

7a. *A semi-trailer used to transport raw and unfinished forest products shall be taxed at the rate of \$4 per ton or fraction thereof of the difference in weight between the total gross weight of the combination and the selected registered gross weight of the truck-tractor or converted truck, but in no case for less than nine tons for a single axle semi-trailer and in no case for less than 14 tons for a tandem axle semi-trailer.*

8. Motor vehicles specially equipped for operation over snow and used exclusively for such purposes . . . \$3 if weighing one ton or less, and an additional \$2 for each additional ton or fraction thereof.

Approved April 6, 1955.

CHAPTER 353—H. F. No. 1046

[Not Coded]

An act authorizing any county and city of the first class in which said city has a population of not less than 300,000 nor more than 450,000 inhabitants within the limits of such county jointly to erect, equip, furnish, maintain and operate a joint city and county detention facility or facilities and a joint city and county work house, work farm or any combination of the foregoing and to acquire land therefor; to provide for the housing of offices, officials and employees therein; providing for the issuance of bonds to defray the city's proportion of the cost thereof; creating a commission and prescribing the method of selection of site, erection, equipment, furnishing, maintenance and operation of such facilities; providing for a joint city and county committee to maintain and operate such facility or facilities; providing for the disposition of any property no longer needed because of the erection or acquisition of such buildings; providing for the disposition of the proceeds of such property.

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

Section 1. Joint detention facilities authorized, St. Paul-Ramsey. Any county in the state now or hereafter having within its limits a city of the first class having a population of not less than 300,000 nor more than 450,000 inhabitants, may, together with such city, jointly acquire land for, erect, equip, furnish, maintain and operate a joint city and county detention facility or facilities, and joint city and county work house, work farm, or any combination of the foregoing to be used jointly by such county and city.

Sec. 2. Acquisition of land, cost. The cost and expense of acquiring land, for erecting, equipping and furnishing such facilities shall be borne equally by such county and such city. However, if it is determined that any land, or facility, or portion thereof, or combination of land and facility or portion thereof, presently existing and owned by either county or city, is to be used jointly for the purposes of this act then such county or city shall be given a credit on its individual share of the cost and expense of the completed facilities specified in Section 1 hereof. Said credit to be determined to the extent of the present fair valuation thereof.

Sec. 3. Bonds. Such facilities shall not be erected, acquired or contracted to be erected or acquired, and no land shall be acquired therefor until the city has been authorized to issue bonds, not to exceed in amount the sum of \$650,000 to defray its share of the cost of such facilities. The city shall have the power to borrow said sum of \$650,000, or so much thereof as the council of said city may deem necessary for the purposes aforesaid, and for those purposes to issue and sell, from time to time, and without submitting the question of the issuance of the same to a vote of the people, the bonds of said city in the sum and amount of \$650,000, or such part thereof as shall be deemed necessary, the proceeds of the sale of such bonds to be used for the purposes specified herein; to secure the payment of such bonds by pledging the full faith and credit of such city therefor. Such bonds shall be in such form and bear interest at such rate as the council of said city may prescribe, and shall be sold by the council of said city to the highest bidder therefor after at least two weeks published notice of the time and place for receiving bids. Said bonds shall be issued to mature serially, the first installment of which shall become due and payable in not more than three years and the last of which shall become due and payable in not more than thirty years from the date of their issue. The proceeds received from the sale of such bonds shall be deposited by the city in a fund to be designated as city detention facility and workhouse fund and the monies shall be disbursed therefrom for the purposes aforesaid in the same manner as other funds of the city are disbursed but only for the purposes herein expressed. The amount of such bonds from time to time outstanding shall not be considered in determining the net indebtedness of said city for the purpose of borrowing money or other purposes and the amount of such bonds or certificates of indebtedness shall be excluded in determining the debt limit of the city.

Sec. 4. Tax levy. The city shall have the power to levy upon the taxable property of the city such sums as may

be necessary to provide for the payment of the interest on such bonds as the same accrues, and the payment of the principal thereof in full at maturity. The levy of such tax is made the duty of the council of such city. The powers granted to levy taxes for the payment of the principal and interest of such bonds shall be in addition to all other taxing powers of the city, and it shall exist independently of any restrictions upon the power of the city to levy taxes for other purposes.

