

the primary ballot as a candidate for judge shall state in his affidavit of candidacy the office of the particular judge for which he is a candidate. The filing of this affidavit with the city clerk and a compliance with all other requirements constitutes such person a candidate for that office, and for that office only. No person shall at any election be a candidate for more than one such office.

Approved April 10, 1957.

CHAPTER 360—S. F. No. 745

An act relating to the sale of the bonds of a county issued for the purpose of improving trunk highways and roads; amending Minnesota Statutes 1953, Section 167.02.

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

Section 1. Minnesota Statutes 1953, Section 167.02, is amended to read:

167.02. Manner and time of reimbursement. The reimbursement shall be made only in the manner, at the time, and to the extent herein provided;

(1) To the extent that the proceeds derived from the issuance of bonds by any counties under any general laws of this state shall have been heretofore expended, the State of Minnesota hereby agrees to pay out of the trunk highway fund, and only out of that fund, the principal of such bonds at maturity, and it shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the commissioner of highways, on or before August 1, 1921, full data concerning such bonds, on blanks prepared and furnished by him, setting forth the dates of issue and sale, the date of maturity, the amount, the rate of interest, and such other facts as may be required by him.

The State of Minnesota hereby agrees to reimburse said counties for all interest accruing on said bonds subsequent to February 1, 1919, and paid by said counties, and for all interest hereafter to accrue thereon, but if the rate of interest on the bonds exceeds five percent per annum such reimbursement shall be computed on the basis of five percent, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of such bonds. The auditor of any county claiming such reimbursement for interest shall certify to the commissioner of highways, on blanks to be prepared and furnished by him,

complete data showing that the county is entitled to the reimbursement for interest, as hereby provided. These interest certificates shall be filed in the office of the commissioner of highways, to be numbered in the order of such filing, and be paid in the order of filing out of that portion of the trunk highway fund set aside for payment of interest and for refundment purposes. Interest shall not be allowed or paid on these interest certificates. The moneys so paid to any county shall be credited to the fund out of which such interest was paid by such county.

(2) To the extent that moneys derived from taxes, state highway aid, or temporarily transferred from any bond, interest, or sinking fund, shall heretofore have been by any county so expended in such road work, the State of Minnesota hereby agrees to reimburse such county out of the trunk highway fund, and only out of that fund, for the moneys thus expended, together with interest thereon as included in the principal of bonds issued under this paragraph. Warrants, both paid and unpaid, which evidence such expenditure shall be included in such reimbursement. It shall be the duty of the county board of any county desiring such reimbursement to issue bonds of the county in an amount equal to the amount thus expended, including interest thereon from the respective dates of such expenditures to the date of such bonds, at the rate of five percent per annum. Such bonds shall mature in not less than 10, nor more than 20, years and bear interest at not more than six percent per annum, payable semiannually, and shall be sold conformably to section 475.60. Such county board is hereby authorized to issue and sell such bonds without regard to the county's net indebtedness. The State of Minnesota hereby agrees to pay out of the trunk highway fund, and only out of that fund, the principal of such bonds at their maturity. When such bonds shall have been so issued it shall be the duty of the county board so issuing these bonds to certify to the commissioner of highways full data concerning such bonds, on blanks to be prepared and furnished by him, setting forth the dates of issue and sale, the date of maturity, the amount, the rate of interest, and such other facts as may be required by him. The State of Minnesota hereby agrees to reimburse such counties for all interest accruing on these bonds, but if the rate of interest on the bonds exceeds five percent per annum, such reimbursement shall be computed on the basis of five percent per annum, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of the bonds. Thereupon the county auditor shall certify to the commissioner of highways, on blanks to be prepared and furnished by him, complete data showing that the county is entitled to

the reimbursement of interest, as herein provided. These interest certificates shall be filed in the office of the commissioner of highways, be numbered in the order of such filing, and be paid in the order of such filing out of that portion of the trunk highway fund set aside for the payment of interest and for refundment purposes. Interest shall not be allowed or paid on such interest certificates. The proceeds derived from the issuance and sale of such bonds shall be placed in the fund of the county out of which the original expenditure was made, but shall first be applied to the payment of any outstanding unpaid warrants referred to in this paragraph and paragraph (6) and issued or to be issued for so permanently improving roads. No bonds shall be issued or sold by any county under the provisions of this section until the commissioner of highways shall have certified that the bonds are such as will be paid by the state at their maturity.

(3) To the extent that moneys derived from taxes shall have been by any county so expended, and thereafter funding or refunding bonds shall have been issued by such county to pay warrants covering such expenditures, the State of Minnesota hereby agrees to pay out of the trunk highway fund, and only out of that fund, the principal of such funding or refunding bonds at maturity, and it shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the commissioner of highways, on or before August 1, 1921, full data concerning such bonds, on blanks to be prepared and furnished by him, setting forth the dates of issue and sale, the date of maturity, the amount, the rate of interest, and such other data as may be required by him. The State of Minnesota hereby agrees to reimburse such counties for all interest accruing on these bonds subsequent to February 1, 1919, and paid by such counties, and for all interest hereafter to accrue thereon, but if the rate of interest on the bonds exceeds five percent per annum, such reimbursement shall be computed on the basis of five percent instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of the bonds. Thereupon the county auditor shall certify to the commissioner of highways, on blanks to be prepared and furnished by him, complete data showing that the county is entitled to the reimbursement herein provided. These interest certificates shall be filed in the office of the commissioner of highways, be numbered in order of such filing, and paid in the order of such filing out of the portion of the trunk highway fund set aside for the payment of interest and refundment purposes. Interest shall not be allowed or paid on such interest certificates. The moneys so paid to any county shall be credited

to the fund out of which such principal or interest was paid by such county.

