

*the county of Hennepin.*

Sec. 4. *Extra Session Laws 1959, Chapter 10, Section 3, is hereby repealed.*

Sec. 5. *If any section or provision of this act shall be held to be invalid for any reason the balance of the act shall remain in full force and effect.*

Sec. 6. *Section 3 shall expire July 1, 1963.*

Approved May 26, 1961.

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### EXTRA SESSION

#### CHAPTER 39—S. F. No. 64

[Coded in Part]

*An act relating to metropolitan area planning and development commissions, including the twin cities metropolitan planning commission, providing for designation of depositories and issuance of tax anticipation certificates; and amending Minnesota Statutes 1957, Section 473.03, Subdivision 1, as to composition of the commission.*

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

Section 1. Minnesota Statutes 1957, Section 473.03, Subdivision 1, is amended to read:

Subdivision 1. **Metropolitan area planning and development commissions.** There is hereby established in each metropolitan area a regional planning and development commission consisting of the following members:

(1) Two members representing each central city in the area. One shall be the mayor or a representative appointed by him and one shall be a member of the governing body or some other resident of the city appointed in either case by the governing body.

(2) ~~Seven members representing cities and villages in the metropolitan area other than central cities. There shall be one such member for each full 50,000 of population in such municipalities, according to the last census, either decennial or special taken by the federal bureau of the census; or, in the case of a newly incorporated city or village, according to the~~

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~~incorporation census.~~ No more than two such members shall reside in any one county. Such members shall be officials or other residents of such municipalities and shall be appointed by a majority vote of the mayors of such municipalities voting at a joint meeting, or adjourned meeting, called on at least ten days mailed notice by the mayor of the most populous of such municipalities. The number of such members shall be increased or decreased only when terms of incumbent members expire, except that if the number of members to which such municipalities are entitled is increased by the expansion of the metropolitan area under subdivision 4 of this section, the members of the commission chosen under this clause shall appoint the required number of such additional members for a term expiring at the time when the terms of other such members expire.

(3) One member to represent each county in the area. He shall be a member of the board of county commissioners or some other resident of the county appointed in either case by the county board.

(4) One member to represent the school districts in the area, including special districts. He shall be a school board member or other resident of the area appointed by a majority vote of the chairmen of the boards of such districts voting at a joint meeting, or adjourned meeting, called on at least ten days mailed notice by the chairman of the board of the most populous of such districts.

(5) Two members to represent the towns in the area. Each shall be a member of the board of supervisors or other resident of a town in the area and shall be appointed by a majority vote of the chairmen of the boards of supervisors of such towns voting at a joint meeting, or adjourned meeting, called on at least ten days mailed notice by the chairman of the board of the most populous of such towns.

(6) One member for each public corporation created by law to perform a service within two or more cities, villages, or towns in the metropolitan area. He shall be appointed by the governing body of the corporation from its own membership, or from persons residing in the territory under the jurisdiction of the corporation.

(7) Seven members representative of private citizens and groups interested in regional planning and development. They shall be appointed by the governor from residents of the metropolitan area who hold no public office other than

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that of notary public. At least four of the members so appointed shall be residents of the central cities, and not more than four shall be members of the same political party.

**Sec. 2. [473.10] Depositories.** *The commission shall from time to time designate one or more national or state banks, or trust companies authorized to do a banking business, as official depositories for money of the commission, and thereupon shall require the treasurer to deposit all or part of such money in such bank or banks. Such designation shall be in writing and set forth all the terms and conditions upon which the deposits are made, and shall be signed by the chairman and secretary, and made a part of the minutes of the commission. Any bank or trust company so designated shall qualify as a depository by furnishing a corporate surety bond or collateral as required by Minnesota Statutes 1957, Section 118.01, and shall thereafter, as long as money of the commission is on deposit therein, maintain such bond or collateral in the amounts required by said section. However, no bond or collateral shall be required to secure any deposit, in so far as it is insured under federal law, as provided in Minnesota Statutes 1957, Section 118.10.*

**Sec. 3. [473.11] Borrowing money; certificates of indebtedness.** *Subdivision 1. At any time after a tax has been levied by the commission and certified to the county auditors to be spread on the next tax roll for collection, the commission may borrow money and in evidence thereof issue and sell its certificates of indebtedness in anticipation of the collection of such levy.*

*Subd. 2. The aggregate principal amount of such certificates then remaining outstanding, issued in anticipation of any levies whatsoever, plus the then unpaid accrued interest and interest to accrue to maturity on all such certificates, shall not exceed 50 percent of all taxes certified to the county auditors to be spread and collected which are not delinquent, less the amount thereof received by the commission before the latest certificates were issued.*

*Subd. 3. All certificates shall mature not later than April 1 following the close of the year of collection of the taxes in anticipation of which they were issued, and may be made subject to redemption before maturity.*

*Subd. 4. The commission shall, by the resolution authorizing each issue of certificates, fix the amount, date, maturity, or maturities, prepayment provisions, form, denomina-*

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tions, interest rate or rates, and other details of the certificates, and also pledge the full faith and credit of the commission for the payment thereof. In and by such resolution, the commission shall also irrevocably appropriate to a special fund such amount, stated in dollars, of the levy anticipated as will be required to pay the principal of and interest on the certificates when due.

*Subd. 5. If, due to delinquencies in collection thereof, the levy is not received at the times and in the amounts sufficient to meet principal of and interest on certificates payable therefrom, the commission may levy and cause to be extended, assessed and collected upon all taxable property within the metropolitan area, such ad valorem taxes as may be required to pay such principal and interest and to restore to other funds advances made for that purpose.*

*Subd. 6. All such certificates may be negotiated and sold in such manner as may be determined by the commission.*

*Sec. 4. This act, by virtue of the provisions of Minnesota Statutes 1957, Sections 473.02 and 473.03, will apply on its effective date to a single local government unit, viz., the Twin Cities Metropolitan Planning Commission; wherefore this act shall become effective only after its approval by resolution duly adopted by the favorable vote of a majority of all the commissioners constituting the members and governing body of said unit, and upon compliance with the provisions of Laws 1959, Chapter 368.*

*Sec. 5. If section 4 of this act shall be held unconstitutional or invalid for any reason by a court of competent jurisdiction, a decision by such court so holding shall not affect the validity of the remaining sections of this act, namely, sections 1, 2, or 3; and to that end sections 1, 2, 3, and 4 of this act are hereby declared to be severable, and it is hereby further declared that this act would have been passed irrespective of a decision by such a court declaring section 4 unconstitutional or invalid for some other reason.*

Approved May 26, 1961.

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