

main, as to the unpaid balance, subject to sale, redemption, forfeiture, and all other proceedings respecting delinquent taxes in like manner as for a full year's taxes.

Approved March 28, 1941.

CHAPTER 98—H. F. No. 1032

An act relating to federal commodity stamp plans and federal commodity programs.

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

Section 1. Municipalities to co-operate with Federal Government in disposition of commodity stamps.—Any county, county welfare board, city, town, village, borough, or other subdivision of the State of Minnesota or any public relief or social welfare agency or representative of any one of them may, in the furtherance of any federal commodity or commodity stamp plan or program, assist, actively cooperate with and act as agent of the federal, state or local governments or any agency of any one of them.

Sec. 2. Municipalities to acquire and distribute stamps.—
(a) Any county, county welfare board, city, town, village, borough or other subdivision of the State of Minnesota or any agency of any one of them authorized to expend public moneys for the direct relief of the poor is hereby empowered to acquire and distribute to its poor, federal commodities and commodity stamps in lieu of other relief for the same needs, to transfer or deposit therefor cash in advance and to defray administrative expenses incurred in such acquisition and distribution including bond and insurance premiums from moneys available for direct relief and social welfare purposes.

(b) In any county operating under the township system of caring for the poor, and containing a city of the first class operating under a home rule charter, wherein there is established in such city a Board of Public Welfare for the administration of poor relief in such city, such Board of Public Welfare shall be the exclusive agency to acquire and dispose of such federal commodities and commodity stamps in such city. Such city of the first class is hereby empowered to create and establish a commodity stamp fund. Moneys for said fund shall be made available from the poor fund of such city and by contributions from federal and state funds, if any, made avail-

able for direct relief purposes. Said commodity stamp fund shall not exceed the sum of \$150,000. In such counties the township system of caring for the poor shall be continued, and the towns, villages and cities of the third and fourth class therein desiring to participate in said federal commodities and commodity stamp plans, are hereby empowered to contract with each other and with the federal government or any agency thereof to create and establish a central representative agency to be designated as the suburban agency. Said suburban agency shall be empowered to acquire and dispose of federal commodities and commodity stamps in the manner provided for in Section 2, subdivision (a), and Section 3 of this act, and to perform all other acts, obligations and duties undertaken by the terms of any agreement authorized in this section. The participating towns and municipalities are hereby empowered to create and establish a commodity stamp fund, and to establish a fund to defray administration expenses of said suburban agency, and to transfer said funds to the exclusive custody of said agency. Cost of administration and other expenses of said agency, including bond and insurance premiums, shall be paid on a pro rata basis. Moneys for the commodity stamp fund established by such participating towns and municipalities shall be made available by contributions from their respective poor funds, and from contributions from federal and state funds, if any, made available for direct relief purposes. Said stamp fund shall not exceed the sum of \$30,000. The suburban agency shall quarterly give a full and complete accounting and report to the participating towns and municipalities in the manner and form as prescribed by the public examiner and approved by the attorney general. Both the commodity stamp fund of said city of the first class and the commodity stamp fund for said suburban agency shall consist of the original moneys transferred to it, the stamps acquired and the proceeds of disposition. Such commodity stamp funds shall remain inviolate during the operation of said stamp plan program, and that no part thereof shall be used to defray administration or any other expenses whatsoever. The Board of Public Welfare and the suburban agency, or their respective designees, may act as stamp issuing officer and shall have the power to do all other acts necessary to the proper administration of their respective stamp funds. In such counties neither the Board of County Commissioners nor the County Welfare Board shall levy, contribute or expend any moneys in the furtherance of any stamp plan program, however operating in said county. In such counties the provisions contained in Section 4, subdivisions (a), (b), (d), (e), and (f) of this act shall not apply.

Sec. 3. Same.—Any county welfare board within the State of Minnesota, any city of the first class and any suburban agency referred to in Section 2, subdivision (b) is hereby authorized to acquire federal commodity stamps by means of the commodity stamp fund hereinafter established, to dispose of them to persons and governmental subdivisions qualified to acquire them under state and federal law and regulations and to receive cash and deposits therefor in advance. No commodity stamps so acquired may be disposed of except upon the receipt of cash upon delivery or cash transferred or deposited in advance in accordance with Section 2 of this act. Any contribution to the principal of the commodity stamp fund by a governmental subdivision of the State of Minnesota as authorized by this act shall not constitute a transfer or deposit.

