

CHAPTER 136—H. F. No. 675.

An act authorizing cities of this state now or hereafter having a population of more than fifty thousand inhabitants, including all such cities operating under home-rule charters adopted pursuant to Section 36, Article IV of the Constitution, to construct a bridge across any natural water course forming a common boundary in whole or in part between any such cities and to issue and sell the bonds of such cities to defray the cost of constructing such bridge, and to levy taxes therefor.

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

Section 1. Cities of the first class may construct bridge jointly.—Any cities of this State, each now or hereafter having a population of more than fifty thousand inhabitants, including all such cities operating under home-rule charters adopted pursuant to Section 36, Article IV of the Constitution of the State of Minnesota, are hereby authorized to construct jointly a bridge across any natural water course forming a common boundary, in whole or in part between any such cities.

Sec. 2. Joint bridge committee authorized.—As soon as the governing body of any such cities (hereinafter called the Council) shall have determined to construct a bridge under this act, a joint bridge committee shall be organized, of which the President of the City Council or other governing body and city engineer, or chief engineering officer, of each such city, so determining to construct such bridge, and the State Highway Commissioner ex officio shall be members. The State Highway Commissioner shall be chairman, but in his absence a temporary chairman may be designated, and the city clerk of each of such cities shall attend and keep a record of the proceedings of the committee. The committee may make rules for its own procedure and meetings.

Sec. 3. Committee to prepare plans and specifications.—The committee shall prepare and adopt plans and specifications for such bridge and file duplicate copies thereof in the office of the city engineer of each such city. Such plans shall be deemed approved by the council of each such city unless disapproved within thirty days after such filing. If such plans and specifications are disapproved by either of such cities, the committee shall prepare and file amended plans and specifications until they meet with the approval of the council of each of such cities; provided that either city council, after disapproving the plans and specifications within the meaning of this act, may review its action and if upon review it approves such plans and specifications, that shall be a sufficient compliance with this act.

Sec. 4. Committee shall advertise for bids.—As soon as the plans and specifications are approved by the council of each

of such cities, the committee shall cause advertisements to be published once in each week for three successive weeks in a daily newspaper of each of such cities for public bids for the construction of the bridge, specifying the time and place for opening the bids, the amount and character of deposit required with the bids, together with any reasonable requirements or conditions, and reserving the right to reject any and all bids. No contract shall be let except to the lowest responsible bidder; provided that any such city, acting through its council, may submit a bid, and if such bid be the lowest bid, the contract shall be awarded to such city, subject to the power of the committee to reject all bids.

Sec. 5. Committee shall let contract.—The contract shall be made by the committee in the name of the cities determining to construct such bridge, and the contractor's bond shall run to each of the cities, but if one of the cities be the low bidder, and the contract be awarded to such city, the contract shall be made between it and such other city, or cities, and shall be executed on behalf of each city by its proper officers thereunto authorized by the council of the city, acting through the committee. In either case, the contract shall be countersigned by the city comptroller before the contract shall be valid for any purpose. If a city be a bidder, it shall not be required to deposit any security with its bids, and if it be awarded the contract, it shall not be required to give, any bond, but the full faith and credit of such city shall be pledged to the other city or cities for the full completion of the contract and the payment of all bills for labor and material.

Sec. 6. May employ assistants.—The committee may employ a chief draftsman, a chief inspector of works, and such other assistance as it may require.

Sec. 7. Costs to be divided.—All cost and expense incurred under this act shall be shared equally by the cities constructing such bridge and shall be paid from time to time upon requisitions authorized and made by the committee.

Sec. 8. Limitation of liability.—Neither of such cities shall incur any liability hereunder in excess of half of the cost of the construction of such bridge, and no action shall be maintained against either of such cities which shall seek to compel the payment of more than one-half of the cost of such construction by any city.

Sec. 9. Bond issues authorized.—Each of such cities constructing such bridge is hereby authorized and empowered to issue and sell certificates of indebtedness or bonds of the city to defray its portion of the cost of such bridge in an amount not to exceed \$800,000.00 without submission to a vote of the people, and the full faith and credit of such city so issuing such bonds shall be pledged to the payment of the principal and interest of

such certificates of indebtedness or bonds. Such bonds shall be in the form of serial bonds, a portion of which shall be payable each year after issuance, but none of said bonds shall run for a longer period than 30 years, and the council of the city issuing such bonds shall fix the denominations thereof and fix the dates of maturity thereof so that the amounts necessary to pay the principal of the portion of bonds maturing in such year and the interest on the bonds issued, shall be approximately the same in each of the years during which such bonds shall run. Such certificates of indebtedness or bonds shall be sold in the manner provided by Section 1856 of General Statutes of 1913. Such bonds or certificates of indebtedness shall bear interest at a rate not exceeding five per cent per annum. Such bonds shall be executed in the name of the city issuing the same, by the mayor and city clerk and countersigned by the comptroller, and the engraved signatures of such officials shall be sufficient upon coupons of such bonds. Such bonds are hereby authorized to be issued notwithstanding and in addition to and above any limits now or hereafter fixed by law upon the bonded indebtedness of such cities, and the proceeds of said bonds and interest thereon and such expenditure as may be made in excess of any provisions contained in the charter of such city limiting the cost of government.

Sec. 10. Unconstitutional part not to avoid act.—If any part of this act shall be declared unconstitutional such action shall not avoid said act.

Approved April 3, 1923.

CHAPTER 137—H. F. No. 1334.

An act authorizing the county board of any county in this state now, or hereafter, having taxable property of over three hundred million (\$300,000,000) dollars, and an area of over five thousand (5000) square miles, to appropriate and expend not more than five thousand (\$5000) dollars from the general revenue fund of said county in the purchase of a tract of land in any cemetery located in such county for the burial of deceased soldiers, sailors and marines in certain cases.

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

Section 1. County board may acquire cemetery for deceased soldiers, sailors and marines in certain cases.—The County Board of any County now, or hereafter, having taxable property of over Three Hundred Million (\$300,000,000) Dollars, and an area of over Five Thousand (5000) square miles, is hereby authorized to appropriate and expend from the General Revenue Fund of said County a sum not exceeding Five Thousand (\$5000) Dollars in