Sec. 5. County to use moneys in treasury, levy taxes. Any county which is authorized to proceed under this act is authorized to use any monies in the county treasury not set aside for other purposes to carry out the purposes of this act. If monies in said treasury are insufficient and if sufficient monies cannot be secured under statutes permitting, any such county to levy a tax for general revenue purposes, the board of county commissioners may levy an additional tax for the purposes of this act.

Sec. 6. Commission, membership. As soon as it is practicable after the council of any such city and the board of county commissioners of any such county shall determine to proceed with the erection or acquisition of any one or combination of any of the facilities mentioned herein, there shall be appointed a county and city detention and work house facility commission consisting of nine members who shall be appointed as follows: four members to be appointed by the city council of such city, two of whom shall be members of such city council; four members to be appointed by the board of county commissioners of such county, two of which members shall be members of said board of county commissioners; the ninth member of said commission shall be appointed by a majority vote of the members of said city council and said board of county commissioners sitting in joint session.

Sec. 7. Limitation on membership. No more than two members of said county and city detention and workhouse facility commission shall be at any one time members of the board of county commissioners, and no more than two of such members shall be at any one time members of the city council, and in the event that any person appointed a member of said commission who was not at the time of his appointment a member of either the city council or board of county commissioners, and shall subsequently become a member of either of said boards, he shall thereupon cease to be a member of said county and city detention and work house facility commission.

Immediately after the appointment of said commission, the persons appointed as members thereof shall indicate their

acceptance of their appointment in writing, filed with the county auditor of said county.

In case any person appointed as a member of said commission shall fail so to file his written acceptance of such appointment within 20 days after such appointment, or in case any member shall die, resign or be removed from office, or in case any of the members of said commission who were appointed from the membership of the city council or board of county commissioners, shall cease to be members of said council or board, their successors shall be appointed in the manner and by the same persons as originally appointed such member.

Immediately upon the expiration of the 20 days following the appointment of the members of such commission, or prior thereto upon the filing of such acceptance by all those appointed as members thereof, the chairman of the board of county commissioners shall call a meeting of such commission and shall preside at the said first meeting. At such meeting the commission shall select from its own members a chairman and such other officers as the commission may deem necessary.

Sec. 8. Plans. The commission, as soon as practicable after the effective date of this act, shall proceed to select and propose a plan or plans for a joint city and county detention facility or facilities and a joint city and county workhouse, work farm, or any combination of the foregoing and, if needed and deemed necessary by the commission, the location of lands, not now owned by city or county, the acquisition of which would be necessary for the erection of such joint facilities in such plan or plans. When the said commission has selected and proposed a plan or plans to effectuate the purposes of this act, said plan or plans shall be presented to the city council and the board of county commissioners for their ratification. Such plan or plans may include the use of any facilities now put to use separately by the city or county, or any facility now used for purposes similar to a detention facility or facilities or workhouse, work farm, or any combination of the foregoing, and such plan may include the use of such separate facilities in combination or the addition thereto or the subtraction therefrom or the building of a completely new joint facility or facilities on land either now owned by city or county, or newly acquired by said commission.

Sec. 9. Sites. If the plan or plans for such joint facility or facilities, as formulated by the commission and ratified by the city council and board of county commissioners, contemplate the acquisition of new lands and the building thereon of such joint facility or facilities, the commission, as soon as the city council and the board of county commissioners has

ratified such plan, shall proceed to select a site or sites for such joint facility or facilities and may contract with the owners thereof for the acquisition of such site or sites by gift or purchase, which contract or contracts shall be subject to ratification by the city council and the board of county commissioners. As soon as practicable after the ratification of the selection of a site or sites has been made by the city council and the board of county commissioners, the commission shall report to the city council and the board of county commissioners describing the property selected as a site for a new joint facility or facilities and the price at which the properties can be acquired. Upon the filing of the report, the board of county commissioners and the city council shall consider the report and may either reject the same or ratify the action taken by the commission; and in the event that either or both of these bodies shall reject the report of the commission, the matter shall be resubmitted to the commission for further action. In the event that the city council and the board of county commissioners shall approve the site or sites selected by the commission but shall not approve the price at which the site or sites can be acquired, the city council and the board of county commissioners shall thereupon proceed to acquire the property by eminent domain. The proceedings in eminent domain for the acquisition of any such property may be instituted and carried to completion in the name of either the city or county, as may be determined by the city council and the board of county commissioners and may be instituted and completed either under the laws governing the condemnation of land by counties or under the provisions of the charter of such city relating to the acquisition of land by eminent domain, or under the laws of the state relating to the acquisition by cities of land by eminent domain.

