

CHAPTER 497-S.F.No.1959

[Coded in Part]

An act relating to towns; providing for supervisors to control legal actions; amending Minnesota Statutes 1976, Sections 365.10; 365.40; and 366.01, by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 365.10, is amended to read:

365.10 TOWN MEETINGS, POWERS. The electors of each town have power, at their annual town meeting:

(1) To determine the locations of pounds, and number of poundmasters, and to discontinue any such pounds;

(2) To select such town officers as are to be chosen:

~~(3) To direct the institution and defense of all actions in which the town is a party or interested; to employ necessary agents and attorneys for the prosecution or defense of the same; and to raise such sums of money for that purpose as they deem necessary;~~

(4) (3) To make such lawful orders and bylaws as they deem proper for restraining horses, cattle, sheep, swine, and other domestic animals from going at large on the highways, and provide for impounding such animals so going at large;

(5) (4) To fix penalties for violations of any order or bylaw made by such town, except such as relate to the keeping and maintaining of fences;

(6) (5) To vote money for the repair and construction of roads and bridges, and determine the amount thereof to be assessed as labor tax, and to vote such sums as they deem expedient for other town expenses, including the construction and maintenance of docks and breakwaters;

(7) (6) When they deem it for the interest of the town to direct that a specified amount of the poll and road tax be expended, under the direction of their town board, on the roads of an adjoining town;

(8) (7) To authorize the town board to sell and convey or lease any real or personal property belonging to the town, not conveyed to and required to be held by the town for a special purpose;

(9) (8) To authorize the town board to purchase or build a town hall or other building for the use of the town, and to determine, by ballot, the amount of money to be raised for that purpose; but, if a site for a town hall is once obtained, it shall not be changed for another site, except by vote therefor designating a new site by two-thirds of

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the votes cast at such election of the legal voters of the town;

(40) (9) To authorize the town board, by vote, to purchase grounds for a town cemetery, and limit the price to be paid, and to vote a tax for the payment thereof;

(41) (10) To authorize the town, either by itself or in conjunction with one or more other towns, to purchase grounds for a public park and to limit the price to be paid therefor, to authorize the town, alone or in conjunction with such other town or towns, to care for, improve, and beautify such parks, and to determine, by ballot, the amount of money to be raised for that purpose, and to vote a tax for the payment thereof;

(42) (11) To vote money to aid in the construction of community halls, to be erected by farm bureaus, farmers clubs, or other like organizations.

(43) (12) To vote a tax to purchase and maintain a public dumping ground.

Sec. 2. Minnesota Statutes 1976, Section 365.40, is amended to read:

365.40 ACTIONS, IN WHAT NAME. In all actions or proceedings the town shall sue and be sued in its name, except where town officers are authorized to sue in their official names for its benefit. In every action against a town, process and papers shall be served on the chairman of the town board or on the town clerk; and such chairman shall attend to the defense of the action, and lay before the voters at the first town meeting a full statement of the facts relating thereto for their direction in defending the same board of supervisors at the first meeting a full statement of the facts relating thereto for its direction in defending the action or proceeding.

Sec. 3. Minnesota Statutes 1976, Section 366.01, is amended by adding a subdivision to read:

Subd. 7. The board of supervisors shall have power to provide for the prosecution or defense of actions at law or other proceedings in which the township may be interested, and it may employ counsel for the purpose. Nothing contained herein shall limit any powers conferred on township boards of supervisors by any other provision of law.

Approved March 16, 1978.

CHAPTER 498-S.F.No.1096

An act relating to highway traffic regulations; required equipment on certain vehicles; exempting military vehicles of the United States from wheel flap requirements; amending Minnesota Statutes 1976, Section 169.733.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 169.733, is amended to read:

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