

## CHAPTER 137

## UNIVERSITY OF MINNESOTA

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**137.01 GIFTS, GRANTS, BEQUESTS, AND DEVISES.** Subdivision 1. **Power to accept.** The University of Minnesota may accept, in trust or otherwise, any gift, grant, bequest, or devise for educational purposes and may hold, manage, invest, and dispose of the same and the proceeds and income thereof in accordance with the terms and conditions of the gift, grant, bequest, or devise and of the acceptance thereof; and any person contributing not less than \$50,000 to the university may endow a professorship therein, the name and object of which shall be determined by the board of regents.

Subd. 2. **How used.** If the purposes of the gift, grant, devise, or bequest are not otherwise limited by the donor, the University of Minnesota may use the same, or the proceeds thereof, for any of the purposes of the university and may, among other things, construct buildings and acquire lands. In case it is desired to use the same for the acquisition of land, the power of eminent domain may be exercised either in accordance with General Statutes 1894, Sections 4085 to 4091, or with Chapter 117.

Subd. 3. **Funds, where deposited.** All such gifts, grants, bequests, and devises and the proceeds and income therefrom and securities pertaining thereto shall be deposited in the state treasury for the use of the university and subject to its order.

[ *RL s 1477,1478; 1905 c 187 s 1,2* ] (3117, 3118)

**137.02 POWERS AND DUTIES OF BOARD OF REGENTS.** Subdivision 1. **Transportation between university campus and farm.** The board of regents is hereby authorized to provide adequate means for safe, convenient, and rapid transportation of persons, supplies, and materials between the university farm and the university campus and the transportation of persons from intermediate points to either the university campus or the university farm and from the university campus or university farm to intermediate points and for the transportation of supplies and materials to and from the university farm by means of a connection with the belt line railway operated by the Minnesota Transfer Railway Company; and to that end the board of regents is hereby authorized to acquire by gift, purchase, condemnation, or otherwise such rights-of-way as may be deemed necessary and to construct, maintain, and operate lines of railway thereon and to make such contracts with any railway company for trackage rights, track connections, and motive power or for the hiring of rolling stock or for the operation of the same as may be found necessary or expedient in carrying out the provisions of this subdivision. The board of regents shall prescribe the rate of

fares which shall be charged for the transportation of persons, which fares when collected shall be kept in a separate fund and used to defray the expense of maintaining and operating such railway.

**Subd. 2. Employees may be bonded.** The regents of the university shall have authority to indemnify the officers or the employees of the university against liability arising out of the operation of motor vehicles or other equipment by them while engaged in the performance of their duties as such public officials or employees and to pay out of the public funds the premiums on the indemnity insurance policies insuring such governmental agency against such liability. The regents may defend any such officer or employee, in the name and on behalf of the officer or employee, in any suit brought against him to enforce a claim, whether groundless or otherwise, arising out of the operation of a motor vehicle or other equipment by him in the performance of his official duties, and may compromise and settle such claim or suit and pay out of public funds the amount of such settlement or compromise, or the amount of any judgment against such officer or employee based on any such claim without first requiring such officer or employee to settle or pay any such claim. The regents may, in their discretion, pay the premiums of the indemnity insurance policies referred to in this subdivision, insuring such officers or employees against liability for or injury to persons or property, within the limits of this subdivision, and such payment of insurance premiums out of public funds shall in no way impose on the regents any liability.

**Subd. 3. Power of eminent domain granted.** The board of regents 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 by eminent domain, the power of eminent domain shall be exercised in accordance with chapter 117.

**Subd. 4. Employee salaries.** All nonacademic employees of the university of Minnesota shall be paid salaries comparable to salaries paid to state employees in the classified civil service.

[ 1913 c 257 s 1; 1935 c 173 s 1,2; Ex1937 c 81 s 2; 1976 c 163 s 23; 1976 c 348 s 21 ] (3139, 3139-3, 3139-4, 3139-6)

**137.021 ACCEPTANCE OF FEDERAL MONEY.** The regents of the University of Minnesota are hereby designated the state agency empowered to accept any and all moneys provided for or made available to this state by the United States of America or any department or agency thereof for the construction and equipping of any building for university or college purposes in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal moneys.

