

MINNESOTA STATUTES 1973 SUPPLEMENT

465.57 RIGHTS, POWERS, DUTIES; MUNICIPALITIES

the proposition, the same shall be deemed carried and the governing body may levy such tax annually.

[1973 c 123 art IV s 10]

465.69 Training of school safety patrol members

Any statutory city of this state may provide for the training of members of the school safety patrol at any authorized school patrol camp located in this state and may pay the expense necessarily incurred in providing such training, out of any funds available for said purpose.

[1973 c 123 art IV s 11]

465.72 Severance pay

Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, all counties, cities, villages, boroughs, townships and school districts are hereby authorized and empowered to pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving employment prior to the normal retirement date. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment. In the event that a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee leaving employment exceed an amount equivalent to 100 days pay.

[1973 c 298 s 1]

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CHAPTER 471. RIGHTS, POWERS, DUTIES; SEVERAL POLITICAL SUBDIVISIONS

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471.16 May act independently or cooperatively

[For text of subd. 1, see M.S.1971]

Subd. 2. Notwithstanding the provisions of section 471.15, any county may levy a tax to provide funds for the establishment or operation of recreational facilities or programs for senior citizens either by such county or by any municipality, governmental subdivision, school district or other organization or entity referred to in subdivision 1.

[1973 c 583 s 33]

471.191 Acquisition of facilities

Subdivision 1. Any city, village, or borough operating a program of public recreation and playgrounds pursuant to sections 471.15 to 471.19 may acquire or lease, equip, and maintain land, buildings, and other recreational facilities, including, but without limitation, outdoor or indoor swimming pools, skating rinks and arenas, athletic fields, golf courses, marinas, concert halls, and facilities for other kinds of athletic or cultural participation, contests, and exhibi-

bitions, together with related automobile parking facilities as defined in section 459.14, and may expend funds for the operation of such program and borrow and expend funds for capital costs thereof pursuant to the provisions of this section. Any facilities to be operated by a nonprofit corporation, as contemplated in section 471.16, may be leased to the corporation upon such rentals and for such term, not exceeding 30 years, and subject to such other provisions as may be agreed; including but not limited to provisions (a) permitting the lessee, subject to whatever conditions are stated, to provide for the construction and equipment of the facilities by any means available to it and in the manner determined by it, without advertisement for bids as required for other municipal facilities, and (b) granting the lessee the option to renew the lease upon such conditions and rentals, or to purchase the facilities at such price, as may be agreed; provided that (c) any such lease shall require the lessee to pay net rentals sufficient to pay the principal, interest, redemption premiums, and other expenses when due with respect to all bonds issued for the acquisition or betterment of the facilities, less such amount of taxes and special assessments, if any, as may become payable in any year of the term of the lease, on the land, building, or other facilities leased, and (d) no option shall be granted to purchase the facilities at any time at a price less than the amount required to pay all principal and interest to become due on such bonds to the earliest date or dates on which they may be paid and redeemed, and all redemption premiums and other expenses of such payment and redemption.

[1973 c 321 s 1]

[For text of subs. 2 to 5, see M.S.1971]

471.192 [Repealed, 1973 c 445 s 3]

471.345 Uniform municipal contracting law

[For text of subs. 1 to 3, see M.S.1971]

Subd. 4. Contracts from \$1,000 to \$5,000. If the amount of the contract is estimated to exceed \$1,000 but not to exceed \$5,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof.

[1973 c 226 s 1]

Subd. 5. Contracts less than \$1,000. If the amount of the contract is estimated to be less than \$1,000, the contract may be made either upon quotation or in the open market, in the discretion of the governing body; but, so far as practicable, shall be based on at least two quotations which shall be kept on file for a period of at least one year after receipt thereof.

[1973 c 226 s 2]

[For text of subd. 6, see M.S.1971]

471.464 Ramps at crosswalks

Subdivision 1. Every city, village and borough shall install ramps at crosswalks, in both business and residential areas, when making new installations of sidewalks and curbs or gutters, or improving or replacing existing sidewalks and curbs or gutters, so as to make the transition from street to sidewalk easily negotiable for handicapped persons in wheelchairs and for other persons who may have difficulty in making the required step up or down from curb level to street level.

Subd. 2. All such ramps shall be constructed or installed in accordance with design specifications therefor prepared by the department of highways.

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The department of highways shall make available to such municipalities design standards for such ramps.

[1973 c 50 s 1]

471.59 Joint exercise of powers

[For text of subs. 1 to 7, see M.S.1971]

Subd. 8. Notwithstanding the provisions of subdivision 1 requiring commonality of powers between parties to any agreement the board of county commissioners of any county may by resolution enter into agreements with any other governmental unit as defined in subdivision 1 to perform on behalf of that unit any service or function which that unit would be authorized to provide for itself, provided that all services or functions to be provided by any county pursuant to this subdivision shall be performed on a cost basis. The provisions of this subdivision do not apply to any county wherein the chairman of the board of county commissioners is a mayor of any municipality within that county.

