

CHAPTER 663—H. F. No. 798

An act relating to county roads; amending Minnesota Statutes 1953, Section 162.01, Subdivision 1.

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

Section 1. Minnesota Statutes 1953, Section 162.01, Subdivision 1, is amended to read:

162.01 County board, powers. Subdivision 1. **Supervision.** County boards shall have general supervision of county roads, including those within their respective counties established by judicial authority, with power to appropriate and expend such sums of money from the county road and bridge fund as they may deem advisable for opening, vacating, resurveying, or improving the same in towns and villages of such county or for the building or repairing of bridges upon any public road in any town, village, borough, or city of the fourth class in the county, or for purchasing necessary road material, machinery, tools, and supplies; provided, that before any such sum shall be appropriated and expended by such county board on any road or bridge within the limits of any village, borough, or city of the fourth class in such county, such expenditures upon such road or bridge shall be first authorized by the council of such village, borough, or city of the fourth class. County boards shall have the power to appropriate and expend such sums of money from the county road and bridge fund as they may deem advisable for improving, constructing and maintaining any road or street designated as a state aid or county aid road within the corporate limits of any city, village or borough in the county. *County boards shall have the power to impose restriction as to load weights on any road within its jurisdiction.*

Approved April 26, 1957.

CHAPTER 664—H. F. No. 982

[Not Coded]

An act relating to county and city joint participation in establishment, operation and maintenance of detention facilities, workhouse, workfarm or any combination thereof; and amending Laws 1955, Chapter 353, Sections 9, 15 and 17.

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

Section 1. Laws 1955, Chapter 353, Section 9, is amended to read:

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, contemplated 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. In the event that either or both *governing* bodies shall reject the *contract or contracts for acquisition of site or sites* 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. 2. Laws 1955, Chapter 353, Section 15, is amended to read:

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, workfarm or juvenile *detention facility*, 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. 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 *except the administrator of the operating committee, his first assistant: a superintendent for each facility and their first assistant or chief deputies* shall be employed in the classified division of the county civil service and shall be employed under the provisions of Laws 1941, Chapter 513, as amended. 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. *Any employee of such operating committee who, on the effective date of this act, is holding a position which is placed in the classified service under the provisions of this act shall be subject to and protected by the provisions of Laws 1941, Chapter 513, as amended.*

Sec. 3. Laws 1955, Chapter 353, Section 17, is amended to read:

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 shall be used by the commission created hereunder for the purposes of this act, and shall be credited to the unit of government in the same manner as provided in section 2.

Sec. 4. There is added to Laws 1955, Chapter 353, a new section to read:

The receipt and expenditure of any monies hereunder, including monies spent for operation or maintenance of any such joint facility or facilities provided for in this act shall not be included within the definition of any limitation imposed on taxing or spending by the charter of such city or by the laws affecting such county. Any taxes levied by any such city or county for the purpose of operation or maintenance of any facility provided for herein shall be in addition to all taxing powers now possessed by such units of government.

Sec. 5. There is added to Laws 1955, Chapter 353, a new section to read:

Whenever the operating committee, as established pursuant to section 15, assumes the management and operation of a joint city and county juvenile facility, every sheriff, municipal police officer, or other person having charge of a minor under the age of 18 years chargeable with any crime shall be prohibited from detaining such minor in any public facility other than such joint city and county juvenile detention facility.

In any county in which there is established a joint operating committee pursuant to section 15, in which county home schools for boys and girls presently exist pursuant to Minnesota Statutes 1953, Section 260.14, the construction, maintenance, operation and administration whereof shall be exclusively under the jurisdiction of said joint operating committee.

Except as may be herein otherwise provided, the provisions of Minnesota Statutes 1953, Section 260.14, and other pertinent statutes relative to the placing of boys and girls in such home schools shall remain in force.

The board of education, commissioner of education, or other persons having charge of the public schools in any city participating in such joint operating committee may furnish the necessary instructors, school books and school supplies for the boys and girls placed in any juvenile detention facility administered by such operating committee.

Sec. 6. There is added to Laws 1955, Chapter 353, a new section to read:

Whenever the operating committee, as established pursuant to section 15, finds it necessary to purchase supplies, fixtures, make repairs, or make other expenditures, the city purchasing agent's office shall be made the purchasing facility for said operating committee, and shall function in these duties in compliance with the charter and ordinances of such city affecting his office. Disbursement shall be made in the same manner as other city disbursement under the charter and

ordinances of such city pertaining thereto, and the county shall pay its proportionate share to the city for such expenditures.

Sec. 7. There is added to Laws 1955, Chapter 353, a new section to read:

The official title of the operating committee established by this act shall be "Detention and Corrections Authority."

Sec. 8. Laws 1955, Chapter 353, Section 1, is amended to read:

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 workhouse, workfarm, or any combination of the foregoing to be used jointly by such county and city. *However, nothing in this act shall empower the authority hereby created to remove the county jail from its present location, nor to take from the sheriff jurisdiction over adult prisoners charged to his custody and pending action by the courts.*

Approved April 26, 1957.

CHAPTER 665—H. F. No. 1041

[Not Coded]

An act relating to the repairing, reconstruction and maintaining certain structures in certain cities of the first class.

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

Section 1. **Minneapolis, zoning limitations.** Notwithstanding the provisions to the contrary in any law, city charter or city ordinance, in any city of the first class now or hereafter having a population of more than 500,000, no person owning or acquiring real property shall be prohibited from repairing, reconstructing or maintaining for the same use classification a church, school, recreational center, bank, store, duplex or single-family residential dwelling, in any area of such city, because such structure fails to comply with the area use classification of any zoning of such areas in effect in such city; provided such repair or reconstruction is limited to the