

Sec. 9. [290.989] **Appeal.** *Any person aggrieved by the denial, in whole or in part, of relief claimed under this article, except when the denial is based upon late filing of claim for relief, may appeal such denial to the Minnesota Tax Court by filing a petition with the tax court within 30 days after such denial, as provided in Minnesota Statutes 1965, Chapter 271.*

Sec. 10. [290.99] **No relief allowed in certain cases.** *No claim for relief under this article shall be allowed to any person who is a recipient of public funds for the payment of rent during the period for which the claim is filed. No claim for relief under this article shall be allowed to any person residing in a rental unit the rental of which is subject to regulations of a governmental agency, federal, state or local.*

Sec. 11. [290.991] **Alternative relief.** *A claimant may choose the relief granted in this article or in article 6, but he is not entitled to both.*

Sec. 12. [290.992] **Effective date.** *The relief granted under this article is applicable for the rent paid for the year 1968 and thereafter.*

ARTICLE XVIII

Section 1. **Citation.** *This act shall be cited as the Tax Reform and Relief Act of 1967.*

Passed notwithstanding governor's veto June 1, 1967.

EXTRA SESSION

CHAPTER 33—S. F. No. 4

[Coded in Part]

An act relating to home rule charters of cities and villages; amending Minnesota Statutes 1965, Sections 410.05 and 410.27, Subdivision 5.

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

Section 1. Minnesota Statutes 1965, Section 410.05 is amended to read:

410.05 **Home rule charters; charter commission.** *Subdivision 1. Appointment.* When the judges *district court* of the ju-

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dicial district in which ~~such a~~ city or village is situated, shall ~~deem~~ *deems* it for the best interest of the municipality so to do, ~~they the~~ court, acting through its senior judge, may appoint a charter commission to frame ~~and amend such a~~ charter. *The commission shall be* composed of 15 members, each of whom shall be a freeholder and a qualified voter of ~~such the~~ city or village, ~~and, upon~~ *Upon* presentation to ~~them~~ of a petition requesting such action, signed by at least ten percent of the number of voters of ~~such the~~ municipality, as shown by the returns of the ~~last annual municipal~~ election, ~~last held~~ *therein*; or upon resolution of the governing body of the city or village requesting such action, ~~they the~~ court shall appoint ~~such board~~ a charter commission. No person shall be disqualified from serving on ~~such board a~~ charter commission by reason of his holding any other ~~public elective or appointive office or employment other than~~ judicial.

Subd. 2. Commission members; terms, vacancies. The members shall severally Charter commission members shall hold office for the term of four years, or until they cease to be ~~such resident voters and freeholders~~ and until their successors are appointed and qualify, except that of members initially appointed after the effective date of this act, eight shall be appointed for two-year terms and seven for four-year terms. No person may be appointed to more than two successive terms as a commission member. ~~and vacancies~~ Vacancies in the commission shall be filled by appointment of the ~~judges senior judge~~ for the unexpired terms. Upon the expiration of ~~such each~~ four-year term, the ~~judges senior judge~~ shall appoint a new commission members. ~~and in ease for any reason the judges shall fail~~ If the senior judge fails to appoint the new commission members within 30 days then thereafter the ~~judges senior judge~~ upon their his own motion may, and upon the written petition of ten voters of the city shall, appoint the new commission members. Every appointment *Appointments* shall be made by order filed with the clerk of the district court. ~~Every~~ An appointee who shall neglect ~~neglects~~ to file with the clerk within 30 days a written acceptance and oath of office shall be deemed to have declined the appointment and his place shall be filled as though he had resigned. ~~The judges~~ The district court, within 30 days ~~thereafter~~ after the initial appointment of the commission, shall make rules with reference to ~~such the~~ commission and require such reports as may appear desirable or necessary. Any member appointee who has qualified by filing his written acceptance and oath of office within 30 days may thereafter be removed at any time from office, by written order of the district court, the reason for such removal being stated in the order; ~~and when~~. When any member has failed to perform the duties of his office and has failed to attend four consecutive meetings without being ex-

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cused by the commission, the secretary of the charter commission shall file a certificate with the court setting forth those facts and the district court shall thereupon make its order of removal and *the senior judge shall fill the vacancy created as in the ease of a resignation thereby.*

Subd. 3. Commission appointments; nominees. A city or village council, a charter commission, or the petitioners requesting the appointment of a charter commission may submit to the court the names of eligible nominees which the district court may consider in making appointments to the charter commission.

Section 2. Minnesota Statutes 1965, Section 410.27, Subdivision 5 is amended to read:

Subd. 5. On notification of the charter commission's action, the council shall may submit to the people, in the same manner as provided in section 410.12, subdivision 4, the amendment originally proposed by it or the substitute amendment proposed by the charter commission. The amendment shall become effective only when approved by the voters as provided in section 410.12, subdivision 4. If so approved it shall be filed in the same manner as other amendments. Nothing in this subdivision precludes the charter commission from proposing charter amendments in the manner provided by section 410.12.

Sec. 3. **[410.31] Charter amendment by ordinance.** *Subdivision 1. As an alternative to the amendment methods provided in section 410.12, a home rule charter may be amended as provided in this section.*

Subd. 2. Upon recommendation of the charter commission the city council may enact a charter amendment by ordinance. Such an ordinance, if enacted, shall be adopted by the council by an affirmative vote of all its members after a public hearing upon two weeks' published notice containing the text of the proposed amendment and shall be approved by the mayor and published as in the case of other ordinances.

Subd. 3. An ordinance amending a city charter shall not become effective until 90 days after passage and publication or at such later date as is fixed in the ordinance. Within 60 days after passage and publication of such an ordinance, a petition requesting a referendum on the ordinance may be filed with the city clerk. Such petition shall be signed by qualified voters equal in number to two per cent of the total number of votes cast in the city at the last state general election or 2000, whichever is less. If the city has a system of permanent registration of voters, only registered voters are eligible to

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sign the petition. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by the voters as in the case of charter amendments submitted by the charter commission, the council, or by petition of the voters, except that the council may submit the ordinance at any general or special election held at least 60 days after submission of the petition, or it may reconsider its action in adopting the ordinance.

Subd. 4. As far as practicable the requirements of section 410.12 apply to petitions submitted under this section, to an ordinance amending a charter, and to the filing of such ordinance when approved by the voters.

Sec. 4. *This act is effective on July 1, 1967.*

Approved June 1, 1967.

EXTRA SESSION

CHAPTER 34—S. F. No. 13

[Not Coded]

An act providing for the consolidation of certain funds and tax levies of the city of Minneapolis.

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

Section 1. Minneapolis, city of; consolidation of funds and tax levies. Notwithstanding any contrary provision of the charter of the city of Minneapolis or any other statute there shall be in said city a general fund under the jurisdiction and control of the city council which fund shall be in lieu of existing separate funds having individual tax rate limits for: current expense, streets, public welfare, civil service, and civil defense.

Sec. 2. The assets and liabilities of the five funds enumerated in section 1 shall be transferred to such general fund as of January 1, 1968. On or before October 10, 1967 and annually thereafter the city council shall within the maximum determined by the board of estimate and taxation of the said city levy a tax for such general fund in an amount and at a rate not to exceed 35 mills.

Sec. 3. Prior to January 1 of each year the city council shall make appropriations of the revenue within such general fund for the ensuing year and thereafter such appropriations may be in-

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