[ Ex1959 c 90 s 6 ]

**137.022 PERMANENT UNIVERSITY FUND, INVESTMENT.** The investment management of the permanent university fund shall be under the jurisdiction of the board of regents of the University of Minnesota, subject to any limitations imposed by the Constitution of the state of Minnesota, Article 11, Section 9. All securities and cash held in the state treasury credited to the permanent university fund heretofore unappropriated or unencumbered are hereby transferred and appropriated to the board of regents of the University of Minnesota solely for the purpose of investment by them, with the restriction that all such investment transactions be handled through the supervision of investment counselors, bank trust departments, or insurance companies which are organized, licensed, or have registered offices within the state of Minnesota or have agreed in writing to conduct such securities transactions and investment counseling under Minnesota law and the rules and regulations established by the securities division of the Minnesota department of commerce. Such investments shall be restricted to those authorized as eligible for use in the Minnesota adjustable fixed benefit fund, section 11.25, subdivision 2, with the exception that corporate debt securities may be used to the extent of 80 percent of the portfolio. The income from the permanent university fund shall be subject to appropriations to the board of regents by the legislature from time to time. The determination of such income shall be based on the procedures detailed in sections 11.015, subdivision 7, or 11.16, subdivision 17.

[ 1963 c 567 s 2; 1965 c 41 s 1; 1971 c 197 s 3; 1976 c 2 s 172 ]

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**137.023 UNIVERSITY STUDENT ON BOARD OF REGENTS.** In electing members of the board of regents pursuant to Article 13, Section 3, of the Constitution of the state of Minnesota, and Territorial Laws 1851, Chapter 3, Section 5, and commencing with the election of members of the board of regents in 1977, one member of the board of regents of the university shall be a person who at the time of his election to the board is a student at the university or who has graduated from the university within the five years prior to his election. This person shall serve for a six year term and represent the state at large. Upon expiration of his term or in the event of a vacancy in his office, one position shall be filled by a person having the same qualifications.

[ 1976 c 120 s 1 ]

**137.024 CONGRESSIONAL DISTRICTS REPRESENTED ON BOARD OF REGENTS.** At least one member of the board of regents of the university shall be a resident of each congressional district.

[ 1976 c 120 s 2 ]

**137.025 APPROPRIATIONS; PAYMENT.** Subdivision 1. The commissioner of finance shall pay no money to the university of Minnesota pursuant to a direct appropriation, other than an appropriation for the university of Minnesota hospitals or for buildings, until the university first certifies to the commissioner of finance that its aggregate balances in the temporary investment pool, cash, or separate investments, resulting from all state maintenance and special appropriations do not exceed \$7,000,000, or any other amount specified in the act making the appropriation, plus one-third of all tuition and fee payments from the previous fiscal year. Upon this certification, 1/12 of the annual appropriation to the university shall be paid at the beginning of each month. Additional payments shall be made by the commissioner of finance whenever the state appropriations and tuition aggregate balances in the temporary investment pool, cash, or separate investments are reduced below the indicated levels.

Subd. 2. The commissioner of finance shall pay no money to the university of Minnesota pursuant to a direct appropriation for buildings until all balances separately invested, including cash, and those in the temporary investment pool attributable to all state building funds shall be reduced below \$5,000,000, or any other amount specified in the act making the appropriation. Payment shall then be made upon certification of the amounts needed for construction payments, but so as not to increase the building balances in cash, separately invested, or in the temporary investment pool, to a total above the indicated level.

Subd. 3. Money not paid to the university by reason of the foregoing requirements shall be invested by the state in those securities authorized by section 11.10 until paid to the university. Income from investments shall be credited to the general fund in the state treasury.

[ 1976 c 163 s 24 ]

**137.027 APPROPRIATION; FRINGE BENEFITS.** Direct appropriations to the university of Minnesota include money to pay the employer's share of social security, state retirement, and health insurance. Money provided for these purposes shall be expended only for these purposes and any amounts in excess of the employer's share shall be returned to the state treasury.

[ 1976 c 163 s 25 ]

**137.03 INSTRUCTION IN LAW ENFORCEMENT.** 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 of the 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 this person while in attendance at such school from the general funds of the political subdivision. To each person satisfactorily completing the prescribed course of instruction in the school so established shall be issued a certificate of graduation stating that the holder has been graduated therefrom.

[ Ex1937 c 81 s 2 ] (3139-7)

**137.04 LIBRARY TO GET COPIES OF STATE PUBLICATIONS.** The general library of the University of Minnesota is a depository of all books, pamphlets, maps, and other works published by or under the authority of the state of Minnesota.