The cost of acquiring this land, whether acquired by purchase or eminent domain, shall be paid one-half by such city and one-half by such county; and in case the property is acquired by eminent domain, in proceedings instituted and completed by such city, the county shall reimburse it for one-half of the cost of acquiring such land and one-half of the expense incident thereto; and if the proceedings are instituted and completed by such county, the city shall likewise in such manner reimburse the county. All land acquired as a site for such joint facility or facilities as expressed in this act shall be owned jointly by such county and such city; and in case the entire tract is acquired by either such city or such county it shall convey an undivided one-half interest thereof to the other upon reimbursement for one-half of the cost of acquiring the same.

Sec. 10. Ratification of plans. After the plan or plans, as referred to in sections 8 and 9, hereof, have been ratified by the city council and the board of county commissioners, the commission shall cause to be prepared plans and specifications for such joint facility or facilities and may employ architects, engineers, draftsmen, and such clerical help as may be deemed necessary for the purpose of preparing such plans and specifications. The compensation of such employees shall be fixed by the commission and shall be paid in equal parts by the city and the county upon presentation of statements therefor, certified to be correct by a majority of such commission and to be paid from funds specifically authorized by this act for the purpose of the acquisition of land and the construction of such facility or facilities. All such contracts and employments shall be subject to approval by the city council and board of county commissioners. Upon the completion of the plans and specifications for such joint facility or facilities, the commission shall submit the same to the city council and the board of county commissioners for approval. The council and the board shall thereupon approve the proposed plans and specifications or reject them and resubmit them to the commission for further consideration; and when the plans and specifications are satisfactory to both the city council and the board of county commissioners, each of those bodies shall thereupon pass a resolution authorizing and instructing the commission to proceed with the work.

Sec. 11. Specifications, approval; bids. Upon the completion of the plans and specifications and their approval and adoption by the city council and board of county commissioners, the commission shall proceed to advertise for bids or proposals for all or any portion of the work, or materials, or both, to be done, performed, or furnished in the construction of the joint facility or facilities. The advertisement for bids or proposals shall be published in the official newspaper of such city if there be one, and if not in any newspaper published in such county to be selected by the commission, and shall be published for such length of time as the commission may determine. All bids or proposals shall be sealed by the bidders or proposers and shall be filed with the commission at or before the time specified in such advertising for the opening of bids or proposals. At the time and place specified in the advertisement for the opening of bids or proposals, the commission shall meet, open the bids or proposals, and tabulate the same and shall thereupon award the contract or contracts to the responsible bidder whose bid or proposal is the most favorable to the city or county, or reject all bids and proposals. In the event all bids or proposals are rejected, the commission may readvertise for

bids or proposals or may modify or change the plans and specifications and submit such modified plans and specifications to the city council and the board of county commissioners for approval, and when such modified or changed plans and specifications are satisfactory to both the city council and the board of county commissioners, the plans and specifications shall be returned to the commission and the commission shall proceed again to advertise for bids or proposals in the manner hereinbefore provided. Any such contract awarded by the commission shall be subject to approval by the city council and the board of county commissioners.

Sec. 12. Procedure for submitting bids, contracts. Each person, firm, or corporation submitting bids or proposals in the manner provided for by section 11 hereof shall file with his bid or proposal a certified check in an amount prescribed in the specifications of the commission for the building of the joint facility or facilities, to be retained as liquidated damages and divided equally between the city and the county in case of failure to enter into a contract if such person, firm or corporation is awarded the same.

All contracts shall be in writing and shall be made in the name of the county and city proposing to erect such joint facility or facilities and shall be executed in behalf of such county and city by the officers empowered by law or charter to execute contracts in behalf of such county and such city. All persons, firms or corporations who may be awarded contracts in connection with the erection of such joint facility or facilities shall be required to furnish bonds in the amount and in the form prescribed by the laws of the state relating to contracts for public improvements, and such bonds shall run to the county and city erecting such joint facility or facilities.

