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noticed for hearing in the manner provided for the trial of civil actions by Minnesota Rules of Civil Procedure.

Any order of the commissioner rejecting a consolidation plat shall be deemed a final order for the purposes of this section. In an appeal from an order of a county superintendent effecting a consolidation the action of the commissioner approving the plat is reviewable and the commissioner may be called by either party as a witness in such appeal proceedings and may be examined under the Rules of Civil Procedure relating to the cross-examination of adverse parties.

Subd. 2. Any school district or any person affected by final order of the county board or final order of the commissioner or final order of the county superintendent shall be permitted to intervene in appeals under this section as a party respondent.

Subd. 3. An appeal lies from the district court to the Supreme Court in accordance with the provisions of Minnesota Statutes 1953, Chapter 605.

Sec. 26. Minnesota Statutes 1957, Sections 120.01 to 120.58, 121.01 to 121.15, 122.011 to 122.061, 122.58 to 122.67, 126.01 to 126.16, 127.01 to 127.14, 128.01 to 128.36, 130.01 to 130.33, 131.01, 131.073 to 131.26, 132.01 to 132.14, 133.01 to 133.10, Laws 1957, Chapters 417, 520, 541, 735, 860, and 868, Laws 1959, Chapters 109, 165, 226, 259, 308, 309, 482, 504, 516, 532, 624, and 653, and Extra Session Laws 1959, Chapter 56 are repealed.

Sec. 27. The provisions of this act shall become effective on July 1, 1959.

Approved June 30, 1959.

EXTRA SESSION
CHAPTER 72—H. F. No. 27

[Not Coded]

An act relating to the operations of state government; appropriating moneys for education and related purposes, including the University of Minnesota and its hospitals, aids to rural libraries, junior colleges, and for a school construction loan program, and limiting and regulating the use thereof; providing aid to school districts affected by gross earnings taxation and for the payment of agricultural agents; author-

izing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.

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

Section 1. EDUCATIONAL PURPOSES, APPROPRIATIONS. Except as herein otherwise provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS," or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1959", "1960", and "1961" wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1959, 1960, and 1961, respectively.

APPROPRIATIONS
Available for the Year
Ending June 30

| Subd. | 1959 | 1960 | 1961 |
|---|------------|------------|------------|
| Sec. 2. DEPARTMENT OF EDUCATION: | | | |
| 1. Salaries | \$ 596,808 | \$ 596,808 | \$ 596,808 |
| Approved Complement—124 | | | |
| 2. Supplies and Expense..... | | 91,035 | 92,183 |
| <p>The amounts appropriated by Subd. 2 include items of traveling libraries and audio-visual recording expense.</p> <p>Included in the above appropriations in Sec. 2, Subd. 1 and 2, sufficient funds are provided for establishing and developing a program of special education for exceptional children under a director in order to assist school districts in the education of such children in order to establish standards for teachers and other professional personnel engaged in providing instruction and services for such children; to prescribe courses of study for such children and minimum standards for the admission of such children to study such courses; to prescribe courses of study and curricula for state operated residential schools; and in order to provide plans for classes, schools, home instruction and other methods of educating</p> | | | |

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| <p>and serving exceptional children. The appropriation provided in Sec. 2, Subd. 2, includes an amount sufficient for travel expenses of the advisory board on handicapped, gifted and exceptional children.</p> | | |
| 3. | Revision and Printing of Curriculum | 14,000 14,500 |
| 4. | Vocational Training of Disabled Persons, including the Homecrafters Program | 549,780 573,788 |
| <p>Of the amount of state funds appropriated by Subd. 4, no additional employees shall be granted beyond the approved roster of 92.</p> | | |
| 5. | Scholarships for Indian Students | 7,500 7,500 |
| 6. | Community Lunch Program | 400,000 400,000 |
| <p>Of the amount provided by Subd. 6 so much thereof as is necessary shall be used for the type "C" milk program. To be distributed under standards established by the State Board of Education.</p> | | |
| 7. | State Advisory Commission on School Reorganization | 23,000 23,000 |
| 8. | Research | 33,000 35,000 |
| 9. | Aid to Rural Public Libraries, so much thereof as may be matched with federal funds, but not exceeding 10% thereof for administration and for providing direct library service to rural areas including incorporated or unincorporated places with a population of 10,000 or less. The balance for financial assistance to rural public libraries as defined in Subd. 9 . . | 125,000 125,000 |
| <p>A rural public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the Commissioner of Education, in a rural area and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.</p> <p>Applications for financial assistance shall contain such information as the department requires including descriptions of rural areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the rural</p> | | |

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areas it serves and an estimate of the financial assistance to put such plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes.

Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the rural area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of rural library service in the state.

In connection with this appropriation the department shall submit to the United States Commissioner of Education a plan for the extension of public library service to rural areas pursuant to the Library Services Act, Public Law No. 597, 84th Congress, 2nd Session (June 19, 1956) and shall adopt rules and regulations for the administration of the plan.

| | | |
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| 10. School Construction Loan Program | 1,000,000 | 1,000,000 |
|--|-----------|-----------|

Notwithstanding the provisions of any law to the contrary, the appropriations under this subdivision shall be available until expended for the purposes of, and in addition to the appropriations made by the "Maximum Effort School Aid Law".

Provided that the amounts appropriated in Sec. 2 except Item 9 shall be paid from the Income Tax School Fund.

| | | |
|--|-----------|-----------|
| 1. Sec. 3. STATE COLLEGE BOARD: Maintenance and Equipment | 5,212,501 | 5,981,523 |
|--|-----------|-----------|

The above appropriation is for maintenance and equipment, including summer session and library, of the State College Board and the state colleges located at Bemidji, Mankato, Moorhead, St. Cloud and Winons. Of the amounts appropriated in Subd. 1, there is provided the sum

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of \$20,000 for the fiscal year ending June 30, 1960 and \$40,000 for the year ending June 30, 1961, or so much thereof as is necessary, to be used only for the installation and operation of a shuttle bus between campuses. Any unused balances shall not be used for any other purposes.

| | | |
|--|--------|--------|
| 2. Repairs and Betterments | 80,000 | 80,000 |
| The above appropriation is for repairs and betterments of the state colleges located at Bemidji, Mankato, Moorhead, St. Cloud and Winona. | | |
| 3. Training of Cerebral Palsied Children—St. Cloud | 18,500 | 18,500 |
| 4. Teachers Training Program in Special Education for Handicapped children—Mankato State College | 18,000 | 17,000 |
| 5. Teachers Training Program in Special Education for Handicapped Children—Moorhead State College | 16,000 | 17,000 |
| 6. Campus Planning | 7,500 | |
| The above amount is to be used for necessary consulting services in the planning of campus expansion at the five state colleges. Provided, the balance remaining on June 30, 1960 shall not cancel but be available for the second year. | | |
| 7. Contingent Fund for Enrollment Increases | 85,000 | |
| In the event the ratio of faculty to students, based on full time equivalent students enrolled in on-campus and off-campus courses during the regular school year, exceeds one to nineteen at any state college, the state college board may make application to the Governor, who after consultation with the Legislative Advisory Committee, as provided by M. S. 356.17, may grant a deficiency appropriation to maintain the faculty student ratios cited above. In computing the above ratios seven administrative faculty positions shall be excluded at Bemidji, Moorhead, and Winona and eleven administrative faculty positions shall be excluded at Mankato and St. Cloud. Provided that no faculty member | | |

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presently employed shall be discharged in order to comply with the faculty-student ratios established above.

Provided, the balance remaining on June 30, 1960 shall not cancel but be available for the second year.

All receipts of every kind, nature and description, including student's tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state colleges, except those receipts attributable to the dormitory functions which shall be handled pursuant to authority under Laws 1955, Chapter 715 are hereby re-appropriated to the State College Board, but are subject to budgetary control to be exercised by the Commissioner of Administration.

Further exempt are those receipts attributable to the college Activity Funds and which are not subject to budgetary control as exercised by the Commissioner of Administration.

The appropriations to the State College Board are conditioned upon compliance with the following:

The State College Board shall increase the tuition of students attending any state college in accordance with the following schedule:

On Campus Tuition Rates

Regular School Year—Resident
\$3.50 per credit hour

Regular School Year and Summer Session—Non Resident
5.50 per credit hour

Summer Session—Resident
4.50 per credit hour

Graduate—Resident
5.00 per credit-hour

Graduate—Non Resident
7.50 per credit hour

Off Campus Tuition Rates

All students—resident or non resident
7.50 per credit hour

Minnesota Statutes 1957, Section 136.11 is superseded to the extent it is inconsistent with the foregoing schedule, but nothing here-

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in contained shall be construed to prevent the State College Board from increasing the maximum tuition of students attending any of the above state colleges if deemed advisable, over the amount provided for tuition in the foregoing schedule.

The State College Board may waive tuition on certain institutes, courses or projects when the sponsor pays all costs.

