

## CHAPTER 39—S. F. No. 611

*An act relating to the commission on uniform state laws; amending Minnesota Statutes 1967, Section 3.251.*

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

Section 1. Minnesota Statutes 1967, Section 3.251, is amended to read:

**3.251 Uniform state laws; commission.** A commission on uniform state laws ~~in the several states of the United States~~ *consisting of four commissioners* is created. Before the first day of June, each odd-numbered year, the governor, the attorney general, and the chief justice of the supreme court shall appoint three persons learned in the law to serve as commissioners for a term of two years, and until their successors are appointed. *The fourth commissioner is the revisor of statutes or his designated assistant.* If a vacancy occurs in the commission the appointing officers shall fill the vacancy for the remainder of the term.

Approved March 12, 1969.

## CHAPTER 40—H. F. No. 177

[Coded in Part]

*An act relating to armories; amending Minnesota Statutes 1967, Sections 193.141, Subdivision 1; 193.144, Subdivisions 1, 2, 3, 4, and 6; 193.145, Subdivision 2; 193.146, Subdivision 4; 193.27, and 193.36, Subdivision 2; repealing Minnesota Statutes 1967, Sections 193.18, 193.19, and 193.20.*

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

Section 1. Minnesota Statutes 1967, Section 193.141, Subdivision 1, is amended to read:

**193.141 Armories; county participation; construction of armories.** Subdivision 1. **Construction by counties or municipalities.** In any county or municipality of this state in which there shall at the time be stationed one or more units of the National Guard or Naval Militia, and in which the adjutant general shall deem it necessary or expedient to construct an armory, an armory may be constructed and the cost thereof paid as hereinafter provided.

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

Sec. 2. Minnesota Statutes 1967, Section 193.144, Subdivision 1, is amended to read:

**193.144 Site.** Subdivision 1. **Authority to provide site.** Any *county or* municipality desiring to construct a new armory may provide a site therefor as hereinafter provided.

Sec. 3. Minnesota Statutes 1967, Section 193.144, Subdivision 2; is amended to read:

**Subd. 2. Acquisition of site; conveyance to corporation.** If such *county or* municipality shall desire to have a new armory constructed, such *county or* municipality may secure by purchase, gift, or condemnation, and may convey to such corporation, a site for such new armory approved as suitable therefor by the adjutant general. In case such site or any part thereof or interest therein is owned or controlled by the board of park commissioners of such *county or* municipality or by any other governmental agency therein except the state or *county or city municipality*, such board or other agency may convey the same by way of gift or sale to such corporation without charge.

Sec. 4. Minnesota Statutes 1967, Section 193.144, Subdivision 3, is amended to read:

**Subd. 3. Outstanding ownership or interest.** In case any person or corporation except such *county, city municipality* or board of park commissioners or other governmental agency hereinbefore referred to shall own any lands required for such site, whether provided under subdivision 2 or under this section, or any interest in any such lands which would interfere with the use thereof by the state for armory or military purposes, such *county or city municipality* or such board of park commissioners or other governmental agency may acquire such lands or interest by purchase, gift, or condemnation and may convey the same by way of gift or sale to such corporation; provided, that notwithstanding any such outstanding ownership or interest, such corporation may, in its discretion, with the approval of the adjutant general, accept a conveyance of such lands and interests in lands for such site as may be owned or controlled by such *county, municipality, board of park commissioners, or other governmental agency* and may acquire by purchase, gift, or condemnation any further lands or interests in lands that may be required for such site.

Sec. 5. Minnesota Statutes 1967, Section 193.144, Subdivision 4, is amended to read:

**Subd. 4. Eminent domain.** The governing body of such *county or* municipality and such board of park commissioners and

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any other governmental agency concerned shall have power to exercise the right of eminent domain in the manner provided by Minnesota Statutes, Chapter 117, for the purpose of acquiring any lands or interests in lands authorized to be acquired as aforesaid.

Sec. 6. Minnesota Statutes 1967, Section 193.144, Subdivision 6, is amended to read:

Subd. 6. **Disposal of unused site.** In case any land acquired for armory site purposes hereunder has been donated to such corporation by such *county or municipality* or by other governmental agency except the state, and in case such land or any part thereof shall thereafter not be used or shall cease to be used for armory purposes for a continuous period of more than ten years, not including the period of any war or other emergency in which the armed forces of the state may be engaged, the title to such unused land or part thereof shall thereupon pass, revert and be vested in such *county, city municipality* or other governmental agency which donated the same, subject to any encumbrances that may have been lawfully placed thereon by such corporation or otherwise.