Sec. 13. Selected site occupied. In the event the selected site be then occupied by an existing facility owned by city or county, such that temporary quarters must be provided for officers and officials and functions therein carried out pending completion of a new facility or remodeling of such existing separate facility into one to be used jointly by city and county, the cost of such remodeling and expenses incident to their occupancy shall be considered a part of the cost of the new joint facility.

Sec. 14. Commission to supervise work. The work of erecting, equipping and furnishing of any joint facility or facilities shall be conducted and completed under the direction and supervision of the commission and the members thereof are charged with the duty of requiring the work to be done in accordance with the plans and specifications. The commission

is hereby authorized to employ such architects, engineers, supervisors, inspectors, clerks and other employees as it may deem necessary or advisable to supervise and inspect the work and to assist in the performance of the duties of the commission, and the county shall pay the fees and salaries of such employees in the amounts fixed by the commission, one-half by the county and one-half by the city, upon the presentation of statements, certified to be correct by a majority of the commission. Such employments shall, in all things, be specifically subject to the approval of the city council and board of county commissioners in the manner provided by this act. Payment of such fees and expenses shall be made only from monies authorized by this act to be used for the purposes herein stated.

Sec. 15. Management vested in joint committee. If at the time the county and city jointly own and operate a joint city and county detention facility, workhouse or work farm, or any combination of the foregoing, under the authority and power granted in this act, the management of the joint facility or facilities shall be vested in a joint committee consisting of two members of the board of county commissioners, selected by the board, two members of the city council selected by the council, together with the sheriff of such county and the public safety commissioner of such city, and the mayor of any such city who shall be the chairman of the joint committee. The committee shall have full charge and management of the joint facility or facilities and shall have the power to appoint such employees as the committee shall deem necessary for the proper care, management and operation of the joint facility or facilities, the salary and compensation to be fixed by the committee, and the board of county commissioners and the council of such city shall each provide an amount sufficient to pay one-half of the expense of operating the joint facility or facilities. All the employees of the operating committee shall be employed under the county civil service law and their duties, responsibilities and salaries are to be set by the civil service commission and the board of county commissioners; providing, however, that no employee transferred to the jurisdiction of the joint operating committee shall suffer any loss of salary, seniority, tenure or pension rights by reason of such transfer.

Sec. 16. Members of joint commission or joint committee, compensation. The members of the joint county and city detention and workhouse facility commission and the members of the joint committee to manage the joint facility or facilities shall not receive any compensation for their services upon the commission or committee, and none of the members of the joint county and city detention and workhouse facility

commission shall have any financial interest in any of the contracts awarded by the commission.

Sec. 17. Unused lands sold, disposal of proceeds. In case any land or buildings owned and used by either the county or the city, or jointly owned and used by them, shall not be required for the use of the county or city, or both of them, after the completion of the joint facility or facilities, the land and buildings shall be sold as soon as practicable and the proceeds placed in separate funds of the county and city to be used for the payment of bonds or certificates of indebtedness authorized hereunder. The proceeds of such sales shall be paid into the county and city treasuries in the proportion of ownership of each in the real property so sold. So far as practicable the proceeds of such sales shall be used to pay a portion of the bonds or certificates of indebtedness maturing in each year after sales in such manner as to make the annual payments from the proceeds of such sales as nearly equal as may be in each of the years in which bonds or certificates of indebtedness mature. No part of the proceeds of such sale shall be used to pay interest charges on any bonds so issued, and no part thereof shall be used for any purpose other than the payment of maturing bonds or certificates of indebtedness, unless there is a surplus after the payment of all bonds or certificates of indebtedness, in which case such surplus shall be paid into the general sinking fund of such city or county.

Sec. 18. Report of commission on completion of facility. Upon the completion of the erection and equipping of the joint facility or facilities, the commission herein provided to be appointed shall make and file with the district court of the county, the office of the auditor of any such county, and the clerk of any city of the first class located in such county a report of its proceedings, setting forth, in general terms, the acts performed by such commission pursuant to this chapter, as well as the contracts which were let in the erection and equipping of such joint facility or facilities, and the balances remaining in the funds provided by the sale of bonds as herein provided. Upon the filing of such report the commission shall thereupon be discharged.

Sec. 19. This act shall be liberally construed to effectuate its purpose, and in the event any section or clause thereof shall be held invalid, the validity of the remaining parts of said act shall not be affected.

Sec. 20. This act shall take effect and be in force from and after its passage.

Approved April 6, 1955.
