

CHAPTER 356

LEGISLATIVE ADVISORY COMMITTEE

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**356.01 LEGISLATIVE ADVISORY COMMITTEE.** The chairman of the senate committee on taxes and tax laws, the chairman of the senate committee on finance, the chairman of the house committee on taxes and tax laws, and the chairman of the house committee on appropriations shall constitute a committee to be known as the legislative advisory committee. The governor shall preside over the meetings of the committee but shall not be a member thereof. If any of the legislative members elect not to serve on the committee, the house of which they are members, if in session, shall select some other member for the vacancy. If the legislature is not in session, vacancies in the legislative membership of the committee shall be filled by the last speaker of the house or, if he be not available, by the last chairman of the house rules committee, in case of a house vacancy, and by the last senate committee on committees, or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of administration shall act as secretary of the committee and shall keep a permanent record and minutes of its proceedings, which shall be made available for examination upon request of any interested citizen. The commissioner of administration shall transmit a report to the next legislature of all actions of the committee. The members of the committee shall receive travelling and subsistence expenses in attending meetings of the committee. The sum of \$1,000, or so much thereof as may be necessary, is hereby annually appropriated out of any money in the state treasury, not otherwise appropriated, for the travelling and subsistence expenses of members of the committee in attending meetings thereof. The committee shall meet from time to time upon the call of the governor, or upon the call of the secretary, at the request of three or more of its members.

[1939 c. 431 art. 2 s. 21 par. (b); 1941 c. 497 s. 1 (b)] (53-18t)

**356.02 POWERS AND DUTIES TRANSFERRED.** All the powers and duties vested in or imposed upon the legislative emergency committee by Laws 1939, Chapter 436, are hereby transferred to, vested in, and imposed upon the governor; provided, that he shall not exercise or perform any thereof without first consulting the legislative advisory committee created by section 356.01 and securing their recommendation, which shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation.

[1941 c. 497 s. 2]

**356.03 GOVERNOR TO RECEIVE CERTAIN POWERS.** All the powers and duties vested in or imposed upon the legislative emergency committee by any provisions of law other than those enumerated in sections 26.01, 356.01, and 356.02 are hereby transferred to, vested in, and imposed upon the governor; provided, that he shall not exercise or perform any thereof without first consulting the legislative advisory committee created by section 356.01 and securing their recommendation, which shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation.

[1941 c. 497 s. 3]

**356.04 STATE AUDITOR TO LEVY TAX.** For the purpose of providing funds with which to discharge the obligations provided by the terms of Laws 1939, Chapter 436, the state auditor is hereby authorized and directed to levy upon all taxable property in the state in the manner in which other state taxes are levied

the sum of \$2,187,500 in each of the taxable years 1940, 1941, 1942, 1943, and 1944 and to levy and collect annually such additional sum or sums as may be necessary to meet the interest on the certificates of indebtedness hereinafter authorized; provided that if any portion of the money hereinafter appropriated is paid from the general revenue fund, as hereinafter provided, such tax levies shall be proportionately reduced and the issuance of the certificates of indebtedness, hereinafter authorized, shall be correspondingly reduced. The proceeds from such tax levies shall be credited to the Minnesota public relief fund of 1939-41, which fund is hereby created. Pending the levy and collection of such taxes the governor is hereby authorized and empowered to issue and sell, upon sealed bids and after two weeks' published notice, at not less than par, as funds are needed for the purposes of Laws 1939, Chapter 436, certificates of indebtedness of the state in the aggregate amount, not exceeding 80 per cent of the total taxes so to be levied, exclusive of those to be levied for the payment of interest, which certificates shall be known as Minnesota public relief certificates of 1939-41, shall be numbered consecutively, and shall be in such form and denomination, with or without interest coupons, mature at such time, not exceeding six years from the date thereof, bear such rate of interest payable semiannually, and to be a charge upon and lien against the taxes herein authorized to be levied to such extent and with such priority as the governor shall determine; and the certificates and the interest thereon shall be payable from this fund; provided that such interest as may become due on any such certificates prior to the collection of sufficient taxes to pay the same shall be paid out of the revenue fund, the certificates to be signed by the state treasurer and attested by the state auditor, under their respective seals, and the auditor and treasurer shall keep due record thereof. The proceeds of the sale of such certificates shall be credited to the Minnesota public relief fund of 1939-41, herein created, and the relief provided for in Laws 1939, Chapter 436, shall be paid from this fund, unless otherwise paid from the general revenue fund, as herein provided; and the money in this fund is hereby appropriated to the governor for such relief.

[1939 c. 436 s. 2; 1941 c. 497 s. 3]

**356.05 STATE BOARD OF INVESTMENT MAY PURCHASE CERTIFICATES OF INDEBTEDNESS.** The state board of investment is hereby authorized to invest any funds under its control or direction in these relief certificates and the state board of investment is hereby authorized to purchase these certificates of indebtedness at a rate of interest not to exceed three per cent per annum, any law to the contrary notwithstanding, and these certificates may be sold by the board without advertisement for bids.

[1939 c. 436 s. 3]

**356.06 PAYMENTS AUTHORIZED.** From time to time as funds may become available in the general revenue fund the governor, acting upon information provided by the state auditor and state treasurer, shall authorize the payment of a portion of the money herein appropriated for relief purposes from the general revenue fund.

[1939 c. 436 s. 4]

**356.07 PREVIOUS APPROPRIATIONS.** Moneys heretofore appropriated by the legislative emergency committee under the provisions of Laws 1936, Chapter 51, Extra Session Laws 1935, Chapter 101, Laws 1937, Chapter 209, and Extra Session Laws 1937, Chapter 89, out of the moneys available for the fiscal years ending July 1, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, and 1944, which shall have been allocated to municipalities of the state for direct relief or for work improvements in the state, and which have not been expended, shall remain so appropriated and such allocations shall remain undisturbed unless cancelation and reallocation are authorized by the governor.

[1939 c. 436 s. 5; 1941 c. 497 s. 3]

**356.08 PUBLIC RELIEF PURPOSES, WHAT INCLUDED IN.** The term "public relief purposes," as used herein, includes direct relief, farm relief, work relief, veterans' relief, unemployment relief, and such projects as are herein specifically provided and such other projects as will aid in the conservation or development of the natural resources of this state and aid in the promotion and conservation of the health, safety, and general welfare of the people of this state.

[1939 c. 436 s. 6]

**356.09 TO DIRECT RELIEF EXPENDITURES.** Out of the appropriations made in Laws 1939, Chapter 436, the governor is hereby authorized and directed to spend such sums as he may deem advisable for public relief purposes, and undertake projects, in cooperation with various agencies of the federal government, designed to aid or assist in the employment and rehabilitation of needy and distressed persons. Where state aid on sponsor's contributions is requested and before the same is granted the necessity for state aid shall be clearly shown, such as the financial condition of the applicant, as well as the necessity of the project, and the ability of the applicant to maintain the project upon completion; provided that such requirements do not conflict with the requirements of the federal government.

[1939 c. 436 s. 7; 1941 c. 497 s. 3]

**356.10 PROJECTS MAY BE PROVIDED.** The governor may provide for projects for public relief purposes and in addition thereto may authorize the state relief agency to establish and maintain camps for veterans and state homeless who shall be defined as persons having settlement within the state without a verifiable residence, and to provide temporary care for other needy and destitute persons.

The state relief agency shall investigate and wherever possible aid in the determination of the settlement of poor, indigent, and needy persons when so requested by local officials responsible for the care of such persons.

Before a person is entitled to the benefits of Laws 1939, Chapter 436, he shall have maintained a settlement in this state in accordance with the provisions of section 261.07, et seq., and laws supplemental thereto. Every such person shall have been a resident in the county, town, municipality, or subdivision thereof in which public relief is administered wherein his application is filed, for the period of two years before he may receive or be entitled to receive direct relief or public assistance.

[1939 c. 436 s. 8; 1941 c. 497 s. 3]

**356.11 MONEY TO BE ALLOCATED.** The moneys appropriated hereby shall be allocated by the governor to the various federal, state, county, and municipal agencies for the purposes of furnishing aid and relief within the meaning and intent of Laws 1939, Chapter 436, and in such manner as the governor shall determine.

