

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

Section 1. Minnesota Statutes 1949, Section 514.35, is amended to read:

514.35 Lien for improvement and services. Whoever performs or contributes any labor or skill or furnishes or contributes any machinery, materials, or storage in making, altering, repairing, storing, or otherwise caring for any motor vehicle, whether pursuant to a contract with the owner of the motor vehicle or at the instance or request of an agent of the owner, has a lien upon the motor vehicle for the price or value of the labor or skill performed or the machinery, supplies, materials, or storage furnished or contributed. If the labor is performed or the machinery, supplies, materials, or storage is furnished pursuant to a contract for an agreed price, the lien shall be for the sum so agreed upon; otherwise, it shall be for the reasonable value thereof.

Approved April 13, 1953.

CHAPTER 319—S. F. No. 521

[Coded in part]

An act relating to the use of warrant- or order-checks in disbursing public funds of counties, cities, villages, towns, and school districts and the duties of the public examiner relating thereto; amending Minnesota Statutes 1949, Sections 125.28, Subdivision 1, 215.10, 367.18, 384.13, and 412.271, as amended.

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

Section 1. Minnesota Statutes 1949, Section 125.28, Subdivision 1, is amended to read:

125.28 Treasurer; duties. Subdivision 1. **Funds; receipt, disbursement.** The treasurer shall receive and be responsible for all money of the district and disburse the same on orders signed by the clerk and countersigned by the chairman, or other vouchers authorized by law; provided, that, in the event that the chairman has been continuously absent from the district for a period of 30 days or more, the treasurer may pay orders without the signature of the chairman. Each order shall state the fund on which it is drawn, the name of the payee, and the nature of the claim for which such order is issued and shall be so drawn that when signed by the treasurer in an appropriate place, it becomes a check on the school district depository. He shall keep an account of each fund, and of all receipts and disbursements, showing the sources of all such receipts and the nature and purpose of such disbursements.

Sec. 2. Minnesota Statutes 1949, Section 215.10, is amended to read:

215.10 Accounting and budgeting systems; investigation, forms. The public examiner shall inquire into the accounting and budgeting systems of all local units of government and shall prescribe suitable systems of accounts and budgeting, and forms, books, and instructions concerning the same. At the request of any local unit of government the public examiner may install such system. *The public examiner shall recommend a form for order- and warrant-checks of all local units of government which shall conform, so far as consistent with statutory and charter requirements, to approved banking practice in order to facilitate handling of such instruments by banks and other depositories.*

Sec. 3. Minnesota Statutes 1949, Section 367.18, is amended to read:

367.18. Audited accounts; payment, form. Accounts audited and allowed, and the amount of any account voted to be allowed, at any town meeting, shall be paid by the town treasurer, on the order of the town board, signed by the chairman and countersigned by the clerk. *Each order shall be so drawn that when signed by the treasurer in an appropriate place, it becomes a check on the town depository.* The orders shall be received in payment of town taxes of the town.

Sec. 4. Minnesota Statutes 1949, Section 384.13, is amended to read:

384.13 Claims, payment; disbursements; warrants. No claims against the county shall be paid otherwise than upon allowance of the county board, upon the warrant of the chairman thereof, attested by the county auditor, except in those cases in which the precise amount is fixed by law, or is authorized to be fixed by some other person, officer, or tribunal, in which cases the same shall be paid upon the warrant of the auditor, upon the proper certificate of the person, officer, or tribunal allowing the same. No money shall be disbursed by the county board, or any member thereof, but only by the county treasurer upon the warrant of the chairman of the county board, attested by the auditor, specifying the name of the party entitled to the same, on what account and for what purpose issued, upon whose allowance, if not fixed by law, and the fund from which it is payable. *Each warrant shall be so drawn that when signed by the treasurer in an appropriate place, it becomes a check on the county depository.* If in payment for services, the specific time for which the same were rendered shall be therein stated, and all orders and warrants shall be

progressively numbered, and the number, date, and amount of each, the name of the person to whom payable, and the specific time for which any service was rendered, shall, at the time of issuing the same, be entered in a book to be kept by the auditor for that purpose.

Sec. 5. Minnesota Statutes 1949, Section 412.271, Subdivision 1, as amended by Laws 1951, Chapter 378, Section 10, is amended to read:

412.271 Disbursements. Subdivision 1. Method. No disbursement of village funds, including funds of any municipal liquor dispensary operated by the village, shall be made except by an order drawn by the mayor and clerk upon the treasurer. Except when issued for the payment of judgments, salaries and wages previously fixed by the council or by statute, principal and interest on obligations, rent and other fixed charges, the exact amount of which has been previously determined by contract authorized by the council, and except as otherwise provided in subdivisions 2 and 3, no order shall be issued until the claim to which it relates has been audited and allowed by the council.

Except for wages paid on an hourly or daily basis, where a claim for money due on goods or services furnished can be itemized in the ordinary course of business the person claiming payment, or his agent, shall prepare the claim in written items and sign a declaration that the claim is just and correct and that no part of it has been paid. Whenever work for which wages are to be paid on an hourly or daily basis is done by employees of the village, the clerk shall keep a payroll giving the name of each employee and the number of hours or days worked by him and the timekeeper, foreman, or other officers or employee having knowledge of the facts shall sign a declaration that the facts recited on the payroll are correct to the best of his information and belief; and when any claim for wages listed on a payroll is paid, the employee shall sign a declaration, which may be a part of the payroll, to the effect that he has received the wages and done the work for which the wages have been paid. The declarations relating to claims or payrolls shall be in substantially the following form: "I declare under the penalties of perjury (here insert, if claimant: that this claim is just and correct and no part of it has been paid: if timekeeper, foreman, officer or employee having knowledge of the facts: that to the best of my information and belief the items of this payroll are correct: if employee who has been paid: that I have received the wages stated on this payroll opposite my name and have done the work for which the wages were paid.)

 Date Signed"
 The effect of this declaration shall be the same as if subscribed and sworn to under oath.

The clerk shall endorse on each claim required to be audited by the council the word "disallowed" if such be the fact, or, "allowed in the sum of \$.....," if approved in whole or in part, specifying in the latter case the items rejected. Each order *shall* be so drawn that when signed by treasurer in an appropriate space, it becomes a check on the village depository. Any order presented to the treasurer and not paid for want of funds shall be so marked and paid in the order of its presentation with interest from the date of presentation at the rate of five per cent or such lower rate as is fixed by the council prior to its issuance.

Sec. 6. [427.12] Warrant as check on city depository.
When a disbursement is made by order or warrant in any city of the second, third, or fourth class, however organized, the order or warrant for the disbursement shall be so drawn that when signed in an appropriate place by the treasurer or other officer to whom it is directed, it becomes a check on the city depository.

Sec. 7. This act becomes effective July 1, 1954.
 Approved April 13, 1953.

 CHAPTER 320—S. F. No. 584

An act relating to the state employees retirement fund; amending Minnesota Statutes 1949, Sections 352.01, Subdivision 2, as amended, 352.015, Subdivision 2, and 352.02, Subdivision 1, as amended.

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

Section 1. Minnesota Statutes 1949, Section 352.01, Subdivision 2, as amended by Laws 1951, Chapter 441, Section 2, is amended to read:

Subd. 2. State employee defined. "State Employee" means employees *and officers* in the classified and unclassified services of the State of Minnesota as defined in the State Civil Service Act, and employees of the Minnesota Historical Society, the State Horticultural Society, the Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, the Minnesota Crop Improvement Association, employees of the Adjutant General who are paid