
CHAPTER 286—S.F.No.1113

[Coded in Part]

An act relating to public safety; providing safety devices on certain equipment; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [219.753] PUBLIC SAFETY; CRANES OPERATING ON RAILROAD TRACK; ELECTRICAL LINE DETECTORS; PENALTY. A crawler crane, a locomotive crane or a truck crane, as defined in the definitions of occupational safety and health administration standards of the United States department of labor, which operates upon a railroad track, with a boom which extends 12 feet or more vertically above the ground or the rails must be equipped with a warning device able to detect any electrical line which comes within 15 feet of the boom. When an electrical line is detected, no person is required to operate the crane unless the electricity is shut off or the electrical line is rerouted in a manner to prevent contact with the machine. Violation of this section by any person or corporation is a misdemeanor.

Sec. 2. A railroad company operating a crane specified in section 1 shall be deemed to be in compliance with the provisions of section 1 if by October 1, 1975 it has one-third of its specified cranes equipped with a warning device as required in section 1; and, if by October 1, 1976, an additional one-third of said cranes shall be so equipped; and, if by October 1, 1977, the remainder of said cranes shall be so equipped.

Sec. 3. This act is effective commencing July 1, 1975.

Approved June 2, 1975.

CHAPTER 287—S.F.No.1119

[Not Coded]

An act relating to the city of Alexandria, the towns of Alexandria, Carlos, Hudson and LaGrand in the county of Douglas, and the Alexandria lake area sanitary district; authorizing formation of certain service regions; providing certain procedures for allocating costs; amending Laws 1971, Chapter 869, Sections 2, by adding a subdivision; 9, Subdivision 1, and by adding a subdivision; 10, Subdivision 3, and by adding subdivisions; and 18, Subdivisions 4, and 6, as amended, and by adding a subdivision; repealing Laws 1971, Chapter 869, Section 9, Subdivisions 2, 3, 4, and 5.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1971, Chapter 869, Section 2, is amended by adding a subdivision to read:

Subd. 17. ALEXANDRIA, CITY OF; LAKE AREA; SANITARY SEWERS. "Agricultural property" means land as is classified agricultural land within the meaning of Minnesota Statutes, Section 273.13, Subdivision 6.

Sec. 2. Laws 1971, Chapter 869, Section 9, Subdivision 1, is amended to read:

Sec. 9. **ALLOCATION OF COSTS.** Subdivision 1. **DEFINITION OF CURRENT COSTS.** The estimated cost of administration, operation, maintenance and debt service of the district disposal system to be paid by the board in each fiscal year and the estimated costs of acquisition and betterment of the system which are to be paid during the year from funds other than state or federal grants and bond proceeds and all other previously unallocated payments made by the board pursuant to this act to be allocated in such year are referred to as current costs and shall be allocated by the board to the local government units as hereinafter provided in the budget for such year. If two or more government units form a service region in accordance with section 8 of this act, all or a part of the current costs attributable to the service region shall at the request of its joint board be allocated to the service region as provided in the agreement establishing the region.

Sec. 3. Laws 1971, Chapter 869, Section 9, is amended by adding a subdivision to read:

Subd. 2a. METHOD OF ALLOCATION OF CURRENT COSTS. All current costs shall be allocated to local government units in the district on an equitable basis as the board may from time to time determine by resolution to be fair and reasonable and in the best interests of the district. In making the allocation the board may provide for the deferment of payment of all or part of current costs, the reallocation of deferred costs and the reimbursement of reallocated deferred costs on an equitable basis as the board may from time to time determine by resolution to be fair and reasonable and in the best interests of the district. The adoption or revision of a method of allocation, deferment, reallocation or reimbursement used by the board shall be made by the affirmative vote of at least two-thirds of the members of the board.

