

CHAPTER 10—H. F. No. 100

An act amending Laws 1933, Chapter 272, as amended by Special Laws 1933-34, Chapter 36, relating to the financial affairs of certain municipalities, and repealing inconsistent acts.

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

Section 1. Title amended.—That the title of Laws 1933, Chapter 272, as amended by Special Laws 1933-34, Chapter 36, be amended to read as follows: "An Act to empower villages, *cities*, towns and school districts operating on a cash basis system, under the laws of this state, under which system certificates of indebtedness are issued, and under which system checks or warrants cannot be issued until there is money in the treasury available to pay the same, to issue warrants against certificates of indebtedness held by the treasurer, *of such municipalities* when such certificates of indebtedness can not be sold in the manner prescribed by law, *and changing the limitations relating to the issuance of such certificates and authorizing the renewal thereof in certain cases.*"

Sec. 2. Certificates of indebtedness may be issued in certain cases.—That Laws 1933, Chapter 272, Section 1 as amended by Special Laws 1933, Chapter 36, Section 2 be amended to read as follows:

"Section 1. In all villages, *cities*, towns and school districts in this state now or hereafter operating on a cash basis system, under and pursuant to the authority of statutes affecting such villages, *cities*, towns and school districts, which statutes prohibit the issuance of checks or warrants until there is money in the treasury available to pay the same, and which provide for the issuance of certificates of indebtedness against taxes to be collected, the governing body of such village, *city*, town and school district, if unable to sell such certificates of indebtedness in the manner prescribed by such laws, may issue such certificates of indebtedness to the village, *city*, town and school district treasurer, or his order, and deposit the same with him. Certificates so issued shall be held by the treasurer until they may be sold, and shall bear interest at six per cent per annum. The village, *city*, town and school district may thereupon, as long as such certificates are on deposit, with the treasurer, issue warrants upon the funds against which such certificates were issued, the total principal amount of such warrants not to exceed the total principal amount of the certificates so held by the treasurer. Such warrants shall bear interest at six per cent per annum from

and after the date they are presented to the treasurer and stamped 'Not paid for want of funds, but protected by certificates of indebtedness now held by me'. Any such village, municipality, city, town, or school district may issue its certificates of indebtedness against any or all funds up to an amount equal to, but not exceeding, 95% of its tax levy for such fund for such year notwithstanding any provisions of cash basis laws or cash basis charter provisions fixing a different percentage; provided, no such municipality shall during any year anticipate by issuance of certificates of indebtedness more than 50% of its tax levy for any of its funds during the period prior to July 1 of any calendar year, and not more than the remaining 45% of the tax levy for any of its funds during the period subsequent to July 1 and prior to December 31 of any calendar year; provided further that any such municipality may renew any outstanding certificates of indebtedness of any prior year or any prior six months period, or issue new certificates notwithstanding the fact that prior certificates are unpaid, whenever the inability to pay such outstanding certificates is due to failure to collect sufficient moneys from the tax levy for said year to discharge such certificates; in the event such certificates are renewed such municipality may pay accrued interest thereon at the time of renewal."

Sec. 3. Sale of certificates—deposition of proceeds.—That Laws of 1933, Chapter 272, Section 2 as amended by Special Laws 1933, Chapter 36, Section 3 be amended to read as follows:

"Section 2. Such certificates of indebtedness may be sold by the village, city, town and school district and the proceeds of such sale shall be used to take up such warrants in the order presented for payment. Such certificates of indebtedness shall be paid at the same time and in the same manner as if they had been issued to a purchaser thereof."

Sec. 4. Warrants in excess of certificates void.—That Laws 1933, Chapter 272, Section 3 as amended by Special Laws 1933, Chapter 36, Section 4 be amended to read as follows:

"Section 3. All warrants attempted to be issued hereunder and all obligations for indebtedness attempted to be incurred hereunder, in excess of the principal amount of the certificates of indebtedness so held by such treasurer, shall be void. Neither the governing body of such village, city, town and school district, nor any officer, board or employee thereof shall have the power, and no power shall exist to create any indebtedness or obligation of such village, city, town and

school district contrary to the terms of the law regulating the issuance of certificates of indebtedness and the incurring of obligations in such village, city, town and school district, as amended hereby and by *Section 2 of this Act.*"

Sec. 5. Definitions.—*The term "municipality" as used herein, which includes any village, city, town or school district operating upon a cash basis system under which certificates of indebtedness are issued, and under which system checks and warrants cannot be issued until there is money in the treasury.*

Sec. 6. Inconsistent acts repealed.—*All Acts or parts of Acts inconsistent herewith are hereby repealed.*

Sec. 7. Act to be supplementary.—*This Act shall not be construed as limiting the power of any home rule chartered city, but shall be construed as being supplementary and in addition thereto.*

Approved February 9, 1935.

CHAPTER 11—S. F. No. 506

An act to amend General Laws 1911, Chapter 366, Section 1, as amended by General Laws 1915, Chapter 119, relating to the salary of the register of deeds in certain counties.

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

Section 1: Salary of Register of Deeds in certain counties.
—That General Laws 1911, Chapter 366, Section 1, as amended by General Laws 1915, Chapter 119, be amended so as to read as follows:

"Section 1. The salary of the Register of Deeds of each county of this state having or which may hereafter have a population of not less than 220,000 and less than 330,000 inhabitants, shall be four thousand five hundred (\$4,500) dollars per annum; and during the time the Register of Deeds shall also act as Registrar of Titles he shall receive in addition thereto, the sum of five hundred (\$500) dollars per annum."

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved February 14, 1935.