

WELFARE, RECREATION

CHAPTER 447

HOSPITALS, WELFARE ACTIVITIES

447.01-447.03 Repealed, 1949 c 119 s 110.

447.045 LIQUOR DISPENSARY FUND, COMMUNITY HOSPITAL

HISTORY. 1945 c 416 s 1; 1947 c 5 s 1; 1947 c 151 s 1; 1947 c 321 s 1; 1949 c 146 s 1, 2; 1949 c 214 s 1; 1949 c 382 s 1; 1949 c 480 s 1; 1949 c 531 s 1; 1951 c 424 s 1.

The proceeds of a municipal liquor store may not be appropriated to a non-profit charitable corporation such as a community hospital without a vote of the electorate. OAG June 23, 1948 (218-R).

Whether a village upon being authorized by the electorate may contribute from the municipal liquor dispensary fund toward converting certain rooms in the hospital, formerly used for residential purposes, into rooms for patients is a question of fact as to whether the changes or alterations which are to be made constitute construction or maintenance. The question of fact must be determined by the village-governing body. OAG Nov. 15, 1948 (218-R) (1001-H).

A hospital corporation whose corporate existence has expired may not receive an appropriation from moneys in the municipal liquor store fund. OAG Feb. 4, 1949 (218-R).

Under the provisions of Laws 1949, Chapter 146, a village may contribute to the future construction of a hospital, but cannot use funds to pay a mortgage on an existing hospital, nor to pay for equipment. Funds must not be diverted from the purpose for which they are appropriated. OAG June 14, 1949 (218-R).

A village may pay money to a hospital association out of surplus funds acquired out of the operation of a municipal liquor store, but there is no statutory authority for lending such money to any other corporation. OAG Oct. 9, 1952 (218-R).

To have a valid authority to appropriate liquor store funds to a community health center the city council of Two Harbors must provide for an election to vote upon an ordinance initiated by petition. To make such an appropriation the ordinance must be approved by the electorate. OAG Sept. 22, 1953 (218-R).

The Northwestern Hospital Association of Thief River Falls, a nonprofit institution, if "open to all residents of the city on equal terms," may properly be recognized as a "community hospital" and is entitled to accept a sum not to exceed \$200,000 from profits of the city's liquor dispensary fund and use the sum so accepted in constructing a new wing on said hospital. OAG Dec. 18, 1951 (1001-A).

447.05 HOSPITALS IN CERTAIN CITIES

HISTORY. Amended, 1945 c 102 s 1; 1949 c 119 s 111.

Whether a village upon being authorized by the electorate may contribute from the municipal liquor dispensary fund toward converting certain rooms in the hospital, formerly used for residential purposes, into rooms for patients is a question of fact as to whether the changes or alterations which are to be made constitute construction or maintenance. The question of fact must be determined by the village-governing body. OAG Nov. 15, 1948 (218-R) (1001-H).

Under the city charter of Granite Falls, funds arising from the operation of a utility may not be used to erect a hospital unless there is a surplus remaining after providing for the payment of all bonds and indebtedness of the utility in the amount required by the charter as a public utility reserve fund. OAG April 29, 1948 (624-A-6) (1001-A).

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The city of Sauk Centre may under its charter as amended lawfully use public funds for the establishment of a public hospital. Such purpose is a public purpose. A donation may be made of public funds and unneeded city real estate to a charitable institution for the purpose of operating a public hospital where the city acquires the right to have its inhabitants treated and cared for in the hospital on the same basis as other persons, and to have its indigent poor so cared for without discrimination. The contract is valid though the hospital is to be conducted by the Franciscan sisters. OAG May 5, 1945 (1001-A).

Where the city owns property deeded to it upon condition that it be devoted to certain purposes provided in the deed, and the use of the tract for hospital purposes is in no way similar to any of the specified permissible uses, and such use of the property for a community hospital site would be a violation of the condition of the deed to the municipality, under the terms of the deed the title would revert to the grantors of the property. OAG March 8, 1948 (1001-A).

The city of South St. Paul, a city of the third class, has neither statutory nor charter authority to sell bonds and turn proceeds over to a religious order to be used by that order in directing, equipping and maintaining a hospital. City may not construct and equip a hospital from the proceeds of a bond issue and sell such hospital for a nominal consideration to a religious order upon condition that such be maintained as a public general hospital. City may not enter into an agreement for joint control with the religious order whereby the city conveys title to the property to the religious order. OAG Feb. 17, 1949 (1001-A).

The council of the city of Worthington cannot establish a board authorized to pay the bills of a hospital without submitting the same to the city council for audit and allowance. OAG Sept. 15, 1950 (1001-A).

The city of Gaylord may acquire an "old hospital, privately owned" if the purpose is to provide hospitalization for patients who cannot be accommodated in the present city hospital. The city may not acquire the hospital subject to any mortgage thereon. OAG Dec. 29, 1950 (1001-A).

A county is authorized to acquire lands to construct, maintain, and operate a county hospital, and villages having a population of more than 1,000 and less than 20,000 may own and operate hospitals, and under the provisions of section 471.59 to own and govern. Bodies may jointly exercise powers common to the contracting parties. If under such provisions a jointly owned and operated hospital is constructed and operated upon a sale of the jointly owned hospital, proper distribution of the net proceeds of the sale should be on the ratio of a joint contribution, and a contract between the parties to that effect will be valid and binding. OAG July 20, 1948 (1001-B).

A city may allow a discount to a county on indigent cases authorized by the county welfare board for care in the city hospital. OAG Feb. 28, 1952 (1001-D).

447.06 ACQUISITION OF SITES AND PROPERTY

HISTORY. Amended, 1949 c 119 s 111.

447.07 RULES

HISTORY. Amended, 1945 c 102 s 3; 1949 c 119 s 111.

Bills for the Northfield city hospital must be approved by the city council. OAG March 27, 1952 (1001-A).

A city may allow a discount to a county on indigent cases authorized by the county welfare board for care in the city hospital. OAG Feb. 22, 1952 (1001-D).

447.17 DIRECTORS OF TRUSTS CREATED

The Miller Memorial Hospital of Duluth, while operated and managed by a board of directors of trusts created by Laws 1931, Chapter 56, is the property of the city of Duluth and the public examiner is required to audit the books and records thereof. OAG Aug. 14, 1953 (353-A-3).