

CHAPTER 122—H. F. No. 347.

13 C 122
- - 500

An Act authorizing municipalities to issue their bonds to the State of Minnesota:

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

Municipalities defined.—Section 1. The word “municipality” as used herein shall be held to mean and include the respective counties, cities, villages, boroughs, towns and school districts of the State of Minnesota.

Bonds may be sold to State.—Sec. 2.—Whenever any municipality is authorized by law to issue its bonds and borrow money thereon, the same may be issued, negotiated, sold and delivered to the State of Minnesota by conforming hereto.

Procedure.—Sec. 3. Whenever any municipality desires to issue its bonds for any purpose not now, or hereafter, requiring a vote of the electors thereof, the governing body of such municipality at any regular meeting or at any regularly called special meeting, may adopt, by majority vote, a resolution stating the authority of law under which the right is claimed to issue such bonds, the purpose for which it is proposed to issue the same, the number, the face value of each thereof, the time when each bond, to be issued thereunder, shall mature, the rate of interest the same shall bear, and direct that the same be issued to the State of Minnesota in accordance therewith. Thereupon the treasurer of such municipality shall forthwith make application to the state board of investment to purchase the same, and upon the approval of such application by the attorney general, as to form and execution, and otherwise by the state board of investment, such bonds may be issued, executed by the officers of the respective municipalities, sold to and purchased by the State of Minnesota, and shall thereupon become and be the valid obligation of the municipality issuing the same. Money obtained upon bonds issued to refund indebtedness previously existing shall be used for that purpose and no other. Whenever the state board of investment shall so request, each municipality issuing refunding bonds by virtue hereof, shall file with the state auditor the bonds or other evidence of indebtedness so refunded.

Duties of clerk.—Sec. 4. Whenever any municipality desires to issue its bonds to the State of Minnesota for any purpose

now, or hereafter requiring a vote of the electors, the governing body of such municipality may adopt, by majority vote, a resolution stating that it is expedient, in the opinion of such governing body to issue to the State of Minnesota the bonds of such municipality for the purpose or purposes therein stated, to the amount therein mentioned, to mature, to bear the rate of interest and to be of the number and amount therein set forth, or whenever a petition is filed with the clerk, or other like officer of such municipality, signed by ten or more freeholders, residents therein, stating that in the opinion of such persons signing the same it is expedient to issue to the State of Minnesota the bonds of such municipality for the purpose or purposes therein stated and to the amount therein mentioned, said clerk or other like officer shall furnish and give proper notice to said governing body which shall meet within ten days after such notice, and if the proposition contained in said petition be deemed by it expedient it shall adopt a resolution setting out the same facts as hereinbefore provided in case the initiative for such bond issue to the state is taken by said governing body; in either event the clerk or other like officer of such municipality shall submit the proposition or propositions therein contained to the electors thereof at a special election, to be held therein at a date not more than thirty days after the adoption of such resolution and shall give notice thereof by posting in three or more public places in said municipality, and in case of counties the same notice in each election precinct therein; and if there be one or more legal newspapers in said municipality, by publishing twice in not less than one such newspaper to be designated by the said clerk or other like officer, at least ten days before such election, the following notice:

“NOTICE OF SPECIAL ELECTION.

Notice is hereby given that a special election will be held in the (village, city, town, county) of (name) on the (figures) day of (month), 190.., for the purpose of voting upon the proposition of issuing to the State of Minnesota, the bonds of said municipality in the aggregate sum of \$..... (total amount), bearing interest at the rate of..... (figures) per centum per annum, the proceeds thereof to be used for the purpose of

(describing it generally, as construction of electric light plant, water works, municipal building, naming it, or bridge, as the case may be), and to be numbered and to mature as set forth in the (resolution), now on file in the office of the (clerk or other like officer.)

Dated190..."

Such notice shall be signed by the clerk or other like officer.

Special election—when held—form of ballot.—Sec. 5. Such special election may be held on a day separate, or on the day fixed for any other election, in which latter event the judges acting as such for the election then to be held shall act as the judges for said special election, but in either case a special ballot box shall be provided and the ballots cast on the proposition of issuing bonds shall be kept separate from all other ballots cast; such special election shall be by ballot and the ballot to be used thereat shall be in the following form:

BOND BALLOT.

