

CHAPTER 654—H. F. No. 1050

An act relating to game preserves, conservation areas, or other areas established under Minnesota Statutes 1949, Chapter 84A, and to the drainage of state-owned land therein; amending Minnesota Statutes 1949, Section 84A.55, Subdivision 9.

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

Section 1. Minnesota Statutes 1949, Section 84A.55, Subdivision 9, is amended to read:

Subd. 9. The commissioner may make necessary investigations and surveys for and may undertake projects for the drainage of any state-owned lands within any game preserve, conservation area, or other area subject to the provisions hereof so far as he shall determine that such lands will be benefited thereby in furtherance of the purposes for which the area was established, and may pay the cost thereof out of any funds appropriated and available therefor. If the commissioner shall determine after investigation that any project for the construction, repair, or improvement of any public ditch or ditch system undertaken by any county or other public agency as otherwise provided by law will benefit such lands in furtherance of said purposes, he may cooperate in such project by joining in the petition therefor or consenting thereto or approving the same upon such conditions as he shall determine, and may authorize the imposition of assessments therefor upon such lands in such amounts as he shall determine, or may make lump sum contributions to the county or other public funds established for the payment of the cost of the project; provided, such assessments or contributions shall not in any case exceed the value of such benefits to such state-owned lands as determined by the commissioner and specified by his written certificates or other statement filed in the proceedings, and shall be payable only out of funds appropriated and available therefor in such amounts as the commissioner may determine.

Approved April 23, 1953.

CHAPTER 655—H. F. No. 1335

[Not Coded]

An act relating to water, light, power and building commissions, and public utilities commissions in certain villages; defining and enlarging the powers of such commissions;

amending Laws 1949, Chapter 422, Section 3, Subdivision 1, and Section 5 as amended.

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

Section 1. Laws 1949, Chapter 422, Section 3, as amended by Laws 1951, Chapter 680, Section 3, Subdivision 1, is amended to read :

Sec. 3. **Powers.** Subdivision 1. Except as hereinafter provided, the commission shall have full and exclusive control of the water, light, gas, and power plants, municipal heating plants and all systems, parts, attachments, lines, mains, and appurtenances thereto, and all apparatus and material of every kind and description used or to be used in operating these plants or any or either of them. The commission shall have the power and authority to operate the same and each thereof, and to extend, replace, expand, repair, add to, change, modify and improve the same and to do any and all things in and about the same which they may deem necessary for a proper economical operation of same. The commission shall not have the right to sell, lease, rent, or in any way dispose of, or encumber, or suffer or permit this property or any part thereof, to come under the control of any other person or corporation. This shall not prevent the commission from renting or from leasing public halls or buildings for public use and entertainment. The commission shall have authority to buy all material and services and it may contract to extend, replace, expand, repair, add to, change, modify and improve said systems, plants, buildings, or any part thereof. The commission shall have the authority to buy all fuel, supplies, and equipment and employ all help necessary to operate the plant.

The commission shall also have the authority to purchase and pay for all forms of insurance usually and customarily carried on like businesses, including compensation, liability, fire and other disaster insurance, and to receive back directly any and all sums recovered from insurance policies maintained; to enter into easements in the name of the village on land over, on, or under which it may maintain any public utility; and, to purchase in the name of the village, by and with the approval of the village, any real property which the village may lawfully purchase and which the commission deems necessary and expedient for utility purposes, and pay for same, and to have same earmarked for the use and benefit of the utilities commission. Real estate so acquired shall not be sold without the joint approval of the village and the commission and the proceeds from the sale thereof shall be paid directly to the commission who shall deposit same in the commission's replacement fund.

All revenues received from the sale of any and all other property acquired by expenditure from funds of the commission and used for utilities purposes shall be paid over directly to the commission for use in the operation and maintenance of its plants and systems.

Sec. 2. Laws 1949, Chapter 422, Section 5, as amended by Laws 1951, Chapter 680, Section 11, is amended to read:

Sec. 5. **Revenue anticipation certificates.** The commission is hereby authorized to issue revenue anticipation certificates to pay for expansions, extensions, additions, changes, modifications and improvements of any or all of the utility plants and systems under its jurisdiction, and to pay for replacements of parts of any and all of said plants and systems when the reserve for replacement fund is determined by the commission to be inadequate to pay for all replacements immediately required and for anticipated emergencies. Such certificates shall be payable solely from the aggregate of the net revenues derived from the operation of said plants and systems, in excess of the current, reasonable and necessary costs of the operation and maintenance thereof, and the commission shall by resolution make on behalf of the village all such reasonable covenants, consistent with the provisions of this act, concerning the management and handling of the funds of said utilities, the rates and charges for the services and products thereof, the time and manner of payment of such certificates, as shall by it be deemed necessary and proper to secure the adequacy of said net revenues for the prompt and full payment of the principal of and interest on said certificates. All payments to the replacement fund as provided for in section 4 hereof, as may be deferred as a result of the preceding provision, shall be by the commission expeditiously restored and paid into said fund from future earnings, the commission to so conduct its utilities operations, and if necessary to re-adjust its rates, as to make this possible. *Such revenue anticipation certificates shall be issued only with the approval of the majority of the voters of the municipality voting upon the question of such issuance at any general or special village election; except that such certificates for replacement of the existing plants and systems or any part thereof in an aggregate amount outstanding not exceeding \$250,000 and such certificates for expansion, extension, addition, change, modification or improvement of the existing plants and systems or any part thereof in an aggregate amount outstanding not exceeding \$100,000 may be issued by the commission without the necessity of an election thereon.* The determination of the commission shall be conclusive, in favor of the holders of all revenue anticipation certificates at any time outstanding, as to

the amount thereof which represents replacement, and as to the adequacy or inadequacy of the reserve for replacement fund for any replacements financed by such revenue certificates. Nothing herein shall be deemed to prevent the commission from refunding, without prior approval of the voters, of any outstanding revenue anticipation certificates, if revenues are insufficient for the payment of interest or principal thereof about to become due, or whenever by so doing a saving can be effected in the interest cost thereof.

Approved April 23, 1953.

CHAPTER 656—H. F. No. 1372

An act relating to old age assistance; amending Minnesota Statutes 1949, Section 256.18, as amended.

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

Section 1. Minnesota Statutes 1949, Section 256.18, as amended by Laws 1951, Chapter 118 and Chapter 225, is amended to read:

256.18 Pensioners, disqualification. No old age assistance shall be paid a person:

(1) While or during the time he is an inmate of, and receives gratuitously all the necessities of life from any public institution maintained by the United States, or any state or any of the political subdivisions of a state; while he is a patient in tuberculosis or mental institution; or while he is a patient in a medical institution as a result of diagnosis of tuberculosis or psychosis; provided, however, that part or all of any old age assistance may be paid to patients of public or private medical institutions other than those herein excluded, subject to rules and regulations made by the state agency;

(2) If the net value of his property or the net value of the combined property of husband and wife exceeds \$7,500; or if the net value of his assets convertible into cash exceeds \$300 or the combined convertible assets of husband and wife exceed \$450. The county agency in its discretion may permit eligibility of an applicant having liquid assets in excess of this amount when the liquidation of the assets would cause undue loss. Household goods and furniture in use in the home, wearing apparel, *insurance policies the cash surrender value of which does not exceed \$500 per person*, and a lot in the burial ground may be owned in addition to the property limitation;