- 8. The appropriation for salaries to the State College Board contain funds sufficient for increases for professional academic staff on the basis of the formula contained in this act, which is hereby adopted as the basis of said professional academic salaries for the biennial period ending June 30, 1961.

- 9. National Defense Student Loan Program

22,835

Provided that any balance remaining on June 30, 1959 shall not cancel but be available for the following year.

Provided that the amounts appropriated in Sec. 8 shall be paid from the Income Tax School Fund.

Sec. 4. STATE UNIVERSITY, UNIVERSITY FARM SCHOOL, EXPERIMENT SCHOOL AND STATIONS, AND BRANCHES:

- 1. For Maintenance and Improvements

23,500,000 24,900,000

Provided, that of the above appropriation, \$1,252,518 the first year and \$1,056,017 the second year is available for salary adjustments for promotion and special merit increases for the faculty.

The Board of Regents of the University may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation in case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes 1957, Chapter 117.

The University of Minnesota may establish and conduct a school for the instruction of persons in law enforcement and the governing body of any political subdivision

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of this state may authorize the attendance upon such school of any law enforcement officer under its jurisdiction and may provide for the payment of the expenses of such person while in attendance at such school from the general funds of such political subdivision. To each person satisfactorily completing the prescribed course of instruction in the school as established shall be issued a certificate of graduation or diploma stating that the holder has graduated therefrom.

Provided, that out of the appropriation herein provided there shall be furnished without cost to the State Department of Health, maintenance and custodial care for the State Board of Health Psychology Building on the main campus of the University.

Provided, that of the amounts appropriated above \$20,575 for the year ending June 30, 1960 and \$20,575 for the year ending June 30, 1961 is for ore estimates to be furnished by the School of Mines at the University of Minnesota, for the Department of Taxation.

Provided, that of the amount appropriated above, \$10,000 each year shall be used for the Rural Nursing Coordinator program.

Provided, that these appropriations for maintenance and improvements are made from revenues accruing to the University from:

- (1) the tax levied under Minnesota Statutes 1957, Sec. 127.01;
- (2) The investments of Constitutional trust funds; and
- (3) The occupational tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general revenue fund. The state auditor shall cause these appropriations to be paid to the University quarterly on the first day of each quarter of each fiscal year beginning July 1, 1959. If at the end of any fiscal year there are unex-

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pendent revenues accruing to the University from the three sources of revenues herein enumerated, the general revenue fund shall be reimbursed therefrom to the extent that payments have been made from the general revenue fund during such fiscal year pursuant to these appropriations. The auditor and treasurer shall make the appropriate entries.

For budgetary purposes it is estimated that the foregoing appropriation from the general revenue fund will not exceed the sum of \$18,913,915 the first year and \$20,314,613 the second year.

On October 1, 1960 and 1961 the president of the University of Minnesota shall furnish the Commissioner of Administration the following information:

(1) The total amount of receipts during the fiscal year 1960 from all sources in excess of \$16,233,594 and during the fiscal year 1961 from all sources in excess of \$16,792,536.

(2) The sources of said receipts, and

(3) The purposes for which any excess receipts were expended and accounts to which transferred.

2. Replacement of Supplies, Equipment and Repair of Equipment damaged by fire in Chemistry Building on February 4, 1959 . . .

100,000

Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY IN THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL UNDER LAWS 1921, CHAPTER 411, SECTION 7, AS AMENDED.

1. For state's share of expenses of county indigent patients

1,500,000

1,550,000

Subd. 1 shall include and cover the amounts which may become due to the University of Minnesota from the state during the fiscal years covered by said subdivision under the provisions of General Laws 1921, Chapter 411, as amended by General Laws 1927, Chapter 431.

There is further appropriated to

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the University of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said University for the sum due from counties during said fiscal years under the provisions of said acts payment to be made quarterly out of said appropriation, as shown by certificates filed with the state auditor pursuant to the provisions of said act

1,500,000 1,550,000

The state auditor is authorized and directed to pay the University out of sums collected from counties under the provisions of Laws 1927, Chapter 431, during the fiscal years ending June 30, 1960 and June 30, 1961, respectively, an amount sufficient to reimburse said University in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 6. FOR THE PSYCHOPATHIC DEPARTMENT OF UNIVERSITY OF MINNESOTA HOSPITALS

600,000 600,000

Sec. 7. FOR THE CHILD PSYCHIATRIC DEPARTMENT OF THE UNIVERSITY OF MINNESOTA HOSPITALS

231,118 238,460

Sec. 8. MULTIPLE SCLEROSIS

32,840 34,143

Sec. 9. REHABILITATION CENTER

384,976 388,975

Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are hereby reappropriated to said University Hospital.

Sec. 10. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA:

1. Business and Natural Resources:

a. (1) For general experiments in the beneficiation of manganiferous and low grade ores, and for experiments in the direct process beneficiation of low grade ores.

50,000 50,000

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| <p>(2) For experiments in the beneficiation of manganiferous and low grade ores and for experiments in the direct process beneficiation of low grade ores with special emphasis on ores of the Cuyuna Range. The amounts in items a (1) and a (2) will be available upon condition that the scope and nature of the experiment are defined by the agreement of the Commissioner of Iron Range Resources and Rehabilitation Commission and the Regents of the University (the Commissioner being now directed to enter negotiations to the end of such determination) and that progress in this research will be reported to said commission and to the legislature as requested.</p> | 100,000 | 100,000 |
| <p>The amounts appropriated by item a are to be paid from the Iron Range Resources and Rehabilitation Fund and said appropriations are made a charge against said fund.</p> | | |
| <p>b. Business and Economic Research</p> | 30,000 | 35,000 |
| <p>The Regents of the University of Minnesota are urged to solicit industry to contribute an amount equal to the above appropriation.</p> | | |
| <p>c. Hardwood Timber Species Research</p> | 6,000 | 6,000 |
| <p>d. Industrial Relations Education Program</p> | 35,000 | 40,000 |
| <p>2. Medical and Sociological:</p> | | |
| <p>a. For Medical and Cancer Research</p> | 83,000 | 83,000 |
| <p>b. For Institute of Child Welfare</p> | 36,000 | 36,000 |
| <p>Provided, that from the amounts appropriated research shall be conducted in problems relating to children and school curricula.</p> | | |
| <p>c. Training Project for Delinquency Control</p> | 9,500 | 9,500 |
| <p>d. Psychiatric Research</p> | 40,000 | 40,000 |
| <p>e. Training of Laboratory Aides</p> | 11,000 | 11,000 |
| <p>3. Miscellaneous Research:</p> | | |
| <p>a. General Research</p> | 104,800 | 104,800 |
| <p>b. Minnesota Institute of Research</p> | 34,000 | 34,000 |

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| c. | Special Education, Training and Research Program | 40,000 | 40,000 |
| 4. | Agricultural Research and Extension: | | |
| a. | Tuition and Transportation aid for students of state agricultural schools as provided by Minnesota Statutes 1957, Section 128.08, Subdivision 2, as amended. The moneys appropriated by Subd. 4a are hereby appropriated from the Income Tax School Fund and are not charged against the General Revenue Fund. | 65,000 | 65,000 |
| b. | Livestock Sanitary Board Laboratory | 68,000 | 68,000 |
| | The appropriations herein made include the sum of \$8,000 each year for the purpose of testing poultry, including turkeys, for pullorum disease, in addition to the tests now carried on by said Livestock Sanitary Board Laboratory. | | |
| c. | Agricultural Research Rosemount | 105,000 | 105,000 |
| d. | General Agricultural Research The above appropriation shall include research in soil experiments, breeding and testing farm crops, dairy manufacturing, mastitis control, vegetable research, brucellosis research, corn borer research, honey bee research, stem rust control as provided by Sec. 4, Chap. 2, Spec. Session Laws 1951, turkey disease research, swine disease research, research in artificial insemination of cattle, and research in developing industrial uses of agricultural products. The Regents of the University are urged to solicit industries interested in breeding and testing farm crops, dairy manufacturing, mastitis control, brucellosis research, honey bee research, turkey disease research, swine disease research, and research in artificial insemination of cattle, to contribute an amount equal to the amount of the above appropriation spent upon any | 480,000 | 470,000 |

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| one of the research items in this paragraph described. | | |
| e. General Agricultural Extension | 640,284 | 670,554 |
| Item e includes the items of agricultural extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this section by the University shall not result in a reduction of the county portion of the salary payments. | | |
| f. Maintenance of the Southwest Agricultural Experiment Station | 35,000 | 40,000 |
| g. Special Assessments—Duluth Branch | 8,337.89 | |
| h. Legume and Grass Seed Research | 35,000 | 37,000 |

From the appropriations made to the University of Minnesota by this act and from other sources all non-academic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

Sec. 11. MINNESOTA BOARD OF NURSING

| | | | |
|-----------------------------------|--|--------|--------|
| 1. For Nursing Scholarships | | 75,000 | 75,000 |
|-----------------------------------|--|--------|--------|

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|----------------------------|------------|------------|-------------|
| Sec. 12. AID TO SCHOOLS .. | 18,236,063 | 97,307,000 | 101,424,200 |
|----------------------------|------------|------------|-------------|

The appropriations for fiscal year 1959 shall be distributed in accordance with M. S. 1957, Chapter 128 as amended.

