

buildings for county fair purposes by such agricultural society, or for the purpose of aiding such county agricultural society in defraying its financial obligations now or hereafter incurred, it shall be necessary for the county board, by resolution adopted by the unanimous vote of its members, to first approve the plans and specifications of such county agricultural society for the purchase of such additional grounds or construction, alteration, repair, and improvement of necessary buildings already undertaken or proposed.

Approved April 17, 1951.

CHAPTER 416—S. F. No. 1378
[Coded as Section 340.323]

An act relating to the certification of local option elections.

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

[340.323] Section 1. **Certification.** Whenever a local option election is held in a municipality or a county, pursuant to the provisions of Sections 340.20 to 340.40, Minnesota Statutes 1949, the municipal clerk, if such election occurs in a municipality, or the county auditor if such election occurs in a county, shall certify the results of any such election to the Secretary of State within ten days from the date on which such election was held.

Approved April 17, 1951.

CHAPTER 417—S. F. No. 1385

An act relating to water and sewer systems and board of municipal works in certain cities of the second class; amending Minnesota Statutes 1949, Section 442.05, Subdivision 3; Section 442.09, Subdivisions 5, 6 and 7; and Section 442.17.

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

Section 1. Minnesota Statutes 1949, Section 442.05, Subdivision 3, is amended to read:

442.05. Subdivision 3. **Vacancies.** All vacancies, by resignations or otherwise, shall be filled by the *appointment of the Mayor of the city with the approval of the majority of the City Council of said city.*

Sec. 2. Minnesota Statutes 1949, Section 442.09, Subdivisions 5, 6 and 7, are amended to read:

442.09. Subd. 5. **Approval of estimates.** Upon the completion of this estimate for all departments under the control of the board, the secretary shall present the same to the board, for its consideration and approval.

The board shall, upon receipt thereof, proceed to consider the same and shall make such corrections or changes as may be deemed necessary to perfect and equalize the same, and shall approve and establish the same on or before the last Monday in August following.

Upon the approval and establishment of the said estimates by the board, the same shall be submitted to the City Council of the city, which shall make such correction or changes as may be deemed necessary to perfect and equalize the same by a majority vote of all of the members of said City Council on or before the first regular meeting of said City Council in September following.

Subd. 6. **Filing.** After these several estimates and the assessments for water-works purposes upon the several municipal departments have been fully approved and established by the *City Council*, a duplicate of the same, duly certified to by the *president of the City Council and the City Recorder*, shall be filed with the recorder of the city on or before the *second Monday in September*, and at the same time a like copy shall be transmitted to and filed with each municipal department or board of the city against which an assessment for the use of water has been so made.

Subd. 7. **Inclusion in estimates to council; assessment, levy.** The city recorder shall thereupon include the amounts so established by the *city council* and the amounts so assessed against the general fund of the city, in his estimate to the

council of the several sums which will be required to meet the expenses of the city during the next ensuing fiscal year; and the council shall establish the same in its tax levy for such year; and each board or governing body of the municipal department so assessed shall likewise include the amount so assessed against it in its estimate of the several sums required during the next ensuing fiscal year, and such amounts shall, in each instance, be included in the respective tax levies for such year.

All amounts so assessed by the *city council* and so included in the tax levies, shall be paid to the treasurer of the board by each municipal department in two equal instalments, on the first day of July and on the first day of December of the year in which the taxes are collected.

If the estimate of the probable receipts shall be equal to or shall exceed the total of the amounts required for the next ensuing fiscal year, then no assessment shall be made for the use of water upon the several municipal departments, and any and all surplus in the treasury of the department at the end of any fiscal year, and which the *city council* shall by resolution determine not to be required for the next ensuing fiscal year, shall *by the city council* be ordered paid into the general fund of the city by the board.

Sec. 3. Minnesota Statutes 1949, Section 442.17, is amended to read:

442.17. **System extended; rates.** Each such board may from time to time, for the purpose of furnishing a full supply of water to the inhabitants of such city for any and all purposes, extend the water-works system under its control in such manner as it may deem best subject to all conditions contained in sections 442.03 to 442.25, *provided, however, that said board shall make such extensions in the said water-works system as are directed by resolution duly passed by a majority vote of the city council of the city.*

The board of municipal works of the city shall establish such reasonable water rates as will, at all times, insure to the city at least a sufficient income to pay all the expenses and costs of operation, maintenance, and repair of the system and works, and the interest on outstanding bonds, *provided, however, that the determination of such said water rates shall be subject to the approval of the city council of Winona; and pro-*

vided that the said city council of the city shall have the power to set said water rates by resolution passed by a majority vote thereof.

Approved April 17, 1951.

CHAPTER 418—S. F. No. 1386

[Not Coded]

An act relating to the salary of the judge of the municipal court of the city of Winona, Minnesota; amending Special Laws 1885, Chapter 115, Section 21, as amended.

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

Section 1. Special Laws 1885, Chapter 115, Section 21, as amended by Special Laws 1887, Chapter 50, Section 1, as amended by Laws 1917, Chapter 70, Section 2, as amended by Laws 1925, Chapter 46, Section 1, as amended by Laws 1945, Chapter 334, as amended by Laws 1949, Chapter 317, is amended to read:

Sec. 21. **Municipal judge, salary.** The salary of the judge of the municipal court of the city of Winona shall be \$3,800 per annum, to be paid from the city treasury in semi-monthly installments, and the judge shall receive no other fee or compensation for his official services under this act.

Approved April 17, 1951.

CHAPTER 419—S. F. No. 1387

An act relating to enlargement of public water-works plants in cities with boards of municipal works, amending Minnesota Statutes 1949, Section 456.16.

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