[ 1905 c 278 s 1,2; 1947 c 365 s 3 ] (3137, 3138)

**137.05 ASSISTANCE IN TREE PLANTING.** The agricultural extension department of the University of Minnesota is authorized and directed to cooperate with the secretary of agriculture of the United States in providing assistance in tree planting to owners of land by the procurement of forest tree-planting stock, not including fruit or ornamental trees, shrubs, or plants and in the distribution to planters of such forest tree-planting stock at cost, plus transportation and administrative charges, to the end that the tree-planting stock so distributed shall be used for the purpose of establishing windbreaks, shelterbelts, and farm woodlots upon denuded or non-forested lands and for protecting farm buildings, crops, and fields from wind erosion and for furnishing forest cover beneficial to water conservation and bird life.

[ 1939 c 385 s 1 ] (4031-89)

**137.06 FOREST PLANTING STOCK; NUMBER OF TREES.** Not less than 1,000 trees shall be sold for an individual planting; no trees may be resold by the succeeding purchasers. The term "forest-planting stock" means one or two year old seedling stock of deciduous trees and 2-2 or 3-2 coniferous trees customarily used for the purposes mentioned above and such other specifications as may be necessary to ensure successful growth.

[ 1939 c 385 s 2 ] (4031-90)

**137.07 HOME-GROWN TREES GIVEN PREFERENCE.** In all purchases of forest-planting stock under the provisions of sections 137.06 to 137.08, preference shall be given to trees grown in the state by duly inspected Minnesota nurseries and these purchases shall be paid for out of the fund created by section 137.08 and accruals thereto from the sale of trees purchased. If suitable stock for this purpose cannot be obtained from Minnesota nurseries, it is permissible to secure such nursery stock from nurseries outside the state. All money received from the sale of trees shall be placed in the state tree fund, which is hereby created.

[ 1939 c 385 s 3 ] (4031-91)

**137.08 FUNDS FROM THE UNITED STATES.** Any funds received from the United States government for tree-planting aid, under the Clark-McNary act or other acts, shall be placed in the state tree fund and expended only as stated in sections 137.05 to 137.07 under the direction of the agricultural extension department of the University of Minnesota.

[ 1939 c 385 s 4 ] (4031-92)

**137.09 BOARD OF REGENTS NOT TO EXCEED APPROPRIATIONS; PENALTY.** It shall be unlawful for the board of regents to permit any expenditures for any purpose in excess of the amount appropriated or contemplated by law and any member or agent of the board violating this provision shall be guilty of a gross misdemeanor; and, upon conviction, fined not less than \$100 nor more than \$1,000, or be imprisoned in the county jail for not less than six months, or by both fine and imprisonment.

[ 1905 c 119 s 6 ] (3145)

**137.10 REFUNDMENT OF TUITION TO STUDENTS IN CERTAIN CASES.** Any student who, being a citizen and resident of the state, has enrolled to pursue any course in the University of Minnesota or any state university paid tuition therefor, and who, prior to the termination of the school year for which such tuition was paid, enlisted or has been inducted into the military services of the United States, either voluntarily or pursuant to the present selective service law, shall be entitled to the refundment of all tuition so paid for which credit can not properly be given.

It is hereby made the duty of the administrative officers of the University of Minnesota and of such universities or institutions to refund to such students any tuition so paid. Any student making application for refundment of any tuition so paid shall furnish to the administrative officers of the University of Minnesota or of such

universities a certificate from the proper officers reciting the fact of the enlistment or the induction of such student into the military service of the United States.

[ 1941 c 272; 1957 c 576 s 1,2; 1975 c 321 s 2 ]

**137.11 MINNESOTA INSTITUTE OF RESEARCH.** Subdivision 1. **Creation.** There is hereby created a research institute to be known as the "Minnesota Institute of Research," hereinafter referred to as the "Institute."

**Subd. 2. Purposes.** The purpose of the institute is to assist in general research and in the discovery, development, promotion, and coordination of methods for the utilization and development of the products and natural resources of the state through scientific research, and to aid further studies for the purpose of developing the industries and resources of the state.

**Subd. 3. Organization.** The institute shall be organized and operated under the control and supervision of the board of regents of the University of Minnesota and the Minnesota Institute of Research fund shall be under its control and supervision.

**Subd. 4. Powers of board of regents.** The board of regents may protect formulae, methods, products, processes, or devices which may be invented or discovered and reward inventors and discoverers to such extent as it deems proper. Any royalties or income arising from such protection shall be credited to the Minnesota Institute of Research fund.

**Subd. 5. Research fund.** There is hereby created a fund to be known as the Minnesota Institute of Research fund. The board of regents may receive and credit to such fund, appropriations, gifts, donations, devises, and bequests for the purpose of carrying out the provisions of this section, but it shall not divert any of the same from the specific purposes designated by the donor without the donor's consent.

