EXTRA SESSION

CHAPTER 99—H. F. No. 76

[Not Coded]

An act proposing an amendment to Article IX, Sections 5, 6, and 7 of the Constitution of the state of Minnesota; permitting the state to incur indebtedness for certain purposes; and repealing Article IX, Section 14, of the Constitution of the state of Minnesota.

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

Section 1. **State indebtedness; constitutional amendment.** An amendment to Article IX, Sections 5, 6, and 7 of the Constitution of the state of Minnesota is hereby proposed to the people of the state for their approval or rejection, which sections when amended shall read as follows:

Sec. 5. The state shall never be a party in carrying on works of internal improvements, except as authorized by this Constitution, but it may levy an excise tax upon any substance, material, fluid, force, or other means or instrumentality, or the business of dealing in, selling, or producing any or all thereof, used or useful, in producing or generating power for propelling motor or other vehicles used on the public highways of this state, and shall place the proceeds of such tax in the highway user tax distribution fund provided for in this Constitution, and further except in cases where grants of land or other property shall have been made to the state, especially dedicated by the grant to specific purposes, and in such cases the state shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

Sec. 6. Subdivision 1. The state may contract public debts, for which its full faith, credit, and taxing powers may be pledged, at such times and in such manner as shall be authorized by law, but only for the purposes and subject to the conditions stated in this section.

Subd. 2. Public debt may be contracted:

(a) for the acquisition and betterment of public land and buildings and other public improvements of a capital nature, and to provide moneys to be appropriated or loaned

to any agency or political subdivision of the state for such purposes; provided any law authorizing such debt is adopted by the vote of at least three fifths of the members of each branch of the legislature;

(b) as authorized in any other section or article of this Constitution;

(c) for temporary borrowing as authorized in subdivision 3;

(d) for refunding outstanding bonds of the state or any of its agencies, whether or not the full faith and credit of the state has been pledged for the payment of such bonds; and for refunding certificates of indebtedness authorized by the legislature prior to January 1, 1963.

Subd. 3. As authorized by law, certificates of indebtedness may be issued during each biennium, commencing on July 1 in each odd-numbered year and ending on and including June 30 in the next odd-numbered year, in anticipation of the collection of taxes levied for and other revenues appropriated to any fund of the state for expenditure during that biennium.

No such certificates shall be issued with respect to any fund when the amount thereof with interest thereon to maturity, added to the then outstanding certificates against the same fund and interest thereon to maturity, will exceed the then unexpended balance of all moneys which will be credited to that fund during the biennium under existing laws; except that the maturities of any such certificates may be extended by refunding to a date not later than December 1 of the first full calendar year following the biennium in which such certificates were issued. If moneys on hand in any fund are not sufficient to pay all non-refunding certificates of indebtedness issued on such fund during any biennium and all certificates refunding the same, plus interest thereon, which are outstanding on December 1 immediately following the close of such biennium, the state auditor shall levy upon all taxable property in the state a tax collectible in the then ensuing year sufficient to pay the same on or before December 1 of such ensuing year, with interest to the date or dates of payment.

Subd. 4. Public debt other than certificates of indebtedness authorized in subdivision 3 shall be evidenced by the

issuance of the bonds of this state. All bonds issued under the provisions of this section shall mature within not more than 20 years from their respective dates of issue, and each law authorizing the issuance of such bonds shall distinctly specify the purpose or purposes thereof and the maximum amount of the proceeds authorized to be expended for each purpose. The state treasurer shall maintain a separate and special state bond fund on his official books and records, and when the full faith and credit of the state has been pledged for the payment of such bonds the state auditor shall levy each year on all taxable property within the state a tax sufficient, with the balance then on hand in said fund, to pay all principal and interest on state bonds issued under the provisions of this section, due and to become due within the then ensuing year and to and including July 1 in the second ensuing year. The legislature may by law appropriate funds from any source to the state bond fund, and the amount of moneys actually received and on hand pursuant to such appropriations prior to the levy of such tax in any year, shall be used to reduce the amount of tax otherwise required to be levied.

Sec. 7. The state shall never contract any public debt, unless in time of war, to repel invasion or suppress insurrection, except in the cases and in the manner provided and referred to in the sixth section of this article. Public debt includes any obligation payable directly, in whole or in part, from a tax of state-wide application on any class of property, income, transaction or privilege, but does not include any obligation which is payable from revenues other than taxes.

Sec. 2. Minnesota Constitution, Article IX, Section 14, is hereby repealed.

Sec. 3. This proposed amendment shall be submitted to the people of the state for their approval or rejection at the general election for the year 1962, in the manner provided by law for the submission of amendments to the Constitution. The votes thereon shall be counted, canvassed, and the results proclaimed as provided by law. The ballots used at the election shall have printed thereon the following:

"Shall Article IX, Section 14 of the Constitution of the state of Minnesota be repealed and Article IX, Sections 5, 6, and 7 be amended to allow the state to incur indebtedness for temporary borrowing, and to incur indebtedness payable within 20 years for the acquisition

and betterment of public lands and buildings and other public improvements of a capital nature when authorized by a three fifths vote of each branch of the legislature?

Yes .....

No ....."

Approved June 10, 1961.

EXTRA SESSION

CHAPTER 100—H. F. No. 153

[Not Coded]

An act proposing an amendment to Article IV, Section 1, of the Constitution of the state of Minnesota relating to the time and length of legislative sessions.

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

Section 1. **Legislative session; constitutional amendment.** There is hereby proposed an amendment to the Constitution of the State of Minnesota, Article IV, Section 1, so that the section will read as follows:

Section 1. The legislature shall consist of the Senate and House of Representatives. The senate shall be composed of members elected for a term of four years and the house of representatives shall be composed of members elected for a term of two years by the qualified voters at the general election.

The legislature shall meet at the seat of government in regular session in each odd numbered year at the time prescribed by law for a term not exceeding 120 legislative days; and no new bill shall be introduced in either branch, except on the written request of the Governor, during the last 30 days of such sessions.

A special session of the legislature may be called as otherwise provided by this constitution.

Sec. 2. This proposed amendment shall be submitted to the voters for approval or rejection at the general election for the year 1962 in the manner provided by law. The ballots used at the election shall have printed thereon: