

Section 1. Minnesota Statutes 1967, Section 488.22, is amended by adding a subdivision to read:

Subd. 3. Willmar municipal court salary; special judge. Notwithstanding any provision to the contrary in subdivision 1, the salary of the special municipal judge of the municipal court of Willmar is the sum of \$50 per day.

Sec. 2. Laws 1963, Chapter 441, Section 1, as amended, is not applicable to section 1.

Approved May 23, 1969.

CHAPTER 675—H. F. No. 2322

[Coded]

An act relating to interest on public obligations.

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

Section 1. [475.552] **Public obligations; interest rate; interest limitations, effect upon other laws.** The interest limitation stated in Minnesota Statutes 1967, Section 475.55, as amended by Laws 1969, Chapter 93, shall supersede all lower limitations contained in any law or charter applicable to obligations of the state or any municipality or governmental or public subdivision, district, corporation, commission, board, council, or authority of whatsoever kind, but shall not restrict the power of the issuer to fix the interest on any obligation in accordance with the law authorizing its issuance.

Approved May 23, 1969.

CHAPTER 676—H. F. No. 2331

[Coded in Part]

An act relating to municipal housing and redevelopment authorities; amending Minnesota Statutes 1967, Sections 462.421, Subdivision 13; 462.441; 462.445, Subdivisions 4 and 5; 462.451, Subdivision 1; 462.461, Subdivisions 1 and 2, and adding a subdivision; 462.475, Subdivision 1; and 462.521, by adding a subdivision.

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

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Section 1. Minnesota Statutes 1967, Section 462.421, Subdivision 13, is amended to read:

Subd. 13. **Municipal housing and redevelopment.** "Redevelopment project" shall mean any work or undertaking: (1) to acquire blighted areas and other real property for the purpose of removing, preventing, or reducing blight, blighting factors, or the causes of blight; (2) to acquire open or undeveloped land which is determined to be blighted by virtue of conditions of unusual and difficult physical characteristics of the ground; or the existence of faulty planning characterized by the subdivision or sale of lots laid out in disregard of the contours or of irregular form and shape or of inadequate size; or a combination of these or other conditions which have prevented normal development of the land by private enterprise and have resulted in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety and welfare, provided that a redevelopment plan has been adopted which provides for the elimination of these conditions thereby making the land useful and valuable for contributing to the public health, safety and welfare and provided that the acquisition of the land is necessary to carry out the redevelopment plan. This particular subsection (2) shall also apply to redevelopment projects previously initiated and which have been approved by the governing body of the municipality. ~~Nothing in this particular subsection (2) shall apply to any city of the first class now or hereafter having a population of 500,000 or more.~~

(3) To clear any areas acquired and install, construct or reconstruct streets, utilities, and site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan;

(4) To sell or lease land so acquired for uses in accordance with the redevelopment plan; or

(5) To accomplish a combination of the foregoing to carry out a redevelopment plan.

The term "redevelopment project" shall also mean a redevelopment project heretofore initiated as then provided by law and approved by the governing body of the municipality prior to July 1, 1951, as prescribed by Minnesota Statutes 1949, Section 462.521.

The term "redevelopment project" also may be applied to the preparation of a redevelopment plan and to the initiation, planning, survey and other administrative costs of a redevelopment project and also to the preparation of technical and financial plans and arrangements for buildings, structures, and improvements and all other work in connection therewith.

Changes or additions indicated by *italics*; deletions by ~~strikeout~~.

The term "redevelopment" and the term "redevelopment project" shall also include "urban renewal" and "urban renewal project". The term "urban renewal project" may include undertakings and activities for the elimination (and for the prevention of the development or spread) of slums or blighted, deteriorated, or deteriorating areas and may involve any work or undertaking for such purpose constituting a redevelopment project or any rehabilitation or conservation work, or any combination of such undertaking or work. For this purpose, "rehabilitation or conservation work" may include (1) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements; (2) acquisition of real property and demolition, removal, or rehabilitation of buildings and improvements thereon where necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, or to otherwise remove or prevent the spread of blight or deterioration, *to promote historic and architectural preservation*, or to provide land for needed public facilities; (3) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project; and (4) the disposition, for uses in accordance with the objectives of the urban renewal project, of any property or part thereof acquired in the area of such project; provided that such disposition shall be in the manner prescribed in this act for the disposition of property in a redevelopment project area; (5) *relocation within or outside the project area of structures which will be restored and maintained for architectural or historic purposes*; (6) *restoration of acquired properties of historic or architectural value*; and (7) *construction of foundations and platforms necessary for the provision of air rights sites*.