Sec. 4. Laws 1971, Chapter 869, Section 10, Subdivision 3, is amended to read:

Subd. 3. GENERAL POWERS OF GOVERNMENT UNITS; LOCAL TAX LEVIES. To accomplish any duty imposed on it by the board, the governing body of every government unit may, in addition to the pow-

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ers granted in this act and in any other law or charter, exercise the powers granted any municipality by Minnesota Statutes, Chapters 117, 412, 429, 475, Sections 115.46, 444.075 and 471.59 with respect to the area of the government unit located in the district. In addition thereto, the governing body of every government unit located in whole or part in the district may levy taxes upon all taxable property in that part of the government unit located in the district for all or a part of the amount payable to the board, but if the levy is for only part of the amounts payable to the board, the governing body of the government unit may levy additional taxes on the entire assessed valuation of all taxable property for all or a part of the balance remaining payable. The taxes levied under this subdivision shall ~~to~~ be assessed and extended as a tax upon such taxable property by the county auditor for the next calendar year, free from any limitation of rate or amount imposed by law or charter. ~~Such~~ The tax shall be collected and remitted in the same manner as other general taxes of the government unit.

Sec. 5. Laws 1971, Chapter 869, Section 10, is amended by adding a subdivision to read:

Subd. 3a. In lieu of levying taxes on all taxable property pursuant to subdivision 3, the governing body of the government unit may elect to levy taxes upon the assessed valuation of all taxable property, except agricultural property, and upon only 25 percent of the assessed valuation of all agricultural property, in that part of the government unit located in the district for all or a part of the amounts payable to the board. If the levy is for only part of the amounts payable to the board, the governing body may levy additional taxes on the entire assessed valuation of all such property, including agricultural property, for all or a part of the balance of such amounts. The taxes shall be assessed and extended as a tax upon such taxable property by the county auditor for the next calendar year, free from any limitation of rate or amount imposed by law or charter, and shall be collected and remitted in the same manner as other general taxes of the government unit. In computing the mill rate pursuant to this subdivision the county auditor shall include only 25 percent of the assessed valuation of all taxable agricultural property and 100 percent of the assessed valuation of all other taxable property in that part of the government unit located within the district, and in spreading the levy he shall apply the mill rate upon the same percentages of agricultural and non-agricultural taxable property. If the government unit elects to levy taxes under this subdivision and any of the taxable agricultural property is reclassified so as to no longer qualify as agricultural property, it shall be subject to additional taxes. The additional taxes shall be in an amount which, together with any such additional taxes previously levied and the estimated collection of additional taxes subsequently levied on any other such reclassified property, is determined by the governing body of the government unit to be at least sufficient to reimburse each other government unit for any excess current costs reallocated to it as a result of the board deferring any current costs under Laws 1971, Chapter 869, Section 9, as amended, on account of the difference be-

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tween the amount of such current costs initially allocated to each government unit based on the total assessed valuation of all taxable property in the district and the amount of such current costs reallocated to each government unit based on 25 percent of the assessed valuation of agricultural property and 100 percent of the assessed valuation of all other taxable property in the district. Any reimbursement shall be made on terms which the board determines to be just and reasonable. These additional taxes may be levied in any greater amount as the governing body of the government unit determines to be appropriate, provided that in no event shall the total amount of the additional taxes exceed (1) the difference between (a) the total amount of taxes which would have been levied upon such reclassified property to help pay current costs charged in each year to the government unit by the board if (i) that portion of such costs, if any, initially allocated by the board solely on the basis of 100 percent of the assessed valuation of all taxable property in the district and then reallocated on the basis of inclusion of only 25 percent of the assessed valuation of agricultural property in the district had not been reallocated and if (ii) the amount of taxes levied by the government unit each year under this subdivision to pay current costs had been based on such initial allocation and had been imposed upon 100 percent of the assessed valuation of all taxable property, including agricultural property, in that part of the government unit located in the district, and (b) the amount of taxes theretofore levied each year under this subdivision upon such reclassified property, plus (2) interest on the cumulative amount of such difference accruing each year at the approximate average annual rate borne by bonds issued by the board and outstanding at the beginning of such year or, if no bonds are then outstanding, at such rate of interest which may be determined by the board, but not exceeding the maximum rate of interest which may then be paid on bonds issued by the board. The additional taxes shall be a lien upon the reclassified property assessed in the same manner and for the same duration as all other ad valorem taxes levied upon the property. The additional taxes shall be extended against the reclassified property on the tax list for the current year, provided however that no penalties or additional interest shall be levied on such additional taxes if timely paid, and shall be collected and remitted in the same manner as other general taxes of the government unit.

