

**evidence of age.** Any verified identification card issued by a licensee is prima facie evidence of the age and identification of the person to whom issued.

Sec. 10. This act takes effect July 1, 1951.

Approved April 20, 1951.

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CHAPTER 568—H. F. No. 265

*An act relating to municipal housing and redevelopment; amending Minnesota Statutes 1949, Section 462.421, Subdivision 13, Section 462.445, Section 462.451, Subdivision 1, Section 462.465, Section 462.471, Subdivision 2, Section 462.475, Subdivision 1, Section 462.515, Section 462.521, Subdivision 1, Section 462.575, Subdivision 3, and Section 462.431.*

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

Section 1. Minnesota Statutes 1949, Section 462.421, Subdivision 13, is amended to read:

462.421 Subd. 13. "Redevelopment project" shall mean any work or undertaking:

(1) To acquire blighted areas and other real property for the purpose of removing, preventing, or reducing blight, blighting factors, or the causes of blight;

(2) To clear any areas acquired and install, construct, or reconstruct streets, utilities, and site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan;

(3) To sell or lease land so acquired for uses in accordance with the redevelopment plan; or

(4) To accomplish a combination of the foregoing to carry out a redevelopment plan.

*The term "redevelopment project" shall also mean a redevelopment project heretofore initiated as then provided by*

*law and approved by the governing body of the municipality prior to July 1, 1951, as prescribed by Minnesota Statutes 1949, Section 462.521.*

The term "redevelopment project" also may be applied to the preparation of a redevelopment plan and to the initiation, planning, survey and other administrative costs of a redevelopment project and also to the preparation of technical and financial plans and arrangements for building, structures, and improvements and all other work in connection therewith.

Sec. 2. Minnesota Statutes 1949, Section 462.445, is amended by the addition of the following subdivision 8.

462.445. Subd. 8. [Subd. 7] **Transmission of certain papers to commission.** *Each authority shall transmit to the commission certified copies of (1) any application to the federal government for financial assistance; (2) any proposed contract with the federal government; (3) the urban redevelopment plan and the urban redevelopment project documents specified in sections 462.515, 462.521 and 462.525, and the annual urban redevelopment budget; (4) the low-rent public housing development program and the plans and layout, specifications and drawings therefor including estimated cost, proposed method of financing, and detailed estimates of expense and revenues thereof; (5) the low-rent public housing management program and the annual or periodical management budget therefor, and amendments of said documents, together with such supporting data as may be requested by the commission.*

*Upon examination of the documents the commission may make suggestions to the authority upon the matters to which the documents relate, and the commission may make public such suggestions. The commission shall act in an advisory capacity and nothing done by the commission under the provisions of this subdivision shall affect the validity of any action of the authority.*

Sec. 3. Minnesota Statutes 1949, Section 462.451, Subdivision 1, is amended to read:

462.451. **Accounting.** Subdivision 1. **Annual reports; examinations by public examiner.** Each authority shall keep an accurate account of all its activities and of all its re-

ceipts and expenditures and shall annually in the month of January make a report thereof to the state housing commission, to the state public examiner, and to the governing body of the municipality, such reports to be in a form prescribed by the state housing commission. *All powers conferred and duties imposed upon the public examiner with respect to state and county officers, institutions, property and improvements, are hereby extended to authorities, except the authority to prescribe the form of reports or accounts provided in this act. The public examiner shall file a written report covering his audits with the authority, the city clerk of the municipality, and the state housing commission. The first report of the public examiner shall include all expenditures and activities of the local authority from the creation of the authority. Each authority shall be liable to the state and shall pay all costs and expenses of such examination, solely from funds lawfully available for such purposes.*

Sec. 4. Minnesota Statutes 1949, Section 462.465, is amended by the addition of the following subdivision 3:

462.465. *Subd. 3. Referendum. Nothing in this section shall prohibit the initiation of a referendum in any municipality on any resolution or ordinance of the governing body pursuant to the provisions of the home rule charter of that municipality. Before any unconditional obligation for the acquisition of a site for any low-rent housing project may be incurred or the first notice of a call for bids for the construction of such project may be published, such project shall be approved by the governing body of the municipality by resolution, provided, however, that upon a vote of the majority of the members of the governing body of the municipality at the time of the adoption of said resolution, the question of approval may be submitted to the voters for approval or rejection at a special election or at the next general election, provided further that said special election shall be held not more than 60 days after the determination by the governing body of the municipality to submit said question to the voters, said election to be held in accordance with laws applicable within the municipality to the holding of municipal elections. This subdivision shall not be applicable to a project where any unconditional obligation for the acquisition of a site or any portion thereof has heretofore been incurred by the local authority or where the project location has heretofore been approved by the governing body of the municipality.*

Sec. 5. Minnesota Statutes 1949, Section 462.471, Subdivision 2, is amended to read:

462.471. Subd. 2. **Realtors.** With respect to the management and operation of a housing project the authority may, in its discretion, employ reliable real estate operators or firms or brokers *or the municipality* to perform those services for it, but no such real estate operators or firms or brokers *or the municipality* shall have any authority in the matter of tenant selection or the fixing of rentals. Each authority employing any such real estate operators or firms or brokers *or the municipality* shall require the execution of a contract of employment stating the terms and conditions under which the services are to be performed, which shall be subject to the approval of the state housing commission.

Sec. 6. Minnesota Statutes 1949, Section 462.475, Subdivision 1, is amended to read:

462.475. **Rentals; tenant admissions.** Subdivision 1. **Powers and duties of authority.** In the operation or management of housing projects an authority shall at all times observe the following duties with respect to rentals and tenant admissions.