[1973 c 541 s 1]

471.61 Group insurance, protection for officers, employees, retired officers and employees

Subdivision 1. Officers, employees. Any county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, other than the state or any department thereof, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their officers and employees, and their dependents, or any class or classes thereof, under a policy or policies, or contract or contracts of group insurance or benefits covering life, health, and accident, in the case of employees, and medical and surgical benefits, and hospitalization insurance or benefits, for both employees and dependents, or dependents of an employee whose death was due to causes arising out of and in the course of employment, or any one or more of such forms of insurance or protection. Any such governmental unit, including county extension committees and those paying their employees, may pay all or any part of the premiums or charges on such insurance or protection. Any such payment shall be deemed to be additional compensation paid to such officers or employees but for purposes of determining contributions or benefits under any public pension or retirement system it shall not be deemed to be additional compensation. Any one or more of such governmental units may determine that a person is an officer or employee if such officer or employee receives a portion of his income from such governmental subdivisions without regard to the manner of his election or appointment. The appropriate officer of such governmental unit, or those disbursing county extension funds, shall deduct from the salary or wages of each officer and employee who elects to become insured or so protected, on the officer's or employee's written order, all or part of the officer's or employee's share of such premiums or charges and remit the same to the insurer or company issuing such policy or contract.

Any governmental unit which pays all or any part of such premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary funds for the payment of such premiums or charges, and except for school districts such sums so levied and appropriated shall not, in the event such sum exceeds the maximum sum allowed by any law or the charter of a municipal corporation, be considered part of the cost of government of such governmental unit as defined in any tax levy or per capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents shall be contributed by the employee or be paid by levies within existing per capita tax limitations.

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The word "dependents" as used herein shall mean spouse and minor unmarried children under the age of 18 years actually dependent upon the employee.

[1973 c 725 s 68]

Subd. 1a. Dependents. Notwithstanding the provisions of Minnesota Statutes 1969, Section 471.61, as amended by Laws 1971, Chapter 451, Section 1, the word "dependents" as used therein shall mean spouse and minor unmarried children under the age of 18 years and dependent students under the age of 25 years actually dependent upon the employee.

[1973 c 725 s 69]

[Subd. 2 repealed in M.S.1971]

Subd. 2a. Retired officers, employees. Any county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, other than the state or any department thereof, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their retired officers and retired employees entitled to benefits under any public employees retirement act and their dependents, or any class or classes thereof, under a policy or policies, or contract or contracts of group insurance or benefits covering life, health, and accident, medical and surgical benefits, or hospitalization insurance or benefits, for retired officers and retired employees and their dependents, or any one or more of such forms of insurance or protection. Any such governmental unit, including county extension committees, may pay all or any part of the premiums or charges on such insurance or protection. Any one or more of such governmental units may determine that a person is a retired officer or a retired employee if such officer or employee, when employed, received a portion of his income from such governmental subdivisions without regard to the manner of his election or appointment. The appropriate officer of such governmental unit, or those disbursing county extension funds, shall collect from each such retired officer and retired employee who elects to become insured or so protected, on such officer's or employee's written order, all or part of the retired officer's or retired employee's share of such premiums or charges and remit the same to the insurer or company issuing such policy or contract.

Any governmental unit which pays all or any part of such premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary funds for the payment of such premiums or charges, and except for school districts such sums so levied and appropriated shall not, in the event such sum exceeds the maximum sum allowed by any law or the charter of a municipal corporation, be considered part of the cost of government of such governmental unit as defined in any tax levy or per capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents shall be contributed by the retired officer or retired employee or be paid by levies within existing per capita tax limitations.

The word "dependents" as used herein shall mean spouse and minor unmarried children under the age of 18 years actually dependent upon the retired officer or retired employee.

[1973 c 385 s 1; 1973 c 725 s 70]

[For text of subds. 3 and 4, see M.S.1971]

471.616 Group insurance; governmental units

Subdivision 1. Bidding required. No governmental subdivision, political subdivision, or any other body corporate and politic authorized by law to purchase group insurance for its employees and providing or intending to provide such group insurance protections and benefits for 25 or more of its employees shall enter into a contract for or renew any such group insurance policy or contract without calling for bids and awarding the contract to the lowest responsible bidder by way of competitive bidding procedures similar to those for

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the provision of services and supplies under Minnesota Statutes 1971, Section 16.07. The aggregate value of benefits provided by a contract entered into after July 1, 1973 shall not be less than those provided by the preexisting contract.

Provided, however, that no such contract need be awarded or submitted or resubmitted to bid more frequently than once every 60 months, unless

(a) pursuant to a change in benefits or protections under the policy, contract or program, a 10 to 20 percent change in the original premium under the policy contract is provided, required or indicated; or

(b) for any reason whatsoever, a 20 percent or greater change in the original premium under the policy contract is provided, required or indicated.

