

unencumbered balance in such fund, allotment, or appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of Laws 1939, Chapter 431, shall be *presumed invalid and shall be ineligible for payment until its validity is established as hereinafter provided*. Every payment made in violation of the provisions of Laws 1939, Chapter 431, shall be deemed illegal, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the state for the full amount so paid or received. If any appointive officer or employee of the state shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of Laws 1939, Chapter 431, or take part therein, it shall be ground for his removal by the officer appointing him, and, if the appointing officer be other than the governor and shall fail to remove such officer or employee, the governor may exercise such power of removal, after giving notice or [of] the charges and opportunity for hearing thereon to the accused officer or employee and to the officer appointing him. *Claims presented against existing appropriations without prior allotment or encumbrance may, upon investigation, review, and approval by the commissioner of administration be determined valid where the services, materials, and supplies for which payment is claimed have been actually rendered or furnished to the state in good faith without collusion and without intent to defraud. Thereafter the state auditor may draw his warrant in payment of such claims in the same manner in which other claims, properly allotted and encumbered prior to inception thereof, are paid.*

Approved March 31, 1949.

CHAPTER 231—H. F. No. 725

An act relating to township zoning, amending Minnesota Statutes 1945, Section 368.56, as amended.

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

Section 1. Minnesota Statutes 1945, Section 368.56, as amended by Laws 1947, Chapter 501, Section 1, is amended to read:

368.56. **Zoning regulations; towns within ten miles of the boundary line of any city of the first class.** For the purpose of promoting health, safety, order, convenience, prosperity, and general welfare, the electors of any town in this state located within a county having a population of more than 450,000 and an assessed value exclusive of money and credits, of over \$280,000,000 *and the electors of any town any portion of which is situated within ten miles of any portions of the exterior boundary lines of any city of the first class*, shall have power at their annual town meeting or at any special town meeting called pursuant to the provisions of sections 212.03 and 212.04 by resolution adopted by 50 per cent of those voting at the meeting to divide the town, or any prescribed and limited area within the town, into districts or zones of such number, shape, and area as they may deem best suited to carry out the purposes of sections 368.56 to 368.58; and, within such zones, to regulate and restrict the location, height, bulk, number of stories, size of buildings and other structures, the location of roads and schools, the percentage of lot which may be occupied, the sizes of yards and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation, public activities, or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, or other purposes; to provide for the administration of such resolution by such officers of the town as they may deem advisable and in such manner as they may deem advisable, and to provide for penalties for the violation of the provisions of such resolution. All such regulations shall be uniform for each class and kind of buildings and for the use of land throughout each district but the regulations in any one district may differ from those in other districts.

Approved April 2, 1949.

CHAPTER 232—H. F. No. 828

An act relating to liability of counties operating under the town system of poor relief for expenditures made by towns, villages and cities therein for poor relief; amending Minnesota Statutes 1945, Section 263.12.

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