Sec. 6. Laws 1971, Chapter 869, Section 10, is amended by adding a subdivision to read:

Subd. 3b. Any ad valorem taxes levied under Laws 1971, Chapter 869, Section 10, Subdivision 3 or Section 5 of this act by the governing body of a government unit to pay any sums charged to it by the board under Laws 1971, Chapter 869 or this act shall be considered special levies within the meaning of Minnesota Statutes, Section 275.50, Subdivision 5.

Sec. 7. Laws 1971, Chapter 869, Section 18, Subdivision 4, is amended to read:

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Subd. 4. ALLOCATION OF CURRENT COSTS. All current costs attributable to responsibilities assumed by the board over local sanitary sewer facilities and water and street facilities as provided in this section shall be allocated solely to the local unit for or with whom such responsibilities are assumed on such terms and over such period as the board determines to be equitable and in the best interests of the district, provided that if two or more government units form a region in accordance with section 8 of this act all or part of such current costs attributable to the region shall at the request of its joint board be allocated to the region as provided in the agreement establishing the region.

Sec. 8. Laws 1971, Chapter 869, Section 18, is amended by adding a subdivision to read:

Subd. 5a. JOINT ACTION. The legislature determines that the purpose and policies of Laws 1971, Chapter 869, as amended, can best be achieved by joint action of local units of government through either the formation of a service region or execution of a joint powers agreement as provided in this subdivision. Two or more government units, in addition to and not in substitution for any other power granted to them by law, may by agreement elect to either form a service region or enter into a joint powers agreement for the purposes set forth in this subdivision upon determination by resolution of the governing bodies of the government units that the course of action will be mutually beneficial to the participating government units. If the government units elect to form a service region, the region shall be governed by a joint board on which each participating government unit shall be equally represented by one or more members of its governing body. The number of members on the board shall be determined by the participating units in the agreement. A service region may be formed pursuant to this subdivision only for the purpose of assuming and thereby relieving the local government units of all or some of their responsibilities as set forth in Laws 1971, Chapter 869, or this act. The agreement shall specify the responsibilities to be delegated to the region, and for such limited purpose the region shall be deemed a public corporation and political subdivision of the state and a government unit within the meaning of Laws 1971, Chapter 869, Section 2, Subdivision 5, and both the service region and the joint board shall have the powers and duties accorded a government unit and its governing body under Laws 1971, Chapter 869, as amended, or any other law incidental to carrying out the responsibilities delegated to the service region under the agreement forming the service region, including but not limited to the power to levy taxes upon all taxable property within the service region, to levy special assessments, to impose utility charges, and to issue general obligation bonds and certificates of indebtedness of the service region, supported by an irrevocable pledge of its power to tax property, without limitation of rate or amount and without affecting the amount of the debt to be incurred or the taxes to be levied by any government unit, except that no action taken by the joint board on behalf of the service region to incur any indebtedness, enter into any contract, levy