(4) To the extent that the proceeds derived from the issuance and sale of bonds heretofore authorized prior to January 1, 1921, by any counties under any law of this state shall be hereafter so expended under the direction, approval, and supervision of the commissioner of highways upon contracts made by any county with his express approval, the State of Minnesota agrees to pay out of the trunk highway fund, and only out of that fund, the principal of such bonds, at maturity. It shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the commissioner of highways, within six months after these proceeds shall have been so expended, full data concerning such bonds, on blanks to be prepared and furnished by him, setting forth the dates of issue and sale, the date of maturity, the amount, the rate of interest, and such other facts as may be required by him. The State of Minnesota hereby agrees to reimburse such counties for all interest accruing on such bonds and paid by such counties, but if the rate of interest on such bonds exceeds five per cent per annum, such reimbursement shall be computed on the basis of five percent per annum, instead of the actual rate. It shall be the duty of the counties to pay such interest in the first instance and in accordance with the terms of the bonds. Thereupon the county auditor shall certify to the commissioner of highways, on blanks to be prepared and furnished by him, complete data showing that the county is entitled to the reimbursement herein provided. These interest certificates shall be filed in the office of the commissioner of highways, be numbered in the order of such filing, and be paid in the order of such filing out of the portion of the trunk highway fund set aside for the payment of interest and refundment purposes. Interest shall not be allowed or paid on such interest certificates. The moneys so paid to any county shall be credited to the fund out of which such principal or interest was paid by such county. The total amount of bonds for which the State of Minnesota shall be liable for reimbursement under the provisions of paragraph (4) on contracts not yet entered into shall not exceed the sum of \$9,000,000.

(5) To the extent that the proceeds of any bonds hereafter issued and sold by any county under the provisions of any existing law shall be so expended for the purpose of completing only under the direction and supervision of the commissioner of highways the permanent improvement of such portion of any trunk highway heretofore partially improved by such county for the expenditure on which as already made

by such county it shall be entitled to reimbursement under the provisions of sections 167.01 and 167.02, the State of Minnesota hereby agrees to pay out of the trunk highway fund, and only out of that fund, the principal of such bonds, provided that none of such bonds shall mature in less than 5, nor more than 20, years from the date of issue.

It shall be the duty of the county boards of the counties availing themselves of the provisions hereof to certify to the commissioner of highways, within six months after the completion of any such work, full data concerning such bonds, on blanks to be prepared and furnished by him, setting forth the dates of issue and sale, the date of maturity, the amount, the rate of interest, and such other facts as may be required by him.

The moneys paid to all counties hereunder shall be credited to the fund out of which such principal was paid by any such county.

(6) Moneys actually paid out by any counties in so permanently improving roads subsequent to February 1, 1919, but in accordance with the terms and provisions of contracts dated prior to February 1, 1919, shall not for the purposes of sections 167.01 and 167.02 be regarded as moneys expended by such counties, except in so far as the commissioner of highways shall specifically so order in the interest of the highway system. Moneys hereafter to be paid out by any counties in accordance with the terms and provisions of contracts heretofore, but subsequent to February 1, 1919, entered into by such counties for so permanently improving roads shall be regarded as moneys heretofore expended within the meaning of sections 167.01 and 167.02.

(7) The foregoing provisions shall not include reimbursement for any moneys so expended by any counties derived from federal aid.

(8) The moneys paid out by any county to any town, borough, village, or city, in reimbursing such town, borough, village, or city for so permanently improving roads, or any part thereof, described in the Constitution of the State of Minnesota, Article 16, heretofore and subsequent to February 1, 1919, shall be regarded and dealt with as moneys expended by such county in permanently improving roads, or any part thereof; provided, such work shall have been done in accordance with plans and specifications approved by the commissioner of highways. Before any payment shall be made by any county to any such town, borough, village, or city, the plans and specifications for such work, the work done and the

contract price paid therefor, shall be first approved by the commissioner of highways, by order made and filed in his office, a certified copy of which order shall be filed with the auditor of any such county. Thereafter the county board of any such county shall authorize the county auditor to issue his warrant on the road and bridge fund of such county, in the amount so approved by the commissioner of highways, to such town, borough, village, or city. Any such warrants paid, or warrants so issued and not paid for lack of funds, may be funded or refunded by such county in the manner provided *herein for the funding and refunding of moneys expended by such county derived from taxes or other funds.*

(9) When the words "permanently improving" are used in sections 167.01 and 167.02 they shall be construed to mean permanently improving any road described in the Constitution of the State of Minnesota, Article 16, in accordance with plans and specifications therefor approved by the commissioner of highways.

Approved April 10, 1954.

CHAPTER 361—S. F. No. 812

An act relating to the powers of the state board of health, authorizing the board to make regulations relating to atmospheric pollution control, ionizing radiation control and the handling and use of radioactive isotopes and fissionable materials; amending Minnesota Statutes 1953, Section 144.12.

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

Section 1. Minnesota Statutes 1953, Section 144.12, is amended to read:

144.12. **Regulations, Enforcement.** The board may adopt, alter, and enforce reasonable regulations of permanent application throughout the whole or any portion of the state, or for specified periods in parts thereof, for the preservation of the public health. Upon the approval of the attorney general and the due publication thereof, such regulations shall have the force of law, except insofar as they may conflict with a statute or with the charter or ordinance of a city of the first class upon the same subject. In and by the same the board may control, by requiring the taking out of licenses or permits, or by other appropriate means, any of the following matters:

(1) The manufacture into articles of commerce, other than food, of diseased, tainted, or decayed animal or vegetable matter;