

the car, in convenient places for use in case of accident. *Provided, the saw and axe above mentioned shall not be required on cars of steel construction.*

Approved April 12, 1949.

CHAPTER 393—H. F. No. 699

An act relating to the education of handicapped children; amending Minnesota Statutes 1945, Section 131.12.

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

Section 1. Minnesota Statutes 1945, Section 131.12, is amended to read:

131.12. **Special classes; crippled children.** Upon application made to *him* by any school district complying with the provisions of this section and section 128.13, *the commissioner of education* may grant permission to such district to establish and maintain within *or beyond* its limits one or more classes for the instruction of crippled children *over four years of age* who are residents of the state, and to provide for instruction in the home *or in a hospital or sanatorium* for crippled children who are not in physical condition to attend such special classes.

For the purposes of this section, any child of school age, other than one of defective hearing *or* speech is physically impaired in body or limb and so that he cannot profitably or safely be educated in the regular classes as *are* other children, *but who is mentally capable of benefiting by such training, as determined by the standards of the state board of education, is* considered crippled and *is* required to attend such classes, unless excused because of *any conditions* making attendance undesirable, or to receive such instruction in the home *or in a hospital or sanatorium.*

Approved April 12, 1949.

CHAPTER 394—H. F. No. 736

[Coded as Section 444.075]

An act relating to main sewers and sewage disposal plants, and the building, construction, reconstruction, repair, enlarge-

ment and improvement thereof in any city, except cities of the first class, operating under a home rule charter, and any village, and authorizing the issuance and sale of the bonds of any such city or village and the use of the proceeds thereof for the purposes aforesaid.

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

[444.075] **Main sewers and sewage disposal plants.**

Section 1. Subdivision 1. **Authorization.** Any city, except cities of the first class, operating under a home rule charter or any village is hereby authorized and empowered to build, construct, reconstruct, repair, enlarge and improve main sewers and sewage disposal plants. The authority hereby granted shall be in addition to all other powers with reference to sewers and sewage disposal plants otherwise granted by the laws of this state or by the charter of such city.

Sec. 2. Subd. 2. **Financing.** For the purpose of paying the cost of building, constructing, reconstructing, repairing, enlarging and improving such main sewers and sewage disposal plants, any such city or village is hereby authorized to issue and sell its negotiable promissory coupon bonds, payable serially over a period of not to exceed 30 years, and bearing interest at a rate not to exceed five per cent per annum, payable semiannually.

Sec. 3. Subd. 3. **Rates.** For the purpose of paying for the construction, maintenance or operation of such sewage disposal plants and sewer systems, the governing body of any such city or village shall have authority to impose just and equitable rates, charges or rentals for the use of such facilities and for connections therewith, in the manner prescribed by Minnesota Statutes 1945, Sec. 443.12, as amended. It may also levy assessments against property benefited by such sewage disposal plant or sewer system by the procedure authorized by law or charter with reference to other assessments for benefits of local improvements. It may transfer and use surplus funds of the city or village not specifically dedicated to any other purpose. It may levy taxes for such purposes within the limitations of Minnesota Statutes 1945, Sec. 275.11; provided that not more than 35% of the taxes levied for the construction of any sewage disposal plant or trunk line sewer system, or for the payment of bonds issued for any such project, may be levied in excess of the limitations of said section.

Sec. 4. Subd. 4. **Corporation outside of municipal limits may use.** Any such city or village is hereby authorized to permit any person, company or corporation located and doing business outside of the city or village limits to connect with the city or village sewage disposal facilities and make use of the same upon such terms and upon the payment of such fees and charges therefor as may be prescribed by the city or village, and to contract with any such person, company or corporation for the payment by such person, company or corporation of a part of the cost of construction of such sewage disposal plant, and to receive from such person, company or corporation doing business outside of the city or village limits payment in cash of such portion of the cost of the construction of such plant as may be agreed upon with the city or village and devote the money so received to the purpose of such construction. Any such person, company or corporation which may pay any part of the cost of construction of such plant in the manner aforesaid, shall thereafter have the right to use such sewage disposal plant for the disposal of his, their or its waste upon the payment of reasonable charges for the use of such facilities.

Approved April 12, 1949.

CHAPTER 395—H. F. No. 955

An act relating to services to be rendered to counties by the commissioner of highways; amending Minnesota Statutes 1945, Section 161.03, Subdivision 12.

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

Section 1. Minnesota Statutes 1945, Section 161.03, Subdivision 12, is amended to read as follows:

"Subd. 12. **Aid given to other departments.** (a) The engineers and technical assistants shall give advice, assistance, and supervision with regard to road or highway construction and improvement throughout the state as may be required and as the rules and regulations of the commissioner of highways may prescribe and render such other engineering or surveying service as may be required by the governor for any of the state departments.