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any taxes, levy special assessments or impose any utility charge, other than action which the joint board is previously obligated by law or contract to take, shall be effective until the governing bodies of each government unit concurs in the action. The participating government units shall be secondarily but not primarily, and jointly but not severally, liable for indebtedness and other contractual obligations incurred by the service region. The boundaries of the service region shall be coextensive with the boundaries of that part of the participating government units which are located within the boundaries of the region. The duration of the service region may be continued until dissolved as provided in the agreement, provided that the service region may not be dissolved until all outstanding indebtedness of the service region has been duly discharged. The agreement shall also provide for disposition of any property acquired by the region, and the return of any surplus funds to the government units in the event of dissolution of the service region. The formation of the service region shall not be effective until a copy of the agreement is filed in the office of the secretary of state and the office of the county auditor of each county in which the region is located. If the government units elect to enter into a joint powers agreement, the provisions of Minnesota Statutes, Section 471.59 shall apply.

Sec. 9. Laws 1971, Chapter 869, Section 18, Subdivision 6, as amended by Laws 1973, Chapter 632, Section 7, is amended to read:

Subd. 6. **LOCAL POWERS.** Any local government unit or service region may assume ~~either alone by itself, jointly with a service region or one or more other local government units,~~ or jointly with the board all or any part of the responsibility ~~of the given to the local government unit described in or service region by subdivisions 1, 2 and, 3, or by section 8 of this act~~ and may exercise the powers granted any municipality by Minnesota Statutes, Chapters 117, 412, 429, 475, Sections 115.46, 444.075, and 471.59, except as qualified in section 8 of this act, in order to perform all acts and things required for the purpose of exercising such responsibility, whether or not included in the powers otherwise granted to such local government unit or service region by this act ~~Laws 1971, Chapter 869, as amended,~~ or any other law or charter, including but not limited to the power to levy taxes as provided in section 10 of this act.

Sec. 10. The city of Alexandria, the townships of Alexandria, Carlos, Hudson and LaGrand and the sanitary sewer board of the Alexandria Lake Area Sanitary District in the county of Douglas are affected by this act.

Sec. 11. Laws 1971, Chapter 869, Section 9, Subdivisions 2, 3, 4 and 5 are repealed.

Sec. 12. This act is effective without local approval on the day following its final enactment.

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Approved June 2, 1975.

CHAPTER 288—S.F.No.1168

[Coded in Part]

An act relating to certain political subdivisions; authorizing the governing bodies of cities and counties to advance expense money; amending Minnesota Statutes 1974, Section 471.96, Subdivision 1; and Chapter 471, by adding a section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 471.96, Subdivision 1, is amended to read:

471.96 CITIES AND COUNTIES; EXPENSE MONEY; MEMBERSHIP IN STATE AND NATIONAL ASSOCIATIONS. Subdivision 1. The governing bodies of cities, and counties are hereby authorized to appropriate necessary funds to provide membership of their respective municipal corporations or political subdivisions respectively in county, regional, state, and national associations of a civic, educational or governmental nature which have as their purpose the betterment and improvement of municipal governmental operations. Cities and counties are also authorized to participate through duly designated representatives in the meetings and activities of such associations, and the governing bodies of cities and counties respectively are authorized to appropriate necessary funds to defray the actual and necessary expenses of such representatives in connection therewith ; ~~which expenses may be paid only upon the presentation and allowance of a properly verified itemized claim .~~

Sec. 2. Minnesota Statutes 1974, Chapter 471, is amended by adding a section to read:

[471.97] AUTHORITY TO ADVANCE EXPENSE MONEY. The governing bodies of cities and counties may advance to any authorized person the estimated costs of traveling to and attending meetings both within and outside the state on official business, including but not limited to attending meetings under the provisions of sections 465.58 and 471.96. Every person who receives advances under this section shall present a properly verified itemized claim to the governing body promptly after the expenses are incurred. If the actual and necessary expenses of the person were more than the amount of the advance, the governing body shall reimburse the person for the difference between the advance and the actual and necessary expenses. If the advance exceeded the actual and necessary expenses, the person who received the advance shall promptly return the excess funds to the governing body, and the governing body may deduct the amount of the excess funds from any moneys which may become due to the person, including

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