

Sec. 4. Laws 1957, Chapter 955 is hereby repealed.
Approved May 23, 1969.

CHAPTER 593—S. F. No. 1645

[Not Coded]

An act relating to the planting, care, maintenance, spraying, trimming, protection, replacing and removal of trees in the city of Minneapolis; providing for the consolidation of tax levies and the issuance of general bond obligations; establishing a tree preservation and reforestation fund; providing emergency funding provisions; repealing Minnesota Statutes 1967, Section 448.56, Subdivisions 3, 4 and 5; and Laws 1945, Chapter 210, as amended.

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

Section 1. Minneapolis, city of; plan for shade and ornamental trees, shrubbery and herbage. Notwithstanding any provision of the charter of the city of Minneapolis or any other statute, the board of park commissioners of the city of Minneapolis shall be authorized to control, plan, and regulate the planting, caring for, maintenance, protection, preservation, trimming, destruction, removal and replacement of the shade and ornamental trees, shrubbery and herbage on the streets, avenues, alleys and public grounds of the city of Minneapolis.

Sec. 2. Cost may be collected from public utilities. Whenever the maintenance of poles, cables, or wire along any of the streets, avenues, or alleys of said city by any public utility is such that they are or will come into contact with the trees on any street, avenue, or alley such as to injure said trees or that injury is likely to occur thereto, and the person, partnership, or corporation maintaining said poles, cables, or wires and having legal authority to do so, neglects or refuses to trim or cause said trees to be trimmed within a reasonable time after notice from the park board that trimming is necessary to prevent damage to such trees, the park board may cause the necessary trimming to be done and shall collect from said public utility the cost of the trimming so done.

Sec. 3. Tree preservation and reforestation fund. Notwithstanding any provision of the charter of the city of Minneapolis or any other statute, the board of park commissioners of the city of Minneapolis is hereby authorized and empowered, in addition to

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all other powers by it now possessed, to establish a fund to be known and designated as the "Tree Preservation and Reforestation Fund" which shall be kept distinct from all other funds of the city and park board. Said fund shall be in lieu of existing tax levies for the planting, caring for, maintenance and removal of trees and shrubbery and shall be used for the accomplishment of the purposes enumerated in section 1 hereof. On or before the tenth day of October, 1969, and annually thereafter, the governing body of the board of park commissioners may levy on the real and personal property of the city a tax not exceeding two and three-tenths mills on each dollar of the assessed valuation of the city. The amount of such levy shall be subject to the supervision of any fiscal control agency which is now or hereafter provided in the charter of any such city.

Sec. 4. Surveillance and control of pests and diseases. Notwithstanding any provision of the charter of the city of Minneapolis or any other statute, the board of park commissioners shall be authorized and empowered to act in accordance with the recommendation of the commissioner of agriculture pursuant to Minnesota Statutes, Section 18.022, Subdivision 1. Monies to defray the cost of such activities shall be expended from the tree preservation and reforestation fund, and shall be in lieu of any special tax provided for in Minnesota Statutes, Section 18.022, Subdivision 2(a).

Sec. 5. Catastrophe emergency authorizing bond issue. Upon request of the governing body of the board of park commissioners expressed by resolution adopted by a vote of two-thirds of all the members thereof, the board of estimate and taxation, in its discretion, shall have the power, by a vote of at least five of its members to issue and sell bonds for a tree emergency fund to an aggregate total amount of not to exceed \$1,000,000 only upon the occurrence of any one of the following events: (a) in the event a substantial rehabilitation program is required by reason of a natural catastrophe or (b) an emergency fund is necessary and required to defray the costs of control of a disease which has become an epidemic according to technical and expert opinions rendered pursuant to Minnesota Statutes, Section 18.022. The amount of all such bonds issued under this act shall be exempt from and shall not be counted or included in the net indebtedness of the city or in any computation of the city's outstanding indebtedness for the purpose of determining the limit of the net bonded indebtedness of the city. The monies received from the sale of said bonds shall be placed in a special tree emergency fund and shall be used for the rehabilitation or disease eradication program required by reason of the epidemic or natural catastrophe. The governing body of the board of park commissioners may levy taxes for payment of such bonds without limitation as to rate or

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amount and in excess of existing limitations and the monies collected on such tax levies shall be used only for the payment of the bonds authorized herein. The amount of such levy shall be subject to the supervision of any fiscal control agency which is now or hereafter provided in the charter of any such city. The levy shall be certified to the county auditor on or before October 10 of each year.

Sec. 6. Full faith and credit pledged; charter limitation. The bonds hereby authorized or any part thereof shall be issued and sold pursuant to the provisions of Minnesota Statutes, Chapter 475, except that the bonds authorized herein may be issued without first obtaining the approval or a vote of the electors and the full faith and credit of such city at all times shall be pledged for the payment of any such bonds issued under this act and for the payment of the principal and interest thereon. Prior to the sale of the bonds, the governing body of the board of park commissioners of the city of Minneapolis shall by resolution determine that an epidemic or natural catastrophe emergency exists and that the amount to be raised by the bond sale is required by reason of the natural catastrophe or the disease epidemic.

Sec. 7. Effective date of act. This act shall become effective upon approval by a majority of the governing body of the board of park commissioners of the city of Minneapolis, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 8. Minnesota Statutes 1967, Section 448.56, Subdivisions 3, 4 and 5; and Laws 1945, Chapter 210, as amended by Laws 1947, Chapter 333, and Laws 1967, Chapter 540, are repealed.

Approved May 23, 1969.

CHAPTER 594—S. F. No. 1721-

[Not Coded]

An act relating to the firemen's relief association in the city of Fridley.

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

Section 1. Fridley, city of; firemen's relief. Notwithstanding any provision of law to the contrary, the bylaws of the firemen's relief association in the city of Fridley may provide that the service pension

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