

tax shall not be effective until approved by a majority of the people voting on the tax at a general or special election after submission to them by the governing body, and shall not continue for more than one year after such approval.

Approved April 23, 1951.

CHAPTER 693—H. F. No. 1746

[Not Coded]

An act providing for the determination and payment of certain claims against the state arising out of the location, construction, reconstruction, improvement, and maintenance of the trunk highway system and appropriating money out of the trunk highway fund, or funds accredited thereto, from the highway patrol fines or other sources therefor.

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

Section 1. Claims arising out of trunk highway activities, actions authorized. Any of the persons, firms, or corporations hereinafter named, having submitted claims for damages to the Legislature prior to the passage of this act, or their heirs, representatives, successors, and assigns, may bring an action against the State upon such claim for damages alleged to have been caused by the location, construction, reconstruction, improvement and maintenance of the trunk highway system in the district court of any county wherein any part of the claim arose, subject to the conditions and limitations herein prescribed; provided that every such action shall be commenced within six months after the passage of this act.

Sec. 2. Service on attorney general. The summons and complaint in every such action shall be served on the attorney general who shall defend the action.

Sec. 3. Payment of judgments. All such actions shall be commenced, tried and determined as other civil actions and shall be subject to all applicable laws and rules. In the event a judgment is rendered against the state, the commis-

sioner of highways is requested and directed upon receiving properly executed receipt and discharge in full, to pay the judgment creditor, the amount of such judgment out of the trunk highway fund or out of funds accredited thereto from highway patrol fines or other sources, provided that the amount of the judgment entered in any case shall not exceed the amount of such claim as hereinafter specified; and provided further, that such judgments shall be payable only from appropriations therefor, as herein provided.

Sec. 4. Compromise, settlement. The commissioner of highways is hereby authorized to pay, compromise, adjust or settle any or all of the respective claims herein referred to in any amount not to exceed the amounts respectively authorized herein out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources.

Sec. 5. Expense of defense, compromise, or settlement. In addition to all other sums appropriated herein, there is hereby appropriated out of the trunk highway fund or funds accredited thereto, from highway patrol fines or other sources, such sums of money as may be necessary to expend in the defense, settlement or compromise of any of the claims enumerated herein.

Sec. 6. Appropriation. There is hereby appropriated out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources such sums as may be necessary to pay any of the claims as herein provided.

Sec. 7. Claimants. The names of the claimants, the general nature of each claim, and the amounts thereof are respectively as follows:

Subdivision 1. Nels L. Nelson, of Lake Bronson, in reimbursement of damages to real and personal property owned by him alleged to have resulted from the diversion of and interference with the flow of the middle branch of the Two Rivers in connection with the construction and maintenance of Trunk Highway No. 59.\$4,500.00

Subd. 2. Clifford S. Haugen, of Lake Bronson, in reimbursement of damages to real and personal property owned by him alleged to have resulted from the diversion of and interference with the flow of the middle branch of the Two

Rivers in connection with the construction and maintenance of Trunk Highway No. 59.\$2,500.00

Subd. 3. Charles J. Peterson and Viola Peterson, his wife, of Red Wing, in reimbursement of damages to real and personal property owned by them alleged to have resulted from negligent raising of the elevation, failure to provide proper culverts, and improper construction of a dike in connection with the construction and maintenance of Trunk Highway No. 19.\$2,500.00

Subd. 4. Edward A. Flatten, in reimbursement of damages to real property alleged to have resulted from flood waters caused by a channel change made on the Root River near Houston, Minnesota, in connection with the construction of Trunk Highway No. 76.\$5,250.00

Subd. 5. Elmer Vathing, in reimbursement of damages to real property alleged to have resulted from flood waters caused by a channel change made on the Root River near Houston, Minnesota, in connection with the construction of Trunk Highway No. 76.\$3,000.00

Sec. 8. The monies appropriated herein shall be available from and after the passage and approval of this act.

Approved April 23, 1951.

CHAPTER 694—H. F. No. 1748

[Not Coded]

An act relating to civil defense, providing therefor, appropriating money therefor, and amending Minnesota Statutes 1949, Section 9.28, Subdivision 6.

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

Section 1. Citation. This act shall be known and may be cited as the "Minnesota Civil Defense Act of 1951".

Sec. 2. Declaration of policy. Subdivision 1. Because of the existing and increasing possibility of the occurrence of