[1939 c. 436 s. 9; 1941 c. 497 s. 3]

**356.12 STATE RELIEF AGENCY GIVEN POWER.** The governor is authorized and empowered to vest in the state relief agency authority to disburse such funds as may be appropriated by the governor to carry out the purposes of Laws 1939, Chapter 436. The funds allocated by the governor to the state relief agency for distribution to the counties and municipalities of the state shall be disbursed on a basis determined by the governor and in the manner as provided by Laws 1937, Chapter 343. Such money shall be withdrawn from the state treasury only as needed by the requirements of Laws 1939, Chapter 436, and only upon warrants issued by the state auditor upon the order of the governor.

In granting relief to the various counties, towns, and municipalities of the state, as provided by Laws 1939, Chapter 436, the governor shall be primarily guided by the financial and economic conditions, the relief load, and the relief standards of the county, town, or municipality requesting such relief aid.

All counties, towns, and municipalities receiving grants of state funds for relief are hereby directed and required to make such reports and in such manner as the state relief agency may direct.

There shall be vested in the governor authority to withhold any funds from any county, town, or municipality which in the opinion of the state relief administrator is using and expending funds in conflict with the intent and purposes of Laws 1939, Chapter 436, or which is not granting proper aid to needy and destitute persons.

[1939 c. 436 s. 10; 1941 c. 497 s. 3]

**356.13 REGULATIONS, POLICIES, AND STANDARDS ADOPTED BY STATE RELIEF AGENCY.** The state relief agency, with the approval and consent of the governor, shall establish and currently maintain regulations, policies, and standards for recipient budgets for all types of relief and assistance provided for in Laws 1939, Chapter 436, and may establish different standards conforming to differing conditions in the various sections of the state.

If any county, town, or municipality, or officer or board thereof, shall grant or pay any relief or assistance under the provisions of any law of this state in excess of the maximum standards adopted, as herein provided, and fail to comply with

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such standards for a period of 30 days after notice from the state agency so to do, the state agency shall withhold or withdraw payment of state aid funds from such county, town, or municipality for such period of time and in such amounts as it may deem expedient.

[1939 c. 436 s. 11; 1941 c. 497 s. 3]

**356.14 RECIPIENTS OF DIRECT RELIEF MUST ACCEPT EMPLOYMENT WHEN EMPLOYABLE.** All employable recipients of direct relief from public relief funds, herein provided, shall be required to accept suitable employment when offered, in lieu of such direct relief; and, if the compensation for such employment shall be less than the established budget requirement for such recipients, the difference may be provided from available relief funds; provided, that, upon the termination of such employment, persons becoming thus unemployed shall again receive direct relief out of available relief funds, provided they are otherwise qualified for such relief.

The state relief agency may require employable recipients of relief to renew their registrations for work at the local state employment offices in their respective counties, towns, or municipalities as a condition precedent to their securing public aid or assistance, and when so required no relief shall be granted to such employable persons except on presentation of their identification card showing that such application has been made.

The local relief agency shall, from time to time, and at least once every three months, require a reapplication for relief by the recipients thereof and such reapplication shall be investigated as though it were an original application.

All recipients of public relief shall be permitted free choice of vendor for services and supplies, on written relief orders; provided, that the vendor thus chosen shall conform to the regulations of the state and local relief agencies.

Any person receiving any benefits hereunder who wilfully sells, transfers, or otherwise disposes of any goods, wares, merchandise, or commodities which have been dispensed to him in lieu of such relief or assistance from any relief agency of the state, or political subdivision thereof, shall be guilty of a misdemeanor.

[1939 c. 436 s. 12]

**356.15 BOARD OF RELIEF.** Subdivision 1. **Authority.** The governor is hereby authorized to take any measures necessary to prevent or avert any impending disaster which threatens to destroy life or property in this state, to grant relief or temporary assistance to communities in this state stricken by disease, flood, storm, fire, action of the elements, or extreme economic distress causing destitution of families or individuals or disabled persons, or prevent the occurrence or spread of any such calamity or disaster which might entail loss of life or property or result in great suffering and hardship among the people of this state; and in any such event he shall have the authority to commandeer and take for use in any such emergency any property, vehicle, motor car, or any means of transportation by rail or water or any means of communication or any public service which in the opinion of the governor might be necessary to save life or property or prevent and avert any such impending disaster or furnish assistance or relief to communities in this state so stricken or for the prevention of any such calamity. The owner of any property so taken shall be given a receipt for the same and paid for the use of such property or for any damage which might be caused to the same while in the service of the governor.