Sec. 2. Minnesota Statutes 1967, Section 462.441, is amended to read:

462.441 Powers; quorum; officers; meeting; compensation; expenses. The powers of each authority shall be vested in the commissioner thereof in office at any time; a majority of whom shall constitute a quorum for all purposes. Each authority shall select a chairman and a secretary from among its commissioners and shall adopt such bylaws and other rules for the conduct of its affairs as it deems appropriate. The regular meetings of an authority shall be held in a fixed place and shall be open to the public. ~~No commissioner shall receive compensation for his services; but~~ Each commissioner shall be entitled to receive necessary expenses, including traveling expenses, incurred in the performance of his duties. *Each commissioner may be paid for attending meetings of the authority, regular and special \$25*

Changes or additions indicated by italics; deletions by strikeout.

per meeting, the aggregate of all payments to each such commissioner for any one year not to exceed, however, \$1,000.

Sec. 3. Minnesota Statutes 1967, Section 462.445, Subdivision 4, is amended to read:

Subd. 4. **Additional powers.** An authority shall further have power:

(1) To make, or agree to make, such payments in lieu of taxes to the city or the county, the state or any political subdivision thereof, as it finds consistent with the purposes of sections 462.415 to 462.711;

(2) To cooperate with or act as agent for the federal government, the state or any state public body, or any agency or instrumentality of the foregoing, in carrying out any of the provisions of sections 462.415 to 462.711 or of any other related federal, state or local legislation; and upon the consent of the governing body of the municipality purchase, lease, manage, or otherwise take over any housing project already owned and operated by the government of the United States or any agency thereof;

(3) To make (i) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and (ii) plans for the enforcement of laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements. The authority is authorized to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight;

(4) To borrow money or other property and accept contributions, grants, gifts, services, or other assistance from the federal government, the state government, state public bodies, or from any other public or private sources;

(5) To include in any contract for financial assistance with the federal government any conditions which the federal government may attach to its financial aid of a project, not inconsistent with purposes of sections 462.415 to 462.711, including obligating itself (which obligation shall be specifically enforceable and not constitute a mortgage, notwithstanding any other laws) to convey to the federal government the project to which such contract relates upon the occurrence of a substantial default with respect to the covenants or conditions to which such authority is subject; to provide in such contract that, in case of such conveyance, the federal government may com-

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

plete, operate, manage, lease, convey or otherwise deal with the project until such defaults are cured if the federal government agrees in such contract to re-convey to the authority the project as then constituted when such defaults have been cured;

(6) To issue bonds, notes, or other evidences of indebtedness, as hereinafter provided, for any of its corporate purposes and to secure the same by mortgages upon property held or to be held by it or by pledge of its revenues, including grants or contributions;

(7) To invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control;

(8) Within its area of operation to determine where substandard, slum, or blighted areas exist or where there is unsafe, unsanitary, or overcrowded housing;

(9) To establish and revise from time to time the maximum amount of income of tenants entitled to admission to housing projects of an authority, subject to the qualifications in sections 462.415 to 462.711 contained;

(10) To undertake and carry out studies and analyses of the housing and redevelopment needs within its area of operation and of the meeting of those needs (including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages, desirable patterns for land use and community growth, and other factors affecting the local housing and redevelopment needs and the meeting thereof) and to make the results of those studies and analyses available to the public and building, housing and supply industries; and to engage in research and disseminate information on housing and redevelopment;

(11) When a local public body does not have a planning agency or when a comprehensive or general community development plan or plans is or are not already available by the planning agency, to make or cause to be made such plans as a guide in the more detailed planning of housing and redevelopment areas;

(12) To lease or rent any dwellings, accommodations, lands, buildings, structures, or facilities embraced in any project and (subject to the limitations contained in sections 462.415 to 462.711 with respect to the rental of dwellings in housing projects) to establish and revise the rents or charges therefor;

Changes or additions indicated by italics, deletions by ~~strikeout~~.

