178, authorizing counties now or hereafter having twenty-four organized townships and a population of not less than 23,500 and not more than 24,000, and a land area of not less than 795 and not more than 805 square miles to levy an annual tax of not more than one-half mill for the purchase of a county fair grounds.*

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

Section 1. **Tax levy for purchase of county fair grounds in certain counties.**—That Laws 1929, Chapter 178, be and the same hereby is amended to read as follows:

“Any county which now has, or hereafter may have twenty-four *organized* townships, and a population of not less than 23,500 nor more than 24,000, and *with a land area of not less than 795 and not more than 805 square miles*, is hereby authorized to raise by taxation not more than \$25,000.00 for the purchase of a county