

Section 1. Minnesota Statutes 1957, Section 219.40 is amended to read:

219.40 Determination; order; flagmen or safety device.
The commission shall decide the matter set forth in the complaint and make a report in writing thereof, including findings of fact, and make such order as it shall deem proper in the premises and, if the commission shall find the crossing to be dangerous, it may require the railroad company complained of to provide flagmen at such crossing, or adopt such safety device as the commission may deem necessary for the proper protection of the crossing; or it may require the removal of any structure or embankment from the right of way of the railroad company, or it may require the railroad company to construct an overhead or maintain an underground crossing and divide the cost thereof between the railroad company, the town, county, municipal corporation, or state highway department interested, on such terms and conditions as to the commission may seem just and equitable. Where the railroad has been constructed or the grade thereof lowered after the laying out of the highway and the railroad tracks are seven feet or more below the natural surface of the ground, the commission may require the maintenance of an overhead bridge with suitable approaches and require the complaining city, village, town, or county to remove any embankment or structure from the streets or town or county roads as in the opinion may be reasonable and necessary to properly protect the crossings; provided, that no highway shall be laid out over any railroad so as to cross the same grade until such crossing has been approved by the commission. If the railroad and warehouse commission orders the installation of a safety device or the removal of a structure or embankment from the right of way of a railroad company or orders the construction, reconstruction or maintenance of an underground or overhead crossing on a state trunk highway, the division of the costs between the railroad and state shall be on the basis of benefit to each and the state's share shall be paid from the state trunk highway fund.

Approved April 24, 1959.

CHAPTER 529—H. F. No. 1850

[Not Coded]

An act relating to Wadena county; authorizing the issuance of bonds to finance the acquisition, building, furnishing,

and equipping of a county courthouse; permitting tax levies.

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

Section 1. **Wadena county, courthouse.** The county of Wadena may issue bonds to finance the acquisition and building of a county courthouse and for the purchasing of furnishings and equipment therefor, pursuant to Minnesota Statutes 1957, Chapter 475, and acts amendatory thereof and supplementary thereto, in an amount not to exceed \$50,000 and may levy and collect taxes not to exceed four mills on all the taxable property of the county of Wadena for the payment of principal and interest on outstanding obligations issued for such purposes.

Sec. 2. This act shall become effective only after its approval by a majority of the members of the board of county commissioners of Wadena county.

Approved April 24, 1959.

CHAPTER 530—H. F. No. 1810

An act relating to the community mental health services program; amending Minnesota Statutes 1957, Section 245.62.

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

Section 1. Minnesota Statutes 1957, Section 245.62 is amended to read:

245.62 Community mental health program; tax levy. Any city, county, town, or village, or any combination thereof, of over 50,000 population, and upon consent of the commissioner of public welfare, any city, county, town or village or combination thereof with less than 50,000 population, may establish a community mental health services program and may establish clinics and staff same with persons specially trained in psychiatry and related fields. Such programs and clinics may be administered by a city, county, town, village or non-profit corporation or a community mental health board established pursuant to sections 245.61 to 245.69.

In order to provide the necessary funds to establish and operate a mental health services program and to establish and maintain a clinic, the governing body of any city, county, town or village may levy annually upon all taxable property in such city, county, town or village, a special tax in excess of any statutory or charter limitation but such levy shall not exceed