(1) It may rent or lease the dwelling accommodations therein only to persons of low income and at rentals within the financial reach of such persons of low income;

(2) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding; and

(3) An authority in its operations within a municipality shall not accept any *families* as tenants in any housing project if the *families* who occupy the dwelling accommodations have an aggregate annual net income *at the time of admission, less an exemption of \$100 for each minor member of the family other than the head of the family and his spouse*, in excess of five times the annual rental of the quarters to be furnished such *family*, and, in computing the rental for this purpose of this section, there shall be included in the rental the average annual cost (as determined by the authority) to

occupants of heat, water, electricity, gas, cooking fuel, and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental.

Sec. 7. Minnesota Statutes 1949, Section 462.515, is amended to read:

**462.515. Redevelopment plan.** Any redevelopment company, or any other person, may submit a redevelopment plan to an authority, or an authority may consider a redevelopment plan on its own initiative. An authority shall immediately transmit the plan to the planning agency of the municipality in which the area to be redeveloped is situated, for its study, if such a planning agency is in existence, or, if no such planning agency is in existence, to such agency as the governing body of the municipality shall indicate. An authority shall request the written opinion of the planning or other agency on all redevelopment plans submitted to it prior to approving those redevelopment plans, and the planning or other agency shall submit its written opinion within 30 days.

Sec. 8. Minnesota Statutes 1949, Section 462.521, Subdivision 1, is amended to read:

**462.521 Municipal governing body. Subdivision 1. Findings, notice, determination.** Whenever an authority determines that a redevelopment project should be undertaken, it shall apply to the governing body of the municipality in which the project is located for approval thereof. The application shall be accompanied by a redevelopment plan, a statement of the method proposed for financing the project, and the written opinion of the planning agency, if there is one. *Before approving any redevelopment plan, the governing body shall hold a public hearing thereon after not less than ten days' published notice in a newspaper of general circulation in the municipality.*

Sec. 9. Minnesota Statutes 1949, Section 462.575, Subdivision 3, is amended to read:

**462.575 Subd. 3. Statement filed with assessor; percentage tax on rentals.** Further, notwithstanding the provisions of subdivision 1, with respect to any housing project of the authority carried on pursuant to the provisions of

Article IV, the authority shall, after that project has become occupied, either in whole or in part, file with the proper assessor, on or before May 1 of each year, a statement of the aggregate shelter rentals of that project collected during the preceding calendar year; and, unless a greater amount has been agreed upon between the authority and the municipality in and for which the authority was created, five per cent of such aggregate shelter rentals shall be charged to the authority and collected from it as a service charge for the services and facilities to be furnished with respect to that project, in the manner provided by law for the assessment and collection of taxes, and the amount so collected shall be distributed to the *several taxing bodies* in such proportions that each will receive therefrom the same proportion as the tax rate of each bears to the total tax rate of those taxing bodies that would be levied against the project if it were not exempt from taxation. A municipality in and for which an authority has been created may agree with the authority, with respect to any housing projects, either separately or jointly or one or more of them, for the payment of a service charge in an amount greater than five per cent of the aggregate annual shelter rentals of any project, upon the basis of shelter rentals or upon such other basis as may be agreed upon, but not exceeding the amount which would be payable in taxes thereon were the property not exempt, and, if such an agreement is made the amount so agreed upon shall be collected and distributed in the manner above provided. If such project or projects have become occupied, or if the land upon which such project or projects are to be constructed has been acquired, the agreement shall specify definitely the location of the project or projects for which the agreement is made. Shelter rental means the total rentals of a housing project exclusive of any charge for utilities and special services such as heat, water, electricity, gas, sewage disposal, or garbage removal. The records of each housing project shall be open to inspection by the proper assessing officer.

Sec. 10. Minnesota Statutes 1949, Section 462.431, is amended to read:

**462.431. Interest in project forbidden.** No commissioner or employee of an authority shall acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or

used in connection with any project. *This section shall not apply to the deposit of any funds of an authority in any bank in which a member of an authority shall have an interest if such funds are deposited and protected in accordance with Minnesota Statutes 1949, Chapter 118.* If any commissioner or employee of an authority previously owned or controlled an interest, direct or indirect, in any property included or planned to be included in any project, or presently has such interest, he immediately shall disclose such interest in writing to the authority, and such disclosure shall be entered upon the minutes of the authority. Whoever violates any provision of this section shall be punished by a fine of not less than \$50 nor more than \$1,000, or by imprisonment for not more than three months, or both.

Approved April 20, 1951.

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CHAPTER 569—H. F. No. 291

*An act relating to a tax upon the sale of cigarettes and upon distributors thereof; amending Minnesota Statutes 1949, Sections 297.03, 297.05, Subdivision 2, and 297.11, Subdivision 5.*

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

Section 1. Minnesota Statutes 1949, Section 297.03, is amended to read:

297.03. **Payment, stamps on package.** Subdivision 1. **Stamp put on by distributor; exception.** *Except as otherwise provided in this section* payment of the tax imposed by section 297.02 shall be evidenced by stamps affixed to each package. Before delivering, or causing to be delivered, any package to any person in this state, other than a licensed distributor, every distributor shall firmly affix to each package of cigarettes stamps in amounts equal to the tax on those cigarettes as provided for in section 297.02.

Subd. 2. **When put on.** The commissioner may require, in all cases where cigarettes are shipped into this state by any