Except for Foundation program aid, the appropriations for other aids in Section 12 for the fiscal years 1960 and 1961 shall be distributed as provided by law. Notwithstanding the provisions of any other law, the appropriations in Section 12 for the fiscal years 1960 and 1961 for foundation program aid shall be distributed pursuant to the following:

1. Foundation program aid shall be special state aid for schools as computed under the terms of this act.
2. Current adjusted assessed valuation for the purposes of this act shall mean the adjusted assessed valuation as determined by the equalization aid

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review committee provided, that for the 1959-1960 and 1960-1961 school years it shall mean the correct assessed valuation approved by the equalization aid review committee and filed with the commissioner of education in the calendar year 1958.

3. Actual maintenance cost per pupil unit in average daily attendance for the purpose of this act shall mean maintenance cost per pupil unit in average daily attendance exclusive of transportation, expenditures for junior colleges, high school teacher training departments, veterans training program, community services and receipts from the sale of other items sold to the individual pupil by the school such as lunches, paper, workbooks, and other materials used in the instructional program; provided, that for the 1959-1960 school year it shall mean the 1958-1959 maintenance cost per pupil unit in average daily attendance as indicated in this paragraph.

For the 1960-1961 school year it shall mean the 1959-1960 maintenance cost per pupil unit average daily attendance.

4. The maximum amount of foundation program aid, including the amounts payable as apportionment of the school endowment fund and Minnesota Statutes, section 290.62, which a school district or unorganized territory may receive shall equal (a) or (b) as calculated under the provisions of this paragraph, whichever is greater, less the maximum foundation program aid payable to the county for resident pupils of the district under the provisions of laws applicable thereto and computed under the provisions of paragraph (5) below.
 - a. Aid shall be paid to a district on the basis of its actual maintenance cost

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per pupil unit in average daily attendance or \$270 whichever is the lesser for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance less 19 mills times the current adjusted assessed valuation of the district or unorganized territory; provided that for the purpose of paragraph (4) the current adjusted assessed valuation in any district or unorganized territory which receives refunds under the gross earnings aid law or the airport construction aid law, shall include the taxable valuation of exempt property used in computing the amount of such refunds.

- b. The amount payable under Minnesota Statutes, section 290.02 plus \$87 for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance, which \$87 per pupil unit in average daily attendance shall include the amount payable as apportionment of the school endowment fund.
5. The maximum amount of foundation program aid which a county may receive as partial reimbursement for tuition paid under the provisions of laws applicable thereto shall be the total of the amounts of maximum foundation program aid earned by the attendance in classified secondary or area vocational-technical schools of pupils residing in districts of the county which do not maintain classified secondary schools; for each such district in which (a) in paragraph (4) determines the maximum foundation program aid due, the maximum foundation program aid paid to the county shall be that amount which

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bears the same ratio to the maximum foundation program aid to which the district is entitled under (a) as the total number of secondary area vocational-technical pupil units of the district bears to the total number of elementary, secondary, and area vocational-technical pupil units of the district; for each such district in which (b) in paragraph (4) determines the amount of maximum foundation program aid due, the maximum foundation program aid paid to the county shall be \$67 times the total number of secondary and area vocational-technical pupil units of the district, which \$67 per pupil unit shall include the amount payable as apportionment of the school endowment fund.

Provided, that out of the moneys appropriated for the year ending June 30, 1960 when a school building has been destroyed by a fire in a school district which had in 1957 an assessed valuation per pupil unit in average daily attendance of \$1,105 and has a bonded indebtedness equal to 46% of the assessed valuation of the taxable property of the district on February 8, 1959 an amount not to exceed \$10,000 shall be available to such district toward the cost of replacing the building. Such reconstruction funds to be available only upon compliance with engineering specifications of the Department of Education.

Notwithstanding the provisions of any law to the contrary, out of the money appropriated for the year ending June 30, 1959, the school district at Mountain Iron shall receive \$34,000 in addition to any other moneys to which it may be entitled for such period. Should the appropriation for either year of the biennium be insufficient to pay all special state aids provided in this act then the appropriation for the other year of such biennium is available therefor.

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The amounts appropriated by Sec. 12 are to be paid from the elementary and Secondary school's share of funds derived from the occupational tax on iron ore to the extent available and the remainder from the income tax school fund.