Shall the bonds of the.....
(town, city, village, county) of (name)
be issued to the State of Minnesota in the aggregate amount
of \$..... (total amount), bearing interest
at the rate of..... (figure) per centum per annum,
the proceeds thereof to be used for the purpose of.....
..... (describing it generally, as construction
of electric light plant, water works, municipal building,
naming it, or bridge, as the case may be), and to be numbered
and to mature as set forth in the
(resolution) now on file in the office of the
(clerk or other like officer).

Yes

No

More than one proposition may be submitted at such special election, in which event each proposition contained in

such resolution or petition shall be stated separately on the notice and on the ballot and shall be voted on separately, and the wording of any proposition to be voted for, as the same appears in the notice, shall also be the wording employed to state said proposition upon the ballot. Electors desiring to vote in favor thereof shall make their cross mark, thus X, opposite the word "Yes," and electors desiring to vote against the proposition shall make their cross mark, thus, X, opposite the word "No."

Application—how made to state.—Sec. 6. The special election shall be conducted, the ballots counted and canvassed and the result certified in the manner then fixed by law, for the conduct of general elections therein, and if it appears therefrom that a majority of the electors voting thereat have voted in favor of any proposition, then submitted, to issue bonds to the state of Minnesota, the governing body of such municipality shall forthwith adopt a resolution issuing said bonds to the State of Minnesota, in accordance with the terms of such proposition and directing its treasurer or other like officer to apply to the state for a loan thereon. Such application shall be directed to the state board of investment of which the state auditor shall be clerk and shall also state the law, or laws, under which authority is claimed to issue the bonds therein mentioned.

Bonds—how issued.—Sec. 7. Upon the approval of such application by the attorney general, as to form and execution, and otherwise by said state board of investment, such governing body and the respective officers thereof shall have authority to issue, execute and deliver to the State of Minnesota the bonds of such municipality, in accordance with the vote of said electors, and said state board of investment shall have authority to purchase the same to an amount not exceeding 15 per cent of the assessed valuation of the taxable real property of such municipality, according to the last preceding assessment. Such bonds shall not run for a shorter period than five (5) years, nor for a longer period than twenty (20) years. Forthwith upon the delivery to the State of Minnesota of any bonds issued by virtue thereof, the state auditor shall certify to the respective auditors of the various counties wherein are situated the municipalities issuing the same, the number, denomination, amount, rate of interest and date of maturity of each such bond, and each county auditor shall keep a record thereof in his office in a book to be furnished him by the state auditor, at the expense of the state.

Form of ballot to be furnished.—Sec. 8. Any municipality issuing its bonds in accordance with the terms of this act shall also furnish a copy of the ballots used and such other information as may be required by the state board of investment, including a statement showing the valuation of the real and personal property situated therein at the last preceding assessment.

Blanks to be furnished by state.—Sec. 9. The various forms of petitions, resolutions, notices, ballots, applications and bonds contemplated by this act shall be printed by and at the expense of the state, from forms prepared by the attorney general, and shall be furnished by the state auditor, without cost to any municipality applying for the same.

Validity of bonds to be unquestioned.—Sec. 10. The validity of any bond issued under the terms of this act shall never be questioned except on the ground that the same and the loan made thereon was not approved by the state board of investment; that the bonds in question made the entire bonded indebtedness exceed 15 per cent of the assessed valuation of the taxable real property of the municipality issuing such bonds; that such bonds bear a lower rate of interest than 3 per cent; that such bonds run for a shorter period than five years, or for a longer period than twenty years, or that the principal thereof was never paid by the state to, or received by the officers of the municipality issuing the same; and no change of the boundary lines of any such municipality shall relieve the real property therein at the time of the issuing of such bonds from any liability for taxation to pay for the same.

Sec. 11. This act shall take effect and be in force from and after its passage.

Approved April 6, 1907.

CHAPTER 123—H. F. No. 50.

07 C 123
09 - - 29

An Act to amend Section 3335, Revised Laws, 1905, relating to conveyances of real estate by husband and wife.

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

Husband may convey real estate direct to wife or wife to husband.—Section 1. That section 3335, Revised Laws, 1905, be and the same is hereby amended to read as follows:

C 12381
132-M - 242
156-NW 150