

the county for which the same were incurred upon presentation of a verified, itemized statement thereof approved by the judge; and the county auditor of such county, upon presentation of such approved statement, shall issue his warrant in payment thereof.

Approved March 1, 1943.

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CHAPTER 90—S. F. No. 456

(AMENDING SECTION 161.03, SUBDIVISIONS 25, 26, 27 AND 28,  
MINNESOTA STATUTES 1941.)

*An act relating to the powers of the commissioner of highways, authorizing governmental subdivisions of the state to designate the commissioner of highways as agent for certain purposes, appropriating certain moneys for roads and bridges, and repealing Mason's Supplement 1940, Section 2554, Subdivision 20, amending Laws 1941, Chapter 345.*

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

Section 1. **Law amended.**—Laws 1941, Chapter 345, is hereby amended to read as follows:

“Section 1. **To cooperate with the United States Government.**—The commissioner of highways is authorized to cooperate with the government of the United States and any agency or department thereof in the construction, improvement, and maintenance of roads and bridges in the State of Minnesota and to comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such roads and bridges.

“Sec. 2. **May accept federal moneys.**—The commissioner of highways is authorized to accept federal moneys and other moneys, either public or private, for and in behalf of the State of Minnesota or any governmental subdivision thereof, for the construction, improvement, or maintenance of roads and bridges upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as an agent of any governmental subdivision of the State of Minnesota upon the request of such subdivision in accepting such moneys in its behalf for road or bridge purposes, in acquiring right of way therefor, and in contracting for the construction, improvement, or maintenance of roads or bridges financed either in whole or in part by federal moneys, and the governing body of any such subdivision is authorized to desig-

name the commissioner of highways as its agent for such purposes and to enter into an agreement with him prescribing the terms and conditions of such agency in accordance with Federal laws, rules, and regulations, and with this act.

**"Sec. 3. State laws to govern.**—All contracts for the construction, improvement, or maintenance of roads or bridges made by the Commissioner of Highways as the agent of any governmental subdivision shall be made pursuant to the laws of the State of Minnesota governing the making of such contracts for the construction, improvement and maintenance of roads and bridges on the trunk highway system of the state, *provided, however, where the construction, improvement or maintenance of any road or bridge is financed wholly with Federal moneys, the Commissioner of Highways as the agent of any governmental subdivision may let contracts in the manner prescribed by the Federal authorities acting under the laws of the United States and any rules or regulations made thereunder, notwithstanding any state law to the contrary.*

**"Sec. 4. Funds to be deposited in State Treasury.**—All moneys accepted for disbursement by the commissioner of highways pursuant to the terms of this act shall be deposited in the treasury of the State of Minnesota, and, unless otherwise prescribed by the authority from which the money is received, shall be kept in separate funds, designated according to the purposes for which the moneys were made available, and shall be deemed to be held by the state in trust for such purposes. All such moneys are hereby appropriated for the purposes for which the same were made available to be expended in accordance with Federal laws and regulations and with this act. The commissioner of highways is authorized, whether acting for the State of Minnesota or as the agent of any of its governmental subdivisions, or when requested by the United States government or any agency or department thereof, to disburse such moneys for the designated purposes, but this shall not preclude any other authorized method of disbursement.

**"Sec. 5. No personal liability created.**—Nothing herein shall be construed as creating any personal liability upon the commissioner of highways or in any way authorizing him to create any liability on the part of the State of Minnesota when he is acting as the agent of any governmental subdivision thereof, or when he is acting at the request of the United States.

**"Sec. 6. Law repealed.**—Mason's Supplement 1940, Section 2554, Subdivision (20), is hereby repealed.

Approved February 27, 1943.