(13) To own, hold, and improve real or personal property and to sell, lease, exchange, transfer, assign, pledge, or dispose of any real or personal property or any interest therein;

(14) To insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards;

(15) To procure or agree to the procurement of government insurance or guaranties of the payment of any bonds or parts thereof issued by an authority, including the powers to pay premiums on such insurance;

(16) To make such expenditures as may be necessary to carry out the purposes of sections 462.415 to 462.711;

(17) To enter into an agreement or agreements with any state public body to provide informational service and relocation assistance to families, *individuals, business concerns and nonprofit organizations* displaced or to be displaced by the activities of any state public body or bodies.

Sec. 4. Minnesota Statutes 1967, Section 462.445, Subdivision 5, is amended to read:

Subd. 5. **Exercise of powers.** An authority may exercise all or any part or combination of the powers granted by sections 462.415 to 462.711 within its area of operation. *Any two or more authorities may join or cooperate with one another in the exercise, either jointly or otherwise, of any or all of their powers for the purpose of financing, including the issuance of bonds, notes, or other obligations and giving security therefor, planning, undertaking, owning, constructing, operating, or contracting with respect to a housing project or projects located within the area of operation of any one or more of said authorities. For such purpose an authority may by resolution prescribe and authorize any other housing authority or authorities, so joining or cooperating with it, to act on its behalf with respect to any or all powers, as its agent or otherwise, in the name of the authority or authorities so joining or cooperating or in its own name.*

Sec. 5. Minnesota Statutes 1967, Section 462.451, Subdivision 1, is amended to read:

462.451 **Accounting.** Subdivision 1. **Annual reports, duties of public examiner.** Each authority shall keep an accurate account of all its activities and of all its receipts and expenditures and shall annually in the month of January *as to accounts kept on a calendar year basis and within 30 days of the end of its fiscal year as to accounts kept on a fiscal year basis*, make a report thereof to the state

Changes or additions indicated by italics, deletions by ~~strikeout~~.

housing commission, to the state public examiner, and to the governing body of the municipality, such reports to be in a form prescribed by the state housing commission. All powers conferred and duties imposed upon the public examiner with respect to state and county officers, institutions, property and improvements, are hereby extended to authorities, except the authority to prescribe the form of reports or accounts provided in this act. The public examiner shall make such audits of the low rent public housing funds of the authorities as he shall deem in the public interest, and he shall file a written report covering his audits with the authority, the city clerk of the municipality, and the state housing commission. The first report of the public examiner shall include all expenditures and activities of the local authority from the creation of the authority. Each authority shall be liable to the state and shall pay all costs and expenses of such examination, solely from funds lawfully available for such purposes.

Sec. 6. Minnesota Statutes 1967, Section 462.461, Subdivision 1, is amended to read:

462.461 Letting of contracts; bonds. Subdivision 1. All construction work, and work of demolition or clearing, and every purchase of equipment, supplies, or materials, necessary in carrying out the purposes of sections 462.415 to 462.711, that shall involve the expenditure of ~~\$1,000~~ *\$5,000* or more shall be awarded by contract as hereinafter provided. Before receiving bids under the provisions of these sections the authority shall publish, once a week for two consecutive weeks in an official newspaper of general circulation in the community a notice that bids will be received for that construction work, or that purchase of equipment, supplies, or materials, stating the nature of the work and the terms and conditions upon which the contract is to be let, naming therein a time and place where bids will be received, opened and read publicly, which time shall be not less than seven days after the date of the last publication. After the bids have been duly received, opened and read publicly and recorded, the authority shall award the contract to the lowest responsible bidder, the authority reserving the right, however, to reject any or all bids, each such contract to be duly executed in writing, and the person to whom the contract is awarded shall give sufficient bond to the authority for its faithful performance. If no satisfactory bid is received, the authority may readvertise. The authority shall have the right to set up reasonable qualifications to determine the fitness and responsibility of bidders and to require bidders to meet such qualifications before bids are accepted.

Sec. 7. Minnesota Statutes 1967, Section 462.461, Subdivision 2, is amended to read:

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

Subd. 2. If the authority by an affirmative vote of four-fifths of its members shall declare that an emergency exists requiring the immediate purchase of any equipment or material or supplies at a cost in excess of ~~\$1,000~~ \$5,000, but not exceeding ~~\$5,000~~ \$10,000 in amount, or making of emergency repairs, it shall not be necessary to advertise for bids, but the material, equipment, or supplies may be purchased in the open market at the lowest price obtainable, or the emergency repairs may be contracted for or performed without securing formal competitive bids. An emergency, as considered in sections 462.415 to 462.711, shall be understood to be unforeseen circumstances or conditions which result in the placing in jeopardy of human life or property.

