

CHAPTER 90—S.F.No.623

An act relating to the attorney general; appearance of the attorney general in court proceedings; amending Minnesota Statutes 1971, Section 8.01.

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

Section 1. Minnesota Statutes 1971, Section 8.01, is amended to read:

8.01 ATTORNEY GENERAL; APPEARANCE. The attorney general shall appear for the state in all causes in the supreme and federal courts wherein the state is directly interested; also in all civil causes of like nature in ~~the district~~ all other courts of the state whenever, in his opinion, the interests of the state require it. Upon request of the county attorney he shall appear in ~~the district~~ court in such criminal cases as he shall deem proper. Whenever the governor shall so request, in writing, he shall prosecute any person charged with an indictable offense; and in all such cases he may attend upon the grand jury and exercise the powers of a county attorney.

Approved April 12, 1973.

 CHAPTER 91—S.F.No.787

[Not Coded]

An act relating to the city of Hastings; authorizing it to contract with the United States for the control of flood, to acquire property for such purposes, to issue bonds to pay the city's share of the costs, and to assess all or a portion of the city's share of the cost to benefitted property.

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

Section 1. **HASTINGS, CITY OF; FLOOD CONTROL.** With the approval of the department of natural resources, the city of Hastings in Dakota county may enter into an agreement with the United States, through its secretary of the army or other authorized officer, for the improvement of the Vermillion river at and in the vicinity of said city for flood control, by the construction of by-pass channel and appurtenant works. Said city is authorized to:

Changes or additions indicated by underline, deletions by ~~strikeout~~.

(a) Provide without cost to the United States all land, easements, and rights-of-way necessary for the construction of the project;

(b) Hold and save the United States free from damages due to the construction works;

(c) Maintain and operate all the works after completion in accordance with regulations prescribed by the secretary of the army;

(d) Make at the city's own expense all necessary changes to utilities, highways, and highway bridges including approaches;

(e) Prescribe and enforce regulations for prevention of encroachment on ponding areas and on the improved river channel; and

(f) Assess all or a portion of the city's share of the costs to benefitted property pursuant to statutory special assessment procedures.

Sec. 2. ACQUISITION. Said city may acquire by purchase, gift, devise or condemnation all lands, easements and rights-of-way, either within or without its corporate limits, deemed necessary by the common council of said city for such improvement for flood control. In acquiring property for such purposes by exercising the power of eminent domain, the city may proceed under Minnesota Statutes, Chapter 117, and may at any time after the filing of the report of the commissioners, take possession of said lands, and may commence construction and improvement thereof.

Sec. 3. BONDS. Said city may issue its general obligation bonds, payable from general ad valorem taxes levied on all taxable property in the city, for the purpose of financing its share of the cost of such flood control improvement under such agreement, may assess all or a portion of the cost thereof to benefitted property pursuant to special assessment procedures, and may also expend any money of the city for such purpose. The issuance of such bonds shall be authorized and issued in accordance with the laws of the state of Minnesota and the charter of the city of Hastings. Such bonds shall not be included in the "net debt" of the city for the purpose of any limitations thereon set forth in Minnesota Statutes, Chapter 475.

Sec. 4. EFFECTIVE DATE. This act shall become effective only after it has been approved by a resolution adopted by the favorable vote of a majority of the members of the common council of the city of Hastings and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved April 12, 1973.

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