Sec. 13. SCHOOL AID—COUNTIES A/C NON-TAX AREAS

1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of \$18,000 payable July 1, 1959 and \$18,000 payable July 1, 1960 to each county now or hereafter having not less than 50 nor more than 55 whole or fractional congressional townships in which 45 percent or more of the area therein is within a federal or state forest area.
2. There is further hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of \$29,000 payable July 1, 1959 and \$29,000 payable July 1, 1960 to each county now or hereafter having not less than 60 nor more than 65 whole or fractional congressional townships, and in which 65 percent or more of the area therein is within a federal or state forest area.
3. The money appropriated in Subd. 1 and 2 shall be paid to the county treasurer by the state treasurer to be placed in such county funds as the county board may direct and the other half to be paid by the county treasurer to the various school districts of the respective counties as follows:
 - (1) One-half thereof in the proportion that the federal or state lands within each district bear to the total area of federal and state lands within such county.
 - (2) The other one-half in the proportion that the average school attendance within each district bears to the total average school attendance of such county for the year last preceding such payment.
4. The money appropriated by this section is not to be deducted

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from other forms of state aid to such counties and the school districts therein, but is in addition thereto.

Sec. 14. FOR GROSS EARNINGS AID AS PROVIDED BY MINNESOTA STATUTES 1957, SECTION 128.22, AS AMENDED

1,448,626 1,493,051

Sec. 15. EXEMPT LAND SPECIAL SCHOOL AID, PURSUANT TO MINNESOTA STATUTES 1957, CHAPTER 128.235

340,000 340,000

Sec. 16. FOR AID TO CERTAIN SCHOOL DISTRICTS AS PROVIDED BY MINNESOTA STATUTES 1957, SECTION 360.133 ..

100,000 100,000

Sec. 17. AID TO JUNIOR COLLEGES MAINTAINED BY PUBLIC SCHOOL DISTRICTS

605,000 670,000

Notwithstanding any law to the contrary, the state board of education shall distribute to each public school district maintaining a junior college annually the sum of \$250 for each student in average daily attendance in said Junior College pursuant to the provisions of Minnesota Statutes 1957, Chapter 131.073.

Provided that should the appropriation for either year be insufficient, the appropriation for the other year shall be available therefor. The amounts appropriated by Sections 14, 15, 16, and 17 are to be paid from the Income Tax School Fund.

Sec. 18. EMPLOYEES COMPENSATION

3,517.70

To be transferred by the State Auditor to the Department of Labor and Industry Compensation Revolving Fund, in payment of obligations incurred by the following agencies, in the amounts as indicated:

Bemidji State College .. \$ 252.58
Mankato State College .. 1,643.14
Moorhead State College. 409.41
St. Cloud State College .. 764.56
Winona State College .. 448.01

Sec. 19. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO GENERAL REVENUE FUND. Except the revolving loan fund for maintenance of crippled children, and other disabled persons receiving vocational training, and the revolving fund for the On the Job Training Program,

the unobligated balances on hand as of June 30, 1959, June 30, 1960, and June 30, 1961, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general revenue fund for the fiscal years ending June 30, 1959, June 30, 1960, and June 30, 1961, and the unobligated balances on hand as of June 30, 1959, June 30, 1960, and June 30, 1961, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1959, June 30, 1960, and June 30, 1961.

Sec. 20. INCOME, FEES, RECEIPTS, DEPOSITED IN GENERAL REVENUE FUND. Except as herein otherwise specifically provided, except income from swamp land trust fund, and except the income to the University of Minnesota and the income to the account of disabled persons receiving vocational training, and except all federal aid, contributions or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general revenue fund.

Sec. 21. STATE COLLEGE BOARD SALARY SCHEDULE.

The appropriation items in this act relating to maintenance and equipment to the state College Board insofar as the same includes appropriations for salaries shall be expended in accordance with the following conditions:

The following salary ranges, salary steps, salary merit increases for the college years in the biennium ending June 30, 1961 are established for professional-academic positions in all state colleges, except those of administrative personnel in the unclassified service of the state civil service:

| Group | I | II | III | IV | V |
|---------|-------|------|------|------|------|
| Minimum | 7100 | 6200 | 5400 | 4800 | 3760 |
| Step 1 | 7400 | 6500 | 5700 | 5100 | 3880 |
| 2 | 7700 | 6800 | 6000 | 5400 | 4000 |
| 3 | 8000 | 7100 | 6300 | 5700 | 4120 |
| 4 | 8300 | 7400 | 6600 | 6000 | 4240 |
| 5 | 8600 | 7700 | 6900 | 6300 | 4360 |
| 6 | 8900 | 8000 | 7200 | 6600 | 4480 |
| 7 | 9200 | 8300 | 7500 | 6900 | 4600 |
| 8 | 9500 | 8600 | 7800 | 7200 | 4720 |
| 9 | 9800 | 8900 | 8100 | 7500 | 4840 |
| 10 | 10100 | 9200 | 8400 | 7800 | 4960 |

Groups I to V, inclusive, referred to above, mean the groups of professional-academic positions as established by the State College Board on November 29, 1949.

