

CHAPTER 808—H. F. No. 908

[Coded]

An act relating to the purchase, acceptance and distribution of surplus property sold or made available by the federal government; appropriating money therefor; repealing Laws 1955, Chapters 675 and 754.

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

Section 1. [16.061] **Definitions.** Subdivision 1. For the purposes of this chapter, unless the context clearly indicates otherwise, the words, terms and phrases defined in this section shall have the meanings ascribed to them.

Subd. 2. The commissioner means the commissioner of administration who is the state agency designated herein to purchase, accept, and distribute surplus property made available by the federal government.

Subd. 3. Surplus property means commodities, equipment, materials, supplies, books, printed matter, and other property made available by the federal government to a governmental or non-profit organization.

Subd. 4. Governmental or non-profit organization means the State of Minnesota, its departments, agencies, political subdivisions, and other instrumentalities thereof, and any non-profit and tax-exempt medical institution, hospital, clinic, health center, school, school system, college, university, or other institution organized and existing for any purpose authorized by federal law to accept surplus property.

Sec. 2. [16.062] **Commissioner of administration may handle federal surplus property.** [Subdivision 1.] The commissioner is designated as the state agency to purchase, accept, and distribute surplus property made available by the federal government or any department or agency thereof to a governmental or non-profit organization for any purpose authorized by federal law and in accordance with any rules and regulations promulgated thereunder.

Sec. 3. [Subd. 2.] The commissioner may purchase or accept surplus property for the State of Minnesota and may purchase or accept surplus property for the benefit of any other governmental or non-profit organization. And any such governmental or non-profit organization may designate the commissioner to purchase or accept surplus property for it upon such terms and conditions as may be mutually agreed upon.

Sec. 4. [16.063] Surplus property revolving fund. In order to enable the commissioner to pay for surplus property received from the federal government for any governmental or non-profit organization, including the expenses of accepting and distributing such property, there is hereby created a surplus property revolving fund. Any moneys paid into said surplus property revolving fund are hereby appropriated to the commissioner for the purposes of this act.

Sec. 5. [16.064] Surplus property; storage transfer, reimbursement of revolving fund. Subdivision 1. The commissioner may store surplus property until needed and any expenses incurred in connection therewith shall be paid from the surplus property revolving fund.

Subd. 2. Whenever the State of Minnesota or any of its departments or agencies operating pursuant to a legislative appropriation obtain surplus property from the commissioner the state auditor upon request of the commissioner shall transfer the cost thereof, including any expenses of accepting and distributing such property, from the appropriation of the state department or agency receiving the surplus property to the surplus property revolving fund. The determination of the commissioner as to the cost of such surplus property to the state department or agency receiving the same shall be final.

Subd. 3. Whenever any governmental or non-profit organization other than a state department or agency receives surplus property from the commissioner, such governmental or non-profit organization shall reimburse the surplus property revolving fund for the cost thereof, including the expenses of accepting and distributing the same, in such amount as the commissioner may determine. The commissioner may, however, require such governmental or non-profit organization to deposit in advance in the surplus property revolving fund moneys covering the cost of such surplus property and upon such terms and conditions as may be mutually agreed upon.

Sec. 6. [16.065] Delegation of duties by commissioner. The commissioner may delegate duties imposed upon him by this act to the head of any state department or agency and to any of his subordinates. Such duties, if delegated, are to be exercised in the name of the commissioner and under his supervision and control.

Sec. 7. [16.066] Powers additional. This act is in addition to the powers now imposed upon or vested in state officers or departments and relating to their transactions with the federal government or any of its agencies.

Sec. 8. **Repealer.** Laws 1955, Chapters 675 and 754 are hereby repealed.

Approved April 27, 1957.

CHAPTER 809—H. F. No. 1031

[Not Coded]

An act proposing an amendment to the constitution of Minnesota relating to local government and revising and consolidating the provisions therefor; amending Article XI and Article IV, Section 33, and repealing Article IV, Section 36.
Be it enacted by the Legislature of the State of Minnesota:

Section 1. An amendment of the Constitution of the State of Minnesota revising and consolidating the provisions relating to local government is proposed to the people of the state for their approval or rejection, which, if adopted, amends Article XI, amends Article IV, Section 33, to remove inconsistent provisions, and repeals Article IV, Section 36. The proposed amendment revises Article XI and Article IV, Section 33, to read as follows:

ARTICLE XI

Section 1. The legislature may provide by law for the creation, organization, administration, consolidation, division, and dissolution of local government units and their functions, for the change of boundaries thereof, for their officers, including qualifications for office, both elective and appointive, and for the transfer of county seats. No county boundary shall be changed or county seat transferred until approved by a majority of the voters of each county affected voting thereon.

Sec. 2. Every law which upon its effective date applies to a single local government unit or to a group of such units in a single county or a number of contiguous counties is a special law and shall name the unit or, in the latter case, the counties, to which it applies. The legislature may enact special laws relating to local government units, but a special law, unless otherwise provided by general law, shall become effective only after its approval by the affected unit expressed through the voters or the governing body and by such majority as the legislature may direct. Any special law may be modified or superseded by a later home rule charter or amendment applicable to the same local government unit, but this does not prevent the adoption of subsequent laws on the same subject.