

## CHAPTER 443—H. F. No. 1280

*An act to promote the public health and prevent nuisance; amending Minnesota Statutes 1941, Section 445.05.*

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

Section 1. Minnesota Statutes 1941, Section 445.05, is hereby amended to read as follows:

**445.05. Election of first board.** The first board of trustees so selected shall serve as follows: The member elected by each city council who shall not hold public office other than that of notary public, for a term of four years, the member elected by each city council from its members, for a term of two years, and the member appointed by the governor, for a term of four years. The mayor or the person appointed by the mayor shall serve for the term of office of the mayor, except that the mayor may, in the event the mayor shall appoint some member of the governing body to serve upon the board, terminate that person's membership as trustee at his will. Each of the periods of time is to be computed from the first Tuesday in July of the year in which the appointments are made, and each of the terms is to end on the first Monday in July. Thereafter the terms of all trustees shall begin on a first Monday of July and shall be for four years, except as herein otherwise provided. Each trustee shall serve until his successor is duly appointed and qualified. The term of a trustee shall terminate when for any reason he ceases to hold the city office to which he was elected. A vacancy in the office of trustee occurring from any cause shall be filled for the unexpired term as herein provided; a successor to a trustee, whether to fill a vacancy or in succession to a trustee whose term has expired, shall be appointed in the same manner as is provided for an original appointment.

Each appointee before entering upon the duties of his office shall take and subscribe the oath of office prescribed by the constitution of the State of Minnesota, Article 5, Section 8. Such oath, duly certified by the official administering the same, shall, in the case of first board of trustees appointed, be filed with the secretary of state. After the sanitary district has been organized the oaths of office of trustees shall be filed with the secretary of the sanitary district.

The removal of any trustee from the county in which he resided at the time of his selection shall operate as a resignation of his office. Any trustee may be removed from office by the governor for misfeasance, malfeasance or non-feasance in the manner provided for by the laws of the state for removal

of state officers. No trustee or person holding appointment under such board shall be interested, directly or indirectly, in any contract entered into under the provisions of this chapter. Each trustee shall be reimbursed the actual and necessary expense incurred by him in the performance of his duty. *Each trustee shall receive as compensation for his services the sum of \$10.00 per diem, or part thereof, spent in attending meetings of the board, but no such trustee shall receive more than the sum of \$300.00 in any one year, except that the trustee selected by the governor shall receive \$1,000.00 per year.*

Approved April 20, 1945.

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CHAPTER 444—H. F. No. 1325

*An act relating to donations made to the Soldiers' Home, amending Minnesota Statutes 1941, Section 198.16.*

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

Section 1. Minnesota Statutes 1941, Section 198.16, is amended to read as follows:

198.16. **Donations; reports.** The Soldiers' Home Board is hereby authorized to accept in behalf of the state any gift, grant, bequest, or devise made for the purposes of this chapter, and administer the same as directed by the donor. *All proceeds therefrom including moneys derived from the sale of any real or personal property shall be deposited in the state treasury and credited to the Soldiers Home Endowment, bequest, and devises fund which is hereby created. Said fund shall consist of two accounts, one of which shall include any trusts prescribed by the donor, the other shall include any currently expendable proceeds. Disbursements from this fund shall be made by the state treasurer upon warrants of the state auditor in the manner provided for the issuance of other state warrants.*

*Whenever the Soldiers Home Board shall deem it advisable, in accordance with law, to sell or otherwise dispose of any real or personal property thus acquired, the Commissioner upon the request of the Board shall sell or otherwise dispose of said property in the manner provided by law for the sale or disposition of other state property by the Commissioner of Administration.*