2. On September 1, 1959, and September 1, 1960, each employee's salary shall be adjusted by two additional steps in the range and group to which his position is assigned.

3. The salary of each professional-academic employee, except one who is a member of the administrative personnel in the unclassified service of the state civil service, who is employed during a summer session of a state college, shall be fixed on the basis of a step in the appropriate range and group for his position, provided that no professional-academic employee shall receive more than \$1,200 for a summer session.

4. Provided that the salaries of the State College presidents or any officer or employee of the State College Board shall not exceed \$15,000 per year.

Sec. 22. MERIT INCREASES. Notwithstanding any provision of M.S. 1957, Chapter 43, as amended, to the contrary, the moneys provided by this act or any other appropriation law may be expended for merit increases only in accordance with the following: Only one merit increase for each position below the maximum of its range may be granted during the fiscal year ending June 30, 1960 and one merit increase may be granted during the fiscal year ending June 30, 1961, but no such merit increases shall be granted prior to January 1 in each of such fiscal years.

When a position at the maximum is vacated an additional amount equal to one merit increase for six months is available therefor to be expended only at the times prescribed in the previous paragraph.

Merit increases granted pursuant to this section shall be on the basis of established standards, but in no event to exceed one merit increase per eligible employee per fiscal year.

None of the moneys appropriated by this act or by any other law shall be expended during the fiscal year beginning July 1, 1960, for economic salary adjustments notwithstanding the provisions of law relating thereto to the contrary.

In addition to any other moneys appropriated in this act, the sums hereinafter stated are hereby appropriated from the listed accounts and funds in the state treasury for the purpose of carrying out the provisions enumerated in the preceding two paragraphs.

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|------|--|---------|---------|
| | | 1960 | 1961 |
| 1. | Department of Education (salaries)\$ | 7,619 | 22,026 |
| | a. Revision and Printing of Curriculum | 72 | 216 |
| | b. Vocational Training - Disabled Persons | 2,908 | 8,818 |
| 2. | State College Board | | |
| | a. Maintenance and equipment | 13,368 | 42,618 |
| | The amounts appropriated in Items 1 and 2 above are paid from the Income Tax School Fund. | | |
| 3. | State University, University Farm School, Experiment School and Stations, and Branches | | |
| | a. For Maintenance and Improvements | 165,555 | 502,626 |
| | b. For care of indigent county patients to be rendered by the University in the University of Minnesota hospitals, including the heart hospital under Laws 1921, Chapter 411, Section 7, as amended. | | |
| | (1) For state's share of expenses of county indigent patients | 35,857 | 74,622 |
| | (2) For county's share of expenses of county indigent patients | 35,857 | 74,622 |
| | c. For the psychopathic department of the University of Minnesota hospitals | 6,690 | 18,483 |
| | d. For the child psychiatric department of the University of Minnesota hospitals | 2,314 | 4,632 |
| | e. Rehabilitation Center | 4,499 | 13,660 |

Sec. 23. APPROVED COMPLEMENT. Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons indicated by such approved complement.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1941, Chapter 497, and such committee has

made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Sec. 24. GENERAL REVENUE FUND DEFICIENCIES. (a) Whenever it becomes necessary in order to meet the current demands upon the revenue fund for the payment of warrants issued or to be issued against said fund pursuant to appropriations, the governor, after securing the recommendation of the legislative advisory committee, which shall be advisory only, or, if there be no such committee, the governor, the state auditor, and the state treasurer, as a special committee, at any time prior to June 30, 1961, may authorize the issuance and sale of certificates of indebtedness of the state, payable out of said revenue fund, in such amount as may be necessary to pay such warrants; such certificates to be signed by the state treasurer, attested and recorded by the state auditor and to be numbered serially and to be of such denomination and bear such dates of issue and of maturity and such rate of interest as the governor or such special committee shall determine; provided, that no such certificates shall mature after the current fiscal year, and provided further, that the aggregate amount of such certificates at any time outstanding shall never exceed \$7,000,000. The failure or refusal of the advisory committee, if there be one, to make a recommendation promptly shall be deemed a negative recommendation. If funds are not available to retire any such certificate at maturity, the same may be refunded by the issuance of new certificates or may be extended by agreement with the holders thereof. Certificates issued and sold pursuant to the authorization of this act shall be retired out of the receipts of the revenue fund appropriated to the payment of the warrants issued against said fund but taken up with the proceeds of such certificates. The sum of \$120,000, or so much thereof as may be necessary, is hereby appropriated from the general revenue fund and made available for the biennium ending June 30, 1961, to pay the interest upon such certificates.