Subdivision 2. **May use facilities or offices of state.** The governor is further authorized to use any of the facilities or offices of the state when required for relief or to prevent any calamity; and in any such event it shall become the duty of the governor to command the services of the state militia or any other military organization of the state, the forces of the state fire marshal or any state department, or the services of any employee of the state. Such employees of the state shall serve without additional pay, except that all proper and necessary expenses incurred while in the performance of duty shall be paid out of the funds provided by this chapter. Members of the state militia, or any other state military organization, shall be paid for their services while on duty, as provided by the military code, upon warrants drawn by the adjutant general. This chapter shall not be construed to apply in case of strikes, lockouts, or other labor disturbances.

Subdivision 3. **Attorney general given money.** The governor shall, on request of the attorney general, when certified by him to be necessary and that an emergency exists, furnish to him from time to time such sums of money as he may

1910  
33, s. 2  
A 1933, p. 35

Same  
1910

1921, c. 11  
add s. 2a

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request from the funds provided for in this chapter, such moneys to be used by him in paying expenses, lay, legal, or expert, and for masters, court, and witness fees in actions or proceedings relating to passenger and freight rates, telephone rates, and litigation or controversies arising because of any laws passed at the 1921 legislative session.

Ex 1114, c. 35  
s. 3

Subdivision 4. **Reports.** The governor shall transmit to the legislature not later than March first of every year in which there is a regular session a report in detail of all his expenses and of all moneys paid out for preventative measures and also of all moneys paid out for relief. He shall also transmit all information and make such recommendations as will assist the legislature in the enactment of further legislation which might be necessary in the prevention of great calamities.

Sec. 4

Subdivision 5. **Assistants.** The governor may appoint a clerk and a stenographer, who shall serve at his pleasure and who may be employed in other departments of the state when not engaged under the direction of the governor.

1933 c. 355  
1935-45

Subdivision 6. **May borrow money.** For the purpose of carrying out the provisions of this chapter when an emergency exists, the governor is authorized to borrow such sum of money, not exceeding \$750,000, as shall in his judgment be necessary and sufficient.

Sec. 7

Subdivision 7. **May issue certificates of indebtedness.** The governor shall have power for that purpose to issue the interest-bearing certificates of indebtedness of the state in such denominations and sums as he shall determine advisable, to bear interest at a rate not exceeding five per cent per annum payable semiannually, and to be due and payable at such times as he may designate, but none of these certificates shall be issued for a period exceeding ten years.

Sec. 8

Subdivision 8. **Certificates, how payable.** The certificates of indebtedness issued under this chapter shall be made payable at such place as the governor shall determine. There shall be attached to each certificate coupons evidencing the semiannual instalments of interest to fall due on the same.

Sec. 9

Subdivision 9. **Tax levy.** The state auditor is hereby authorized and required to formally levy, and enter and collect annually, after the date of issuance of these certificates of indebtedness, a tax upon the taxable property of the state, in addition to all other taxes levied, sufficient to pay the interest annually accruing upon the certificates of indebtedness issued in pursuance of this chapter; and, in advance of the maturity of the principal of any of the certificates, he shall in like manner levy a tax upon the taxable property of the state sufficient to pay such principal sum when due.

Sec. 10

Subdivision 10. **Sale of certificates.** The governor shall sell such certificates to such persons, associations, and corporations, including the State of Minnesota, as he deems advisable, but in no case for less than par.

[Ex. 1919 c. 35; 1921 c. 418 s. 1; 1933 c. 355; 1941 c. 497 s. 3] (126)

**356.16 EFFECTIVE.** The powers and duties vested in and imposed upon the governor and the legislative advisory committee by sections 26.01, 356.01, and 356.03 shall cease and be of no effect on and after January 1, 1943.

[1941 c. 497 s. 4]