

CHAPTER 177—H. F. No. 1222

An act relating to certain cemetery associations duly incorporated as public cemeteries and granting them perpetual succession.

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

Section 1. Certain cemetery associations granted perpetual successions.—In all cases where an attempt has been made in good faith by the citizens or residents of any county or counties in this state to organize a cemetery association pursuant to the laws of this state, and where articles of incorporation have been executed and filed in the office of the register of deeds of such county, prior to the first day of January, 1909, and where the period of duration has been limited and has since expired, and has not been renewed prior to such expiration, and where such association has in good faith entered upon the work of acquiring and maintaining a cemetery and has actually purchased or acquired property for such purpose, which property has ever since been used and maintained as a public cemetery, the association so attempted to be formed is hereby declared to be a duly incorporated public cemetery and body politic, with all the rights, powers and privileges now conferred by law upon public cemetery associations, and such cemetery associations hereby legalized shall have perpetual succession.

Sec. 2. Limitations of act.—This act shall not apply to cemetery associations in counties containing a city of more than 50,000 inhabitants.

Approved April 8, 1939.

CHAPTER 178—H. F. No. 1232

An act authorizing any county and city of the first class within such county, which such city now or hereafter contains taxable property having an assessed valuation of more than 95 per cent of the assessed valuation for taxation purposes of all property in such county, and which city and county now or hereafter jointly conduct a county welfare board to supervise and care for the poor therein, to issue bonds for the relief of the poor in such city and county; and amending Laws 1929, Chapter 371, Section 6, as amended by Extra Session Laws 1935-1936, Chapter 90.

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

Section 1. **Bond issues for relief of poor in certain counties.**—Laws 1929, Chapter 371, Section 6, as amended by Extra Session Laws 1935-1936, Chapter 90, is hereby amended so as to read as follows :

"Section 6. (A) Such county shall pay $72\frac{1}{2}$ per cent and such city $27\frac{1}{2}$ per cent of the cost of relief of the poor therein and of the maintenance and support of such almshouse and hospital. Such cost shall be paid by the county and the city in proportions herein set forth upon presentation of an abstract of claims paid or to be paid by the *county welfare board*, which abstract shall be verified by the chairman and executive secretary of such board. Such *county welfare board* shall in no case contract any debt in excess of amounts appropriated for the operation of such *county welfare board* by any such city and any such county. Such county and city shall advance to said *county welfare board* a revolving fund of at least \$75,000, which fund shall be reimbursed by payment of the actual disbursements according to the abstract of claims hereinbefore mentioned. Claims against the *county welfare board* shall be presented, audited and paid according to the method adopted by such city. All moneys so advanced to said *county welfare board* shall be deposited in its name in one or more depository banks as designated by said *county welfare board* after advertisement for bids therefor. Every bank or banker upon being designated as a depository of said *county welfare board* shall deposit with the county treasurer of said county a bond approved by the *county welfare board* and the county board in at least double the amount to be deposited, payable to the *county welfare board*, and it shall be given for a term of two years. Securities may be deposited with such county treasurer in lieu of said bond in the same manner and upon the same terms as is now provided with reference to county depositories except that said securities shall also be approved by the *county welfare board*. Said *county welfare board* shall designate its executive secretary or one of its other employees to act as disbursing officer who shall issue checks against the funds so deposited in payment of all properly audited payrolls of, and claims against said board. The executive secretary and disbursing officer of said *county welfare board* shall each give a bond to secure the faithful performance of their respective duties payable to said city and said county in the proportionate amounts furnished by the county and city respectively in supporting said *county welfare board*, each of said bonds to be in the sum of \$15,000 and to be executed by a surety company

approved by the board of county commissioners of such county and city council of such city. The premiums upon said bonds shall be paid as other claims against said county welfare board.

(B) *Such county and city are severally hereby granted authority to borrow funds and pledge the credit of such county and city for payment of such funds for the support of the poor, other than for the maintenance and support of such almshouse and hospital, and the governing bodies of such county and city may issue bonds or other evidences of indebtedness to pay therefor when authorized so to do as hereinafter provided. In the event that the board of county commissioners of such county decides to issue bonds for the relief of the poor the said board shall first submit the question of the issuance of such bonds to a referendum of the voters of the county at a special election called for that purpose or at a general election. No such bonds shall be issued unless a majority voting on the question at such election shall vote in favor thereof. Whenever an issuance of bonds for such relief purposes has been approved as herein provided by the voters of the county the governing body of such city of the first class shall be and it is hereby authorized by a majority vote, to issue bonds of the city to pay the city's share of the cost of such relief, without submitting the question of the issuance of such bonds to a referendum vote of the voters of such city, notwithstanding any other legislation enacted at the session of the legislature at which this act is passed.*

(C) *All bonds issued hereunder, whether by such county or such city, shall be sold in the manner prescribed by Mason's Minnesota Statutes of 1927, Section 1943, and shall mature serially, the first installment of which shall become due in not more than three years and the last of which shall become due and payable in not more than ten years from the date of issue. Such bonds shall bear interest at an annual rate of not to exceed six per cent, payable semi-annually, and the governing body of the county or city issuing such obligations shall provide for the payment thereof in the manner prescribed by Mason's Minnesota Statutes of 1927, Section 1938-7, and the governing bodies of such city and such county shall negotiate and sell such authorized bonds from time to time, in such amounts as such board or governing body shall see fit.*

No provision of any act passed during the session of the legislature at which this act is passed, or any previous session of the legislature, limiting the tax which may be levied for the

support or relief of the poor, shall in any way limit the tax to be levied for the payment of the principal or interest of bonds issued pursuant to the provisions of this act, and there shall be annually levied and collected, while any of said bonds are outstanding and unpaid, a tax upon all real and personal property in such county and a tax upon all the real and personal property in such city, without limitation of rate or amount, sufficient to pay the principal and interest of said bonds as the same respectively become due and payable.

(D) The provisions herein, or in any other statute enacted at the session of the legislature at which this act is passed, requiring the submission of the question of issuing bonds for the relief of the poor to a vote of the people, shall not be deemed to supersede any law of the state or charter provision permitting, in cases of emergency, the issuance of bonds or the borrowing of funds for the relief of the poor without obtaining such vote."

Approved April 8, 1939.

CHAPTER 179—H. F. No. 1515

An act to validate proceedings heretofore or hereafter taken by certain villages for the purchase of fire truck and equipment on conditional sales contract.

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

Section 1. Proceedings validated.—This act shall apply to any village with a population according to the last federal census of more than 3,200, with total taxable valuation, including money and credits, of less than \$1,000,100; and which affords fire protection to one or more towns or villages in the vicinity thereof for a stipulated compensation. All proceedings taken heretofore or hereafter prior to July 1, 1939, by any such village for the purchase of a fire truck for an amount not exceeding the sum of \$8,500 on conditional sales contract, whereby the payments shall not extend over a period of more than 30 months from the date of delivery of such truck and equipment, are hereby validated, ratified, approved, legalized and confirmed and declared to be valid and of full force and effect; and such villages are authorized and empowered to complete any such proceedings and to make payments under the terms