

CHAPTER 11—H. F. No. 173

An act relating to claims for negligence against park districts and park boards, amending Minnesota Statutes 1961, Section 448.33.

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

Section 1. Minnesota Statutes 1961, Section 448.33, is amended to read:

448.33 Meetings; ordinances; contracts; claims. The park commission shall hold a regular meeting on the first Tuesday of each month at such hour as it may by rule designate, and such special meetings as it may deem necessary. Special meetings may be called by the president and must be called by him upon the written request of two members of the board. The commission shall have power to adopt necessary rules of procedure. The powers of the commission shall be exercised by ordinance unless otherwise provided. All ordinances shall be read twice and at least eight days shall intervene between the readings. They shall be adopted by ye and nay vote and shall be approved by the president and published in the official newspapers of the city and shall go into effect upon such publication. The enacting clause of all ordinances shall be as follows: "Be it enacted by the park commissioners of the park district of the city of, State of Minnesota;" the ye and nay vote shall be taken on all propositions involving the expenditure of money, the levying of taxes, or the issuance of certificates of indebtedness. All contracts shall be let to the lowest responsible bidder after advertisement in the official newspaper of the city for three successive weeks, once in each week; provided, that the commission shall have the power to reject all bids. All contracts shall be in writing and signed by the president and clerk of the board and unless so executed shall be void. At no time shall the debt of the park district exceed five percent of the taxable property within the district, according to the last preceding assessment. No bill, claim, account, or demand against the district shall be audited, allowed, or paid until a full itemized written statement, properly verified, shall be filed with the park commission. *All claims against the park district arising out of negligence shall be in writing and verified by the claimant, and shall contain a full, clear, and concise statement of the transaction out of which it is alleged to arise, giving the time, the place, the extent of injury or damage, and shall be filed within 30 days from the date thereof with the clerk of the board. No action shall be maintained unless begun after 30 days and within six months from the date of filing of the claim. All claims against any park district or park board, including those districts or boards referred to in sections 448.26 to 448.35, arising out of negligence shall be in writing and verified by*

Changes or additions indicated by italics, deletions by strikeout.

the claimant, and shall contain a full, clear, and concise statement of the transaction out of which it is alleged to arise, giving the time, the place, the extent of injury or damages, and shall be filed within 30 days from the date thereof with the clerk of the board. The time for filing such claim shall be extended, not to exceed 90 days, during which an injured person is incapacitated from filing the same by reason of injury sustained. No action shall be maintained unless begun after 30 days and within one year from the date of filing of the claim.

Approved February 20, 1963.

CHAPTER 12—H. F. No. 204.

An act relating to education and county superintendents of schools; amending Minnesota Statutes 1961, Section 121.35, Subdivision 3.

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

Section 1. Minnesota Statutes 1961, Section 121.35, Subdivision 3, is amended to read:

Subd. 3. **County superintendents of schools; termination of office.** The county board in any county having twelve or less common districts operating schools and having no unorganized territory may by resolution duly adopted at least six months before the end of the term of office of the county superintendent of schools, declare the office terminated as of the end of the term of the incumbent. If such resolution is adopted, no person shall be elected or appointed to the office of county superintendent of schools so long as such resolution remains in effect. The county board by resolution at least six months before the date of any general election may rescind its action terminating the office. If such action is taken, a county superintendent of schools shall be elected at the next general election according to law; provided, however, that if the county superintendent in any such county resigns *or a vacancy in such office occurs by death of the incumbent*, the county board may by resolution duly adopted thereupon terminate the office of county superintendent of schools. Such office shall remain terminated unless the county board by resolution duly adopted shall reinstate said position as hereinabove provided.

Approved February 20, 1963.

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