

CHAPTER 403—S. F. No. 1363

An act relating to borrowing funds for support or relief of the poor, and confirming all bonds issued and all proceedings had for the issuance of such bonds, for the purpose embraced herein, so as to extend the operation of said act until December 31, 1943; limiting in certain cases the amount of bonds that can be issued without a vote of the people.

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

Section 1. Definitions.—As used in this act, unless the subject-matter or context requires otherwise:

(a) The term “political subdivision” shall include any subdivision of the state or any municipal corporation or public quasi-corporation, however organized.

(b) The words “support or relief of the poor” shall have the same meaning as the words are given by Chapter 15, Mason’s Minnesota Statutes, 1927, and the words “poor persons” shall mean such person for whom a legal liability is imposed under that chapter.

(c) The term “work relief” shall mean support or relief in wages or other compensation, in cash or in kind, paid for work under the following conditions: (1) That the recipients of work relief and the amounts given are both determined on the basis of actual need and certified for such work relief by the officials charged with administering the relief of the poor; (2) that the funds for such relief are made available only from those specifically appropriated or contributed for support or relief of the poor; (3) that the funds are used to finance projects for which the political subdivisions can legally incur expense and which could not otherwise be undertaken at the time or in the immediate future.

(d) The words “direct relief” shall mean relief to individuals or families incidental to the care of the poor, such as food, clothing, shelter, medical care and supplies, and other necessities of life; provided that nothing in this law shall be interpreted as enlarging the responsibility for relief as now imposed by the laws of Minnesota.

Sec. 2. Municipalities may borrow money for poor relief.—Each political subdivision of the state charged by law with responsibility for the support or relief of poor persons having a legal settlement therein is hereby granted authority to borrow funds and pledge the credit of such political subdivision to meet the expense thereof and to make such loans either from the State of Minnesota, the federal government,

or from private sources when necessary for the support or relief of said persons; provided, however, that this act shall not be construed as increasing the limit of debt, if any, prescribed by the special law or home-rule charter or general law under which any political subdivision is organized.

Sec. 3. Bonds or securities of indebtedness may be issued.—Bonds or other evidence of indebtedness may be issued pursuant to the authority granted and for the purposes specified herein by following the regular statutory or charter procedure applicable to such political subdivision, provided, however, that any political subdivision now required by statute or by charter to submit the question of the issuance of bonds or other evidences of indebtedness to a referendum vote, is hereby authorized to issue and sell such public welfare bonds or other evidence of indebtedness without submitting the question of such issue to a referendum vote, by following the procedure hereinafter outlined. It is further provided that any political subdivision now required by statute or by charter to submit the question of the issuance of bonds or other evidences of indebtedness to a referendum vote, may without a vote of the people, in the year 1941 issue such bonds or other evidences of indebtedness in an amount not to exceed 90% of the amount issued in 1940 for this purpose; in the year 1942 in an amount not to exceed 75% of the amount issued in 1940 for this purpose; and in the year 1943 in an amount not to exceed 65% of the amount issued in 1940 for this purpose.

Before any such bonds or other evidence of indebtedness may be issued hereunder by a political subdivision which is restricted by statute or by charter provision from issuing bonds and pledging the credit thereof without submitting the proposal to make such issue to a referendum vote of the electors of such political subdivision, a resolution shall first be adopted by a two-thirds vote of all the members of the official body or bodies authorized to make loans within the political subdivision, declaring an emergency to exist making it necessary to borrow in the specified amount without submitting the question of issuance of bonds or other evidence of indebtedness to a vote of the electors of said political subdivision. The action of the governing body shall be by resolution, irrespective of any requirement of any home-rule charter, general or special law requiring such action to be by ordinance. This resolution shall then be submitted to the Governor of the State, together with all facts deemed necessary to support such emergency action, including the general financial condition of the political subdivision, the need for the funds, and funds which may be available, public or private,

and such other information as may be required. If after investigation the Governor finds that the amounts requested are within the reasonable needs of the political subdivision and that no other funds are available to meet the same or that it is not possible or practicable, in view of the other governmental needs of the political subdivision to secure the necessary funds from other sources or by regular methods of borrowing, he shall certify that an emergency exists sufficient to warrant the issuance of such bonds or other evidence of indebtedness subject to the requested exemption. The Governor may reduce but shall not increase the amount requested in such resolution. Upon such certification, the said governing body or bodies may then proceed to issue and sell such bonds or other evidence of indebtedness pursuant to the resolution aforesaid and in the manner prescribed by Section 1943, Mason's Minnesota Statutes, 1927, and they shall be valid legal obligations of the political subdivision without the referendum vote of the electors.

Sec. 4. Disposition of moneys.—All moneys borrowed hereunder shall be expended only for the support or relief of the poor, through direct relief, work relief, placement service, or other service contributing to the support or relief of the poor, including the expense of administration and supervision.

Sec. 5. Issuance of bonds—maturity.—Upon authorization and approval of the issuance of bonds as in this act provided, the governing body or other proper bodies of any such political subdivision may proceed to issue and sell its bonds or other evidence of indebtedness covering such loans, in the manner prescribed by Section 1943, Mason's Minnesota Statutes, 1927. Such bonds or evidences of indebtedness shall be issued to mature serially, the first installment of which shall become due in not more than three years and the last of which shall become due and payable in not more than ten years from the date of their issue.

The bonds or other evidence of indebtedness issued pursuant to this act shall be subject to the provisions of Chapter 131, Laws 1927, or of such other laws of the State as govern the particular political subdivision in making such loans, in regard to the levy of a tax for interest and principal and for the payment thereof. No provision of any act passed during the present session of the Legislature, limiting the tax which may be levied for poor relief purposes shall in any way limit the tax to be levied for the payment of the principal or interest of bonds issued pursuant to the provisions of this act.

Sec. 6. Inconsistent acts repealed.—All laws or parts of laws inconsistent herewith are hereby suspended during the

operation of this act; provided, however, that this action shall not be construed as repealing or suspending any other law authorizing municipalities coming within the provisions of this act to issue bonds for poor relief purposes.

Sec. 7. Bonds heretofore issued legalized.—All bonds heretofore issued by any of the subdivisions of the character embraced in the provisions of this statute, and all proceedings heretofore taken for the issuance of such bonds as hereby authorized, are hereby and in all respects ratified, validated and confirmed, and such bonds are hereby declared to be valid and legally binding obligations of the issuing subdivisions of this State.

Sec. 8. Effective until December 31, 1943.—This act shall be in force and effect until December 31, 1943.

Approved April 24, 1941.

CHAPTER 404—S. F. No. 1385

An act relating to sale or exchange of lands purchased from public hunting grounds funds.

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

Section 1. Certain lands may be sold or exchanged.—Whenever lands to which title has been acquired in the name of the state, for the purpose of public hunting grounds, under the provisions of Mason's Supplement 1940, Section 5630, shall be found by the commissioner of conservation to be unsuitable for the purpose of establishing and maintaining the same as public hunting grounds and game refuges, he shall have the authority, subject to the approval of the executive council, to sell or dispose of such lands at a price not less than that for which they were purchased, or he may exchange said lands for lands of equal value that are suitable for rounding out, enlarging, filling in, or adding to areas upon which public hunting grounds have been established.

Sec. 2. Disposition of proceeds.—The proceeds from any sales shall be paid in to the state treasury and credited to the public hunting ground fund and are hereby appropriated and made available for the authorized uses and purposes of such fund.

Approved April 24, 1941.