[ 1943 c 503 ]

**137.12 INVESTIGATORS; APPOINTMENT; POWER OF ARREST.** The regents of the University of Minnesota are hereby authorized to appoint, employ and fix the compensation to be paid out of funds of the regents of the University of Minnesota, persons as investigators who shall have and may exercise throughout the state of Minnesota the same powers of arrest possessed by a sheriff, police officer, or peace officer, but said powers of arrest shall only be exercised in connection with investigations authorized to be made by the regents of the University of Minnesota, which investigations shall relate to university personnel or property.

[ 1947 c 126 s 1; 1969 c 266 s 1 ]

**137.13 MS 1974** [ Expired ]

**137.14 GRAIN TESTING LABORATORY; TESTS, HOW MADE.** There shall be equipped and maintained, under the direction and authority of the board of regents, in some suitable building situated upon the campus of the agricultural college at St. Anthony Park, a laboratory for the purpose of testing wheat and other grain as to their physical and chemical properties and commercial value, and for the testing of flour made from wheat so tested as to its bread-making qualities. These tests shall be made by competent instructors in chemistry employed at the college of agriculture, so as to be educational in character. The results thereof shall be published in the regular monthly bulletin, or in a special bulletin if deemed necessary. All tests asked for and requested by the department of public service, the grain inspection department, and the boards of appeals shall be made free of charge.

[ 1909 c 199 s 1,2; 1971 c 25 s 67 ] (3130, 3131)

**137.15 STATISTICS AND INFORMATION REGARDING COOPERATIVE ASSOCIATIONS AMONG FARMERS.** In addition to the duties now imposed by law upon the board of regents, none of which shall be affected or abridged by anything herein contained, it is hereby made the duty of the board of regents to create, in the department of agriculture, under the supervision of the board, a department to collect statistics and information in reference to cooperative associations among farmers and the management and methods of conducting such associations. This information shall cover all matters relating to cooperative associations among farmers and relate to all subject matter proper or usual for cooperative action among farmers.

It shall be the duty of the board to disseminate such information among farmers desiring to form and operate such cooperative associations upon application therefor

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by any such cooperative association or any number of farmers desiring to form such a cooperative association. Such information shall not only cover the methods of organizing such cooperative association, but also the law governing and regulating such cooperative associations, and such information as to the conduct and management of the business thereof as shall be necessary or essential for the proper management and conduct of such business. It is hereby made the duty of all cooperative associations to report annually to the department on blanks provided for that purpose.

[ 1913 c 386 s 1,2 ] (3133, 3134)

**137.16 MORRIS BRANCH; ADMISSION OF INDIANS.** Subdivision 1. The University of Minnesota, Morris branch, situated in whole or in part on the lands described in Laws 1909, Chapter 184, shall admit Indian pupils qualified for admission at all times free of charge for tuition and on terms of equality with white pupils.

Subd. 2. Subdivision 1 is a substitute for the provisions of Laws 1909, Chapter 184, Section 2, which reads: The said lands and buildings described in section 1 hereof shall be held and maintained by the state of Minnesota as an agricultural school, and Indian pupils shall at all times be admitted to said school free of charge for tuition and on terms of equality with white pupils.

[ 1961 c 312 s 2,3 ]

**137.20 CEMETERY PROHIBITED NEAR UNIVERSITY OR VETERANS' HOME.** It shall be unlawful for any person, firm, association, or corporation to locate or maintain a cemetery or burial ground for the purpose of burying any human body, or the burying of any human body within three-quarters of a mile of the University of Minnesota or the Minnesota Veterans' Home.

[ 1911 c 4 s 1; 1967 c 148 s 2 ] (10232)

**137.21 PENALTY.** Any person, firm, association, or corporation violating section 137.20 shall be guilty of a gross misdemeanor for each and every offense.

[ 1911 c 4 s 2 ] (10233)

**137.22 HIGHER EDUCATION ACT OF 1965; RECEIPTS.** In order to enable the state to match the cost of any program under Title I of the Higher Education Act of 1965, any receipts accruing to any state department or agency by reason of service performed for the university of Minnesota in connection with the program shall be deposited in the state treasury. The receipts are appropriated to the department or agency making the deposit, to be used as part of the state's 25 percent share of the cost of the programs. The balance of the state's share of the cost of the programs is payable by the participating departments or agencies from any moneys appropriated for salaries, supplies and expenses.

[ 1976 c 163 s 26 ]