(b) The state board of investment, or its successor in authority, is hereby authorized to purchase the certificates of indebtedness herein authorized for any fund which it is authorized to invest, provided, it shall not purchase any such certificates bearing interest at a rate of less than one and one-half percent per annum.

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(c) The power conferred herein is in addition to other similar authority conferred by law.

Sec. 25. INCOME TAX SCHOOL FUND DEFICIENCIES. (a) For the purpose of supplying deficiencies in the income tax school fund, the treasurer may temporarily borrow from other public funds not exceeding in the aggregate \$50,000,000 in any year; provided that no fund shall be so impaired thereby that all proper demands thereon cannot be met. The power hereby conferred upon the treasurer is in addition to other similar authority conferred by law.

(b) Whenever it becomes necessary in order to meet the current demands upon the income tax school fund for the payment of warrants issued or to be issued against said fund pursuant to appropriations, and it appears that the deficiencies in such fund cannot be temporarily supplied under (a) hereof, the governor, after securing the recommendation of the legislative advisory committee, which shall be advisory only, or if there be no such committee, the governor, the state auditor, and the state treasurer, as a special committee, at any time prior to June 30, 1961, may authorize the issuance and sale of certificates of indebtedness of the state, payable out of said income tax school fund, in such amount as may be necessary to pay such warrants; such certificates to be signed by the state treasurer, attested and recorded by the state auditor and to be numbered serially and to be of such denomination and bear such dates of issue and maturity and such rate of interest as the governor or such special committee shall determine provided that no such certificates shall mature after the current fiscal year, and provided further, that the aggregate amount of such certificates at any time outstanding shall never exceed the difference between the total amount outstanding at any one time of the temporary borrowing under (a) and \$50,000,000. The failure or refusal of the advisory committee, if there be one, to make a recommendation promptly shall be deemed a negative recommendation. If funds are not available to retire any such certificate at maturity, the same may be refunded by the issuance of new certificates or may be extended by the agreement of the holders thereof. Certificates issued and sold pursuant to the authorization of this act shall be retired out of the receipts of the income tax school fund appropriated to the payment of the warrants issued against said fund but taken up with the proceeds of such certificates. Such sums as may be necessary are hereby appropriated from the income tax school fund and made available for the biennium ending June 30, 1961, to pay the interest upon such certificates.

(c) The state board of investment, or its successor in authority, is hereby authorized to purchase the certificates of indebtedness herein authorized for any fund which it is authorized to invest, provided, it shall not purchase any such certificates bearing interest at a rate of less than one and one-half percent per annum.

Sec. 26. None of the moneys appropriated by this act or any other law shall be expended in making any refund where the amount thereof is \$1.00 or less.

Approved June 30, 1959.

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CHAPTER 73—S. F. No. 171

An act relating to the licensing of the sale of cigarettes in cars of common carriers operating in the State of Minnesota; repealing Minnesota Statutes 1957, Section 17.34, Subdivisions 1, 2, 3 and 4; and amending Minnesota Statutes 1957, Section 461.12.

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

Section 1. Minnesota Statutes 1957, Section 17.34, Subdivisions 1, 2, 3 and 4, are hereby repealed.

Sec. 2. Minnesota Statutes 1957, Section 461.12, is amended to read:

461.12 **Municipal cigarette license.** The governing body of each town, village, borough and city of any class, may, after January 1, 1942, license and regulate the sale at retail of cigarettes, cigarette paper, or cigarette wrappers and fix the license fee therefor at not to exceed \$12 per annum, and provide for the punishment of any violation of such regulations, and make such other provisions for the regulation of the sale of cigarettes within its jurisdiction as are permitted by law. The county board may make like provisions for licensing and regulating the sale of cigarettes in unorganized territory. *The provisions of this Section shall not apply to the licensing of sale of cigarettes in cars of common carriers.*

Sec. 3. *The provisions of this act shall be effective December 31, 1959.*

Approved July 2, 1959.
