

(2) *Delivering on written requests of the commissioner of administration any material, apparatus or vehicle for use by any state department, or by;*

(3) *Selling intoxicating liquor to licensed liquor dealers within the state, or by;*

(4) *Selling any material, apparatus or vehicle, or by;*

(5) *Destroying such intoxicating liquor or contraband articles that have no lawful use.*

*Subd. 2. Any sale of intoxicating liquors, materials, apparatus or vehicles, shall be made only with the written approval of the commissioner of administration and notice of such sales shall be published in one issue of a legal newspaper located in the City of Saint Paul. Sealed bids shall be publicly opened in the office of the liquor control commissioner on a date stated in such publication, which shall not be less than fifteen days or more than thirty days after the publication thereof. The net proceeds derived from the sale of such intoxicating liquors or articles shall, after the deduction of any expense of seizure or sale, be deposited by the liquor control commissioner with the state treasurer and such money shall be credited to the general revenue fund.*

*Subd. 3. Sales of intoxicating liquor made by the liquor control commissioner, as herein provided, are exempt from the state excise tax if stamps evidencing the payment of such excise tax have not been placed thereon prior to such seizure; provided, that before resale by such purchaser proper excise tax stamps be attached to all containers of such liquors.*

Approved April 16, 1945.

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#### CHAPTER 308—H. F. No. 1249

*An act relating to borrowing funds for support or relief of the poor, and confirming all bonds issued and all proceedings had for the issuance of such bonds, for the purpose embraced herein.*

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

Section 1. **Definitions.** As used in this act, unless the subject matter or context requires otherwise:

(a) The term "political subdivision" shall include any subdivision of the state or any municipal corporation or public quasi-corporation, however organized.

(b) The words "support or relief of the poor" shall have the same meaning as the words are given by Mason's Minnesota Statutes 1927, Chapter 15, and the words "poor persons" shall mean such person for whom a legal liability is imposed under that chapter.

(c) The term "work relief" shall mean support or relief in wages or other compensation, in cash or in kind, paid for work under the following conditions: (1) That the recipients of work relief and the amounts given are both determined on the basis of actual need and certified for such work relief by the officials charged with administering the relief of the poor; (2) that the funds for such relief are made available only from those specifically appropriated or contributed for support or relief of the poor; (3) that the funds are used to finance projects for which the political subdivision can legally incur expense and which could not otherwise be undertaken at the time or in the immediate future.

(d) The words "direct relief" shall mean relief to individuals or families incidental to the care of the poor, such as food, clothing, shelter, medical care and supplies, and other necessities of life; provided that nothing in this law shall be interpreted as enlarging the responsibility for relief as now imposed by the laws of Minnesota.

**Sec. 2. Borrowing money; not affected by debt limitation.** Each political subdivision of the state charged by law with responsibility for the support or relief of poor persons having a legal settlement therein is hereby granted authority to borrow funds and pledge the credit of such political subdivision to meet the expense thereof and to make such loans either from the State of Minnesota, the federal government, or from private sources when necessary for the support or relief of said persons; provided, however, that this act shall not be construed as increasing the limit of debt, if any, prescribed by the special law or home-rule charter or general law under which any political subdivision is organized.

**Sec. 3. Procedure.** Bonds or other evidence of indebtedness may be issued pursuant to the authority granted and for the purposes specified herein by following the regular statutory or charter procedure applicable to such political subdivision; provided, however, that any political subdivision now required by statute or by charter to submit the question of

the issuance of bonds or other evidences of indebtedness to a referendum vote, is hereby authorized to issue and sell such public welfare bonds or other evidence of indebtedness without submitting the question of such issue to a referendum vote, by following the procedure hereinafter outlined. It is further provided that any political subdivision now required by statute or by charter to submit the question of the issuance of bonds or other evidences of indebtedness to a referendum vote may without a vote of the people, in each of the years 1945 and 1946, issue such bonds or other evidences of indebtedness in an amount not to exceed \$200,000 for this purpose.

Before any such bonds or other evidence of indebtedness may be issued hereunder by a political subdivision which is restricted by statute or by charter provision from issuing bonds and pledging the credit thereof without submitting the proposal to make such issue to a referendum vote of the electors of such political subdivision, a resolution shall first be adopted by a two-thirds vote of all the members of the official body or bodies authorized to make loans within the political subdivision, declaring an emergency to exist making it necessary to borrow in the specified amount without submitting the question of issuance of bonds or other evidence of indebtedness to a vote of the electors of said political subdivision. The action of the governing body shall be by resolution, irrespective of any requirement of any home-rule charter, general or special law requiring such action to be by ordinance. This resolution shall then be submitted to the Governor of the State, together with all facts deemed necessary to support such emergency action, including the general financial condition of the political subdivision, the need for the funds, and the funds which may be available, public or private, and such other information as may be required. If after investigation the Governor finds that the amounts requested are within the reasonable needs of the political subdivision and that no other funds are available to meet the same or that it is not possible or practicable, in view of other governmental needs of the political subdivision to secure the necessary funds from other sources or by regular methods of borrowing, he shall certify that an emergency exists sufficient to warrant the issuance of such bonds or other evidence of indebtedness subject to the requested exemption. The Governor may reduce but shall not increase the amount requested in such resolution. Upon such certification, the said governing body or bodies may then proceed to issue and sell such bonds or other evidence of indebtedness pursuant to the resolution aforesaid and in the manner prescribed by Minnesota Statutes 1941, Section 475.15; and they shall be valid legal obligations

of the political subdivisions without the referendum vote of the electors.

**Sec. 4. Limitation.** All moneys borrowed hereunder shall be expended only for the support or relief of the poor, through direct relief, work relief, placement service, or other service contributing to the support or relief of the poor, including the expense of administration and supervision.

**Sec. 5. Bonds sold on approval of issue.** Upon authorization and approval of the issuance of bonds as in this act provided, the governing body or other proper bodies of any such political subdivision may proceed to issue and sell its bonds or other evidence of indebtedness covering such loans, in the manner prescribed by Minnesota Statutes 1941, Section 475.15. Such bonds or evidences of indebtedness shall become due and payable in not more than three years from date of issue.

The bonds or other evidence of indebtedness issued pursuant to this act shall be subject to the provisions of Laws 1927, Chapter 131, or of such other laws of the state as govern the particular political subdivision in making loans, in regard to the levy of a tax for interest and principal and for the payment thereof. No provision of any act passed during the present session of the Legislature, limiting the tax which may be levied for poor relief purposes 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.

**Sec. 6. Certain laws suspended.** All laws or parts of laws inconsistent herewith are hereby suspended during the operation of this act; provided, however, that this action shall not be construed as repealing or suspending any other law authorizing municipalities coming within the provisions of this act to issue bonds for poor relief purposes.

**Sec. 7. Certain bonds legalized.** All bonds heretofore issued by any of the subdivisions of the character embraced in the provisions of this statute, and all proceedings heretofore taken for the issuance of such bonds as hereby authorized, are hereby and in all things ratified, validated and confirmed, and such bonds are hereby declared to be valid and legally binding obligations of the issuing subdivisions of this state.

**Sec. 8. Effective until December 31, 1946.** This act shall be in force and effect until December 31, 1946.

Approved April 16, 1945.