

CHAPTER 176—H. F. No. 868.

An act to authorize and empower the governing body of cities now or hereafter having a population of more than fifty thousand (50,000) inhabitants and operating under home rule charters as provided by Section 36, of Article 4, of the constitution of the State of Minnesota to issue and sell municipal bonds in the sum of \$58,000 and to use the proceeds thereof in acquiring sites, constructing and equipping plants for the destruction of garbage and other refuse.

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

Section 1. Bond issue authorized in cities of first class.—The governing body of any city of this state now or hereafter having a population of more than fifty thousand inhabitants and operating under Home Rule charters under the provisions of Section 36, Article 4, of the State constitution is hereby authorized and empowered, for the purposes herein designated, to issue, from time to time as needed, the negotiable bonds of their respective cities to an amount in the aggregate not exceeding \$58,000; said bonds to be made in such denomination and payable at such places and at such times, not exceeding thirty years from the date thereof as may be deemed best, and to bear interest at a rate not to exceed six percent per annum, payable semi-annually, with interest coupons attached, payable at such place or places as shall be designated therein, and such governing body is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor and upon the best terms that can be obtained for said bonds.

Provided that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon.

Provided that this act shall not supersede the provisions of the charter of any city providing for the referendum of ordinances passed by the governing body to a vote of the electors of the city, nor with the provisions of the charter of any city making the action of the council subject to approval of a Board of Estimate and Taxation, nor with the provisions of any such charter prescribing a particular method of authorization of such bonds.

Sec. 2. Tax levy.—The full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act, and for the payment of the current interest thereon, and said governing body of such city shall each year include in the tax levy a sufficient amount for the payment of such interest as it accrues, and for the accumulation of a sinking fund for the redemption of such bonds at their maturity.

Sec. 3. Form of bond—Manner and time of sale.—All bonds issued under authority of this act shall be sealed with the seal of the city issuing the same and signed by the mayor and attested by

the city clerk and countersigned by the city comptroller or city auditor of such city, except that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon. The sale of such bonds shall be made in such manner and in such proportions of the whole amount authorized by this act and at such times as may be determined by the said governing body of such city.

Sec. 4. Disposition of proceeds.—The proceeds of any and all bonds issued and sold under authority of this act shall be used only for the purpose of acquiring a site, constructing and equipping plants for the destruction of garbage and other refuse and the proceeds of said bonds or any thereof shall not be used for any other purpose than those hereinbefore specified.

Sec. 5. Not to affect charter provision.—Nothing herein contained shall be construed to repeal or modify the provisions of any charter adopted pursuant to Section 36, Article 4, of the Constitution of this State requiring the question of the issuance of bonds to be submitted to a vote of the electors.

Sec. 6. Powers additional.—The powers granted in this act are in addition to all existing powers of such cities.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 10, 1923.

CHAPTER 177—H. F. No. 880.

An act to amend Section 1231, General Statutes, 1913, as amended by Chapter 477, Laws of 1917, as amended by Chapter 421, Laws 1919, as amended by Chapter 451, Laws of 1921, relative to separation from villages of unplatted agricultural lands included within the corporate limits of such village in certain cases.

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

Section 1. Detachment of territory from certain villages.—That section 1231 General Statutes, 1913 as amended by Chapter 477, Laws 1917, as amended by chapter 421, Laws 1919, and Chapter 451, Laws of 1921, be and the same is hereby amended so as to read as follows:—

"1231. The owner of any unplatted tract of land containing not less than forty acres occupied and used solely for agricultural purposes, situated within the corporate limits of any village in this state and not within twenty rods of the platted portion of said village, may petition the board of county commissioners of the county in which said tract of land is situated, for an order detaching said tract from said village. Upon the filing of said petition in the office of the county auditor of said county the board of county commissioners thereof shall, at their next meeting thereafter, fix a time and place for the hearing of such petition, which time shall