Sec. 7. Minnesota Statutes 1967, Section 193.145, Subdivision 2, is amended to read:

Subd. 2. **Tax levy, limitation.** A *county or municipality* in which an armory has been constructed or is to be constructed hereunder may by resolution of its governing body irrevocably provide for levying and collecting annually for a specified period, not exceeding 40 years, a tax upon all taxable property therein of such amount as such governing body may determine, not exceeding one mill.

The proceeds of such levy as collected shall be paid to such corporation for the purposes herein prescribed. Such *county or municipality* shall have power to make such tax levies and payments and to bind itself thereto by such resolution of its governing body. The provisions of such resolution may be made conditional upon the giving of an agreement by the adjutant general as authorized in subdivision 4. The obligations of such *county or municipality* to levy, collect, and pay over such taxes shall not be deemed or construed to constitute an indebtedness of such *county or municipality* within the meaning of any provision of law or of its charter limiting its total or net indebtedness, and such taxes may be levied and collected without regard to any statutory or charter provision limiting the amount or rate of taxes which such *county or municipality* is otherwise authorized to levy. The payment of the proceeds of such taxes up to an amount equal to the sum of \$250 per year, or such other amount as may hereafter be prescribed by law, for each company or other unit of the national

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guard or naval militia stationed in such *county* or municipality, shall be deemed sufficient appropriation and payment by such *county* or municipality to authorize the payments to be made by the state annually for armory maintenance and equipment under the provisions of section 193.35, such payments to be made to such corporation and applied as herein provided.

Sec. 8. Minnesota Statutes 1967, Section 193.146, Subdivision 4, is amended to read:

Subd. 4. **Sale.** Such bonds shall be sold by such corporation under such notice and upon such terms and at such times as the corporation shall deem best. Such bonds shall not be deemed or construed to be debts of the state of Minnesota or of the *county* or municipality in which such armory is situated, nor to impose any personal liability upon any member of such corporation, but shall be payable solely out of the income to be received by such corporation as specified herein. Bonds legally issued pursuant hereto may be purchased by the state board of investment for the permanent school fund, permanent university fund, swamp land fund, internal improvement land fund, or any other trust fund of the state of Minnesota, or for any other fund administered by such board, and shall be deemed authorized securities within the provisions of section 50.14, and laws supplemental thereto, and shall be proper for the investment of capital, surplus, or deposits of any savings bank or trust company, and for the investment of funds of any insurance company, and for the investment of any sinking funds held by any public or municipal corporation, and may be pledged by any bank or trust company as security for the deposit of public moneys therein in lieu of surety bonds. Such bonds shall be deemed and treated as instrumentalities of a public governmental agency, and as such shall be exempt from taxation.

Sec. 9. Minnesota Statutes 1967, Section 193.27, is amended to read:

193.27 **Disposition of unused funds.** In any *county* or *city municipality* in this state, however organized, in which there have heretofore been bond issues or tax levies made for the construction of a public armory building in such *county* or *city municipality*, which armory building has not been constructed and the moneys received from such bonds issued or taxes levied remain unexpended, upon a unanimous vote of the *county board* or *city municipal council* such funds or any or all thereof may be invested by such *county board* or *city municipal council* or used and expended by it for any public purpose within such *county* or *city municipality*.

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

Sec. 10. Minnesota Statutes 1967, Section 193.36, Subdivision 2, is amended to read:

Subd. 2. **May sell and convey such property in certain cases.** In any such case when there is no prospect that the armory will ever again be used for military purposes, the adjutant general may sell and convey such property to the municipality in which the same is located for public purposes at a price to be determined by a board of three appraisers to be selected by the adjutant general, the commissioner of administration, and the state auditor, and the money so received shall be credited to the general revenue fund and is appropriated to the adjutant general to be used as a contribution for the construction of a new armory to replace the one sold; or be transferred to the Minnesota state armory building commission if the new armory to replace the one sold is to be constructed by said commission. If no new armory is built within five years after the old armory has been sold, the appropriation to the adjutant general as herein provided shall lapse.

If the municipality shall not purchase such property after a reasonable opportunity, the adjutant general may sell and convey the same to any person after a sale thereof at public sale, and in the same manner as certain state property is sold at public sale under the provisions of Minnesota Statutes, Chapter 16. The adjutant general may lease any such armory remaining unsold to the municipality for public purposes at an annual rental which shall not be less than ten percent of the appraised value of the property.

Sec. 11. [193.37] **Counties containing city of first class; application.** *Sections 1 to 10 of this act authorizing county participation shall not apply to any county containing a city of the first class.*

Sec. 12. *Minnesota Statutes 1967, Sections 193.18, 193.19, and 193.20 are repealed.*

Approved March 11, 1969.

CHAPTER 41—H. F. No. 343

[Not Coded]

*An act relating to the legislative retirement study commission; appropriating money therefor.*

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

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