When an insurer proposes an increase in rates of 20 percent or more, it shall accompany its proposal with a claims listing for the appropriate period that explains the proposed increase. When a contract is resubmitted for bids because of a proposed increase in rates of 20 percent or more the claims listing shall accompany the specifications for the contract.

Subd. 2. Insurance provisions; disclosure. Every governmental subdivision, political subdivision, or other body corporate and politic contracting for and providing group insurance protection and benefits as provided in subdivision 1, shall file with the clerk or other comparable officer of the subdivision or other body within five months of the annual anniversary date of the contract, the particulars and details of such insurance plan or program in the same general manner and form as that required by the federal government for the disclosure and filing of group insurance information by employers not otherwise exempt.

[1973 c 338 s 1]

471.63 Promotion of safety and preservation of human life

[For text of subd. 1, see M.S.1971]

Subd. 2. Limit of appropriation. The total amount so appropriated by the governing body of any municipality not including a county shall not exceed the sum of \$1,000 annually.

[1973 c 583 s 34]

[For text of subs. 3 to 7, see M.S.1971]

471.705 Meetings of governing bodies; open to public

Subdivision 1. Except as otherwise expressly provided by statute, all meetings, including executive sessions, of any state agency, board, commission or department when required or permitted by law to transact public business in a meeting, and the governing body of any school district however organized, unorganized territory, county, city, village, town, borough, or other public body, and of any committee, subcommittee, board, department or commission thereof, shall be open to the public, except meetings of the board of pardons, the adult corrections commission and the youth commission. The votes of the members of such state agency, board, commission or department or of such governing body, committee, subcommittee, board, department or commission on any action taken in a meeting herein required to be open to the public shall be recorded in a journal kept for that purpose, which journal shall be open to the public during all normal business hours where such records are kept. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims and amounts fixed by statute. This section shall not apply to any state agency, board, or commission when exercising quasi-judicial functions involving disciplinary proceedings.

Subd. 2. Any person who violates subdivision 1 shall be subject to personal liability in the form of a civil penalty in an amount not to exceed \$100 for a single occurrence. An action to enforce this penalty may be brought by any person in any court of competent jurisdiction where the administrative office of the governing body is located. Upon a third violation by the same

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person connected with the same governing body, such person shall forfeit any further right to serve on such governing body or in any other capacity with such public body for a period of time equal to the term of office such person was then serving. The court determining the merits of any action in connection with any alleged third violation shall receive competent, relevant evidence in connection therewith and, upon finding as to the occurrence of a separate third violation, unrelated to the previous violations issue its order declaring the position vacant and notify the appointing authority or clerk of the governing body. As soon as practicable thereafter the appointing authority or the governing body shall fill the position as in the case of any other vacancy.

Subd. 3. This section may be cited as the "Minnesota Open Meeting Law".
[1973 c 680 s 1, 3]

(NOTE: The effective date of this section is May 1, 1974.)

471.74 Bonds to retire unfunded indebtedness

[For text of subd. 1, see M.S.1971]

Subd. 2. The governing body of any municipality issuing bonds under sections 471.71 to 471.83 shall, at the time of the issuance thereof, by resolution, provide for a levy of taxes for the payment thereof, such levy to be in accordance with the provisions of Minnesota Statutes, Chapter 475. Levies for the payment of these bonds shall be within the limitations upon tax levies for the payment of funding bonds in the particular municipality issuing the bonds. Such levies shall be subject to the provisions of Minnesota Statutes, Sections 275.10, 275.11, 275.125, 275.31, and 275.35, to the extent that these sections are applicable to the municipality issuing such bonds. In all cases the levies for these bonds shall be spread by the county auditor in full and the levy of the municipality for other purposes shall be reduced, if necessary, so that the total amount levied for the municipality does not exceed said limitations.

[1973 c 35 s 77]

[For text of subd. 3, see M.S.1971]

CHAPTER 472. MINNESOTA AREA REDEVELOPMENT ACT

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| Sec. 472.02 Findings; declaration of policy; public purpose. | Sec. 472.04 Local or area agencies; estab- lishment. |
| 472.03 Definitions. | |

472.02 Findings; declaration of policy; public purpose

Subdivision 1. It is hereby declared that there exists in the state certain areas of substantial and persistent unemployment causing hardship to many individuals and their families and that there also exist certain rural areas where development and redevelopment should be encouraged; that unemployment and rural underdevelopment detracts from the state and national welfare by wasting vital human resources; that to overcome this problem the powers and facilities of the state government and local communities, in cooperation with the federal government, should assist rural areas and areas of substantial and chronic unemployment in planning and financing economic redevelopment by private enterprise; that governmental assistance to communities, industries, enterprises, and individuals in rural areas and areas needing economic redevelopment will enable such areas to enhance their prosperity by the establishment of stable and diversified local economies; and that under the provisions of sections 472.01 to 472.16 new employment opportunities will be created through the development and expansion of new or existing facilities and resources.

Subd. 2. It is found that economic insecurity due to underdevelopment and unemployment or underemployment in certain regional or local areas of this