

Sec. 10. **May grant additional powers.**—The town boards of all towns within said county and the governing bodies of the said cities and villages, other than the city of the first class, may grant to such planning commission such further and additional powers as may be necessary to carry out the purposes of this act.

Sec. 11. **Violation a misdemeanor—penalty.**—It is hereby declared unlawful for any person to violate any of the terms and provisions of this act or the provisions of any plan or plans proposed by the said county planning commission and accepted by the town board and/or city or village council. Violation thereof shall be a misdemeanor, punishable by a fine of not more than \$100.00 or imprisonment in the county jail for not more than 90 days. Said fines shall be paid to the treasurer of the town, city, or village in which such violation takes place.

Sec. 12. **Limitations of act.**—None of the provisions of this act shall affect the powers and duties of the board of county commissioners of any such county.

Approved April 10, 1941.

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#### CHAPTER 211—H. F. No. 1454

*An act relating to ditch liens; amending Mason's Minnesota Statutes of 1927, Section 6840-56, Subsection (e), and Section 6840-60.*

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

Section 1. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 6840-56, Subsection (e), is hereby amended to read as follows:

"(e). **County auditor to collect interest.**—It shall be the duty of the auditor, in all such cases, to include in such statement and provide for the collection for the benefit of the county when funds have been advanced as herein provided, interest upon the total sum so advanced at a rate to be fixed by the county board but not to exceed six per cent per annum. And it shall be the duty of the county auditor and the county treasurer to levy, assess and collect the amounts included in such lien statement in the same manner as provided in *Mason's Minnesota Statutes of 1927, Section 6840-51.*"

Sec. 2. Law amended.—Mason's Minnesota Statutes of 1927, Section 6840-60, is hereby amended to read as follows:

“6840-60. Repair or improvement of drainage system—liens—statement of—assessments and collections.—In all proceedings pending before the county board within ten days after the letting of the contract as provided in *Mason's Minnesota Statutes of 1927, Section 6840-59* or in the proceedings pending before the district court, within ten days after filing of the order apportioning the costs and expense of the improvement among the several counties, the county auditor, or the county auditors, as the case may be, shall make and file in their respective offices a summary statement in form and substance as provided in *Mason's Minnesota Statutes of 1927, Sections 6840-44 and 6840-45*, and shall forthwith make a certified copy thereof and file the same for record in the office of the register of deeds of their county, as provided in *Mason's Minnesota Statutes of 1927, Section 6840-45*. Upon the filing and recording of such copy in the office of the register of deeds, the amount specified in such statement for lien shall constitute a lien against each tract of land and each public or corporate road or railroad, and such land, road or railroad will be liable for such sum and interest thereon, and the same shall be and remain a first and paramount lien on such land, public or corporate road or railroad until fully paid, and shall take precedence of all mortgages, charges, incumbrances or other liens whatsoever, except only a prior ditch lien and payment of the several installments of said lien may be made in the manner provided in *Mason's Minnesota Statutes of 1927, Section 6840-51*. Such filing shall be deemed notice to all parties interested of the existence of such lien; the fees of the register of deeds for such recording shall be paid by the county on the allowance of the board, and said lien statement after the same has been recorded shall be returned to the county auditor and be by him preserved as a part of the record of such proceedings. That the provisions of *Mason's Minnesota Statutes of 1927, Section 6840-51*, relative to the duties of the county auditor and the county treasurer governing the assessment and collection of such lien shall apply to and govern the acts of the county auditors and treasurers in the respective counties in this proceeding, provided that in all cases where the total cost of such improvement does not exceed the sum of \$3,000 said lien may, when ordered by the county board be collected in equal annual installments for three or five years, and where the total cost shall exceed \$3,000 the county board may, and they shall have authority to provide the funds by the sale of county bonds as in the case of county or judicial

drainage system, as provided in *Mason's Supplement 1940, Section 6840-43*, and it shall be the duty of the respective county boards to provide the funds for the payment of the cost and expense of such improvement, and they are hereby authorized so to do in accordance with the provisions of this act, and may pay such cost and expense out of the general ditch fund when funds are available therein, or out of the general revenue fund of the county, but in either case it shall be the duty of the county auditor to provide for and collect as part of the expense of such improvement, interest upon all sums advanced by the county at a rate *to be fixed by the county board but not to exceed* six per cent per annum, and it shall be the duty of the county auditor and the county treasurer of the respective counties to extend such assessments upon the records of their office in accordance with the provisions of *Mason's Minnesota Statutes of 1927, Section 6840-51*, and collect the same as in the case of other assessments against said property."

Approved April 10, 1941.

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CHAPTER 212—S. F. No. 760

*An act relating to the financial affairs and tax levies of certain counties, authorizing the funding of certain indebtedness, and providing penalties for violations thereof.*

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

**Section 1. Application of act.**—This act shall apply to all counties in the state now or hereafter having an assessed valuation of real and personal property, exclusive of moneys and credits, of not less than \$12,000,000, more than 50 per cent of which valuation consists of iron ore, and having a population of not less than 20,000 nor more than 75,000 inhabitants.

**Sec. 2. Not to issue warrants without funds after certain date.**—From and after January 1, 1942, no such county shall draw or issue any order or warrant on any fund (except as authorized by Section 6 hereof) until there is sufficient money in such fund to pay the same together with all warrants and orders previously issued against such fund.

**Sec. 3. Limitations on incurring indebtedness.**—Whenever, from and after January 1, 1942, the expenses and