Sec. 4. May create commodity stamp fund—accounting.—

(a) Any county within the State of Minnesota, regardless of the system under which provision is made for the relief and support of its poor, and any city of the first class, is hereby authorized to create and establish a commodity stamp fund, hereinafter referred to as the fund, for the acquisition under Section 3 of this act of federal commodity stamps, which fund shall not exceed the minimum necessary to qualify under federal rules, regulations and law and in no event shall exceed \$150,000 for cities of the first class and \$150,000 for counties in which they are located, and in all other counties \$50,000. The fund shall consist of the original moneys transferred to it, the stamps acquired and the proceeds of disposition. It shall always remain inviolate.

(b) Moneys may, in addition to such other methods as may exist, be made available for the fund in any one or more of the following ways:

(1) By the same method as moneys are made available for defraying expenses of the county welfare board under Sections 974-11 to 974-22 of Mason's Supplement 1940, or as such sections may be amended or supplemented.

(2) By contribution from the federal, state or governmental subdivisions thereof of moneys available for direct relief or social welfare purposes.

(3) By borrowing and transferring to the fund. In counties operating under the county system of poor relief, borrowing shall be in the manner provided by law for direct relief or social welfare purposes or both. In counties operating under the township system of poor relief in the manner provided in Sections 1938-3 through 1938-13 of Mason's Minnesota Stat-

utes of 1927, as heretofore or hereafter amended. Provided, however, that for the purpose of computing statutory debt limits, the money borrowed under the authority of this subdivision for the purpose of contribution to the fund shall not be considered to constitute indebtedness, bonded or otherwise.

(c) No moneys shall be transferred to the fund until after all bonds have been posted and insurance acquired.

(d) The county welfare board, its executive secretary or other designee may act as stamp issuing officer and shall have power to do all other acts necessary to the proper administration of the fund.

(e) Expenses incident to the creation and administration of the fund, including bond and insurance premiums may be defrayed in the same manner as other expenses of the county welfare board under Sections 974-11 to 974-22 of Mason's Supplement 1940, or as such sections may be amended or supplemented.

(f) Accounting shall be as follows:

(1) With respect to the fund, by such method or methods as the public examiner by regulations, duly approved as to legality by the attorney general, may direct. Semi-annually or at such other times as the board of county commissioners may designate the county welfare board shall give an accounting and report to the county auditor.

(2) With respect to any transfer or deposit made in advance by a governmental subdivision of the State of Minnesota to any county welfare board or its stamp issuing officer, by accounts and reports to the transferring or depositing subdivision made monthly or at such times and in such manner as the public examiner, by regulations duly approved as to legality by the attorney general, may direct. The duly approved regulations of the public examiner under this subsection (f) shall be sent to all county welfare boards within the state.

(g) At the termination of any plan all commodity stamps shall be disposed of and the fund in cash shall be returned to the contributors thereto.

Sec. 5. May borrow money.—The governmental subdivisions named in Section 2 of this act may, for the purposes of that section, borrow money in the manner provided by law for direct relief or social welfare purposes or both.

Sec. 6. Municipalities may contribute to fund.—Any governmental subdivision of the State of Minnesota authorized to

expend public moneys for the direct relief of its poor is hereby empowered to contribute to the fund and, for such purpose may borrow money in the manner provided by law for direct relief or social welfare purposes or both.

Sec. 7. Bonds.—Any person or persons into whose care and custody there comes any cash, stamps or other property used in any federal commodity or commodity stamp plan or program shall post a bond running to the State of Minnesota approved by and in such sum as the board of county commissioners or other governing body of the responsible governmental subdivision or authorized representative agency shall deem adequate protection for all stamps, cash and property in such person's or persons' care and custody. All stamps, cash and property in the possession of any governmental subdivision of the state or any agency thereof shall be insured against loss or deposited with a depository of public funds in the manner provided by law.

Sec. 8. Construction of act.—This act shall be construed so as to further its purpose which is to enable governmental subdivisions of the State of Minnesota to participate in federal commodity and commodity stamp plans and programs.

Approved March 28, 1941.

CHAPTER 99—H. F. No. 1033

An act validating participation in federal commodity stamp plans.

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

Section 1. Participation in commodity stamp plan validated.—In all cases in which any county within the state of Minnesota or any agency thereof has created or caused to be created a revolving fund for the acquisition and disposition of federal commodity stamps pursuant to arrangements with the United States Department of Agriculture or any agency thereof and in all cases in which any county, town, city, village or other subdivision of the State of Minnesota or any agency of any one of them has obtained or caused to be obtained commodity stamps for distribution, in lieu of other relief, to the poor, such expenditures, distributions, acquisitions and dispositions and all acts incident and necessary to participation in any such commodity stamp plan are hereby legalized and declared to be valid.

Approved March 28, 1941.