Sec. 8. Minnesota Statutes 1967, Section 462.461, is amended by adding a subdivision to read:

Subd. 4. An authority need not require either competitive bidding or bonds in the case of a contract for the acquisition of a low rent housing project for which financial assistance is provided by the federal government or any agency or instrumentality thereof, and which does not require any direct loan or grant of money from the municipality as a condition of such federal financial assistance, and where such contract provides for the construction of such a project upon land not owned by the authority at the time of such contract, or owned by the authority for redevelopment purposes, and provides for the conveyance or lease to the authority of such project or improvements upon completion of construction.

Sec. 9. Minnesota Statutes 1967, Section 462.475, Subdivision 1, is amended to read:

462.475 Rentals, tenant admissions. Subdivision 1. **Authority, powers, duties.** In the operation or management of housing projects an authority shall at all times observe the following duties with respect to rentals and tenant admissions.

(1) It may rent or lease the dwelling accommodations therein only to persons of low income and at rentals within the financial reach of such persons of low income;

(2) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding; and

(3) An authority in its operations within a municipality shall not accept any families as tenants in any housing project if the families who occupy the dwelling accommodations have an aggregate an-

Changes or additions indicated by italics, deletions by ~~strikeout~~.

nual net income at the time of admission, less an exemption of \$100 for each minor and adult dependent member other than the head of the family and his spouse or in the discretion of the authority an exemption of \$600 of income of each such minor or adult member other than the principal income recipient, in excess of five times the annual rental of the quarters to be furnished such family, and, in computing the rental for ~~this~~ *the* purpose of this section, there shall be included in the rental the average annual cost (as determined by the authority) to occupants of heat, water, electricity, gas, cooking fuel, and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental; *provided, that an authority may adopt as its maximum net income for admission of families any maximum which is less than either: (a) the maximum net family income computed under this subdivision; or (b) the maximum net family income determined pursuant to section 462.491.*

Sec. 10. Minnesota Statutes 1967, Section 462.521, is amended by adding a subdivision to read:

Subd. 3. Early acquisition. When an authority has determined the location of a proposed redevelopment project, but prior to the approval of the redevelopment plan and project as provided in subdivision 2 of this section, the authority may acquire individual tracts of real property with the approval of the governing body as to each separate tract. Before approving such early acquisition, the governing body shall hold a public hearing on the proposed acquisition activities after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of hearing.

The authority shall not proceed with such acquisition unless the governing body finds by resolution that (1) the proposed acquisition is necessary to carry out public improvements in the area, or that such acquisition will contribute to the elimination of blight or deterioration within the area or that such acquisition is necessary to relieve hardship; and that (2) there is a feasible method for the relocation of families and individuals to be displaced by the proposed acquisition.

The governing body may, in approving such early acquisition, agree to assume the responsibility for any loss that may arise as a result of such acquisition of land and related activities, including any costs of demolition, removal and relocation, in the event that the property so acquired is not used for urban renewal purposes because the urban renewal plan is not approved, or is amended to omit the acquired property or is abandoned for any reason. Nothing in this

Changes or additions indicated by italics, deletions by ~~strikeout~~.

subdivision shall be construed to waive the requirement for public hearing upon the redevelopment plan for such redevelopment project.

Approved May 24, 1969.

CHAPTER 677—H. F. No. 2354

[Not Coded]

An act relating to the office and salary of the county attorney of Mower county.

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

Section 1. **Mower county; county attorney.** Subdivision 1. On and after the first Monday in January, 1971 the county attorney of Mower county shall devote his full time to the office of county attorney and shall not engage in the private practice of law.

Subd. 2. The board of county commissioners of Mower county shall fix the salary for the county attorney of said county effective on and after the first Monday of January, 1971 at not less than \$18,500 per year, payable monthly.

Sec. 2. Minnesota Statutes, Section 388.18 shall continue to apply to the office of Mower county attorney, except with respect to the minimum salary above specified in section 1.

Sec. 3. This act takes effect when approved by the county board of Mower county, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 24, 1969.

CHAPTER 678—H. F. No. 2375

An act relating to the land for streets and parks; amending Minnesota Statutes 1967, Section 430.02, Subdivision 6.

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

Section 1. Minnesota Statutes 1967, Section 430.02, Subdivision 6, is amended to read:

Changes or additions indicated by italics, deletions by ~~strikeout~~.