

(c) (1) In Ramsey county, the governing body of a city, village or town therein may authorize the county to construct and maintain any or all of its highways without advertising for bids.

(2) The construction that is referred to in the above paragraph is only to be performed as part of a maintenance job, and, the cost of the construction shall not exceed \$2,500 for a project.

(d) Subd. 3. LEXINGTON AVENUE; OLD TRUNK HIGHWAY NO. 10. (a) That part of Lexington avenue in Ramsey county from Larpenteur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, are a part of the county state-aid system of highways. Minnesota Statutes, Section 161.082, applies to this section of highway.

(b) Notwithstanding any law or rule to the contrary, that part of Lexington avenue in Ramsey county from Larpenteur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, being a part of the county state-aid system of highways pursuant to Minnesota Statutes, Chapter 161, shall remain eligible for county turnback funds currently available pursuant to Minnesota Statutes, Section 161.082, until September 7, 1978. No county turnback funds shall be disbursed until a plan is approved by the department of transportation.

Sec. 2. LEXINGTON AVENUE SOUTH OF LARPENTEUR. The city of Saint Paul may not take or use existing park land for the redesign, reconstruction or widening of Lexington avenue south of Larpenteur avenue.

Sec. 3. EFFECTIVE DATE. Section 1 is effective upon its approval by the governing body of Ramsey county and upon compliance with Minnesota Statutes, Section 645.021. Section 2 is effective upon its approval by the city council of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021.

Approved June 2, 1977.

CHAPTER 403—H.F.No.962

An act relating to appropriations; abolishing open appropriations for various purposes; providing direct appropriations for debt service and for other purposes previously supported by open appropriations; amending Minnesota Statutes 1976, Sections 16.023; 16A.27; 84B.07; 136A.08, Subdivisions 1 and 2; 176.183, Subdivision 2; 192.52; 299D.03, Subdivision 1; 351.11; 352E.02; 481.15, Subdivision 2; and Laws 1973, Chapter 567, Section 7; repealing Minnesota Statutes 1976, Sections 124.23; 136.508; 352E.05; 355.31 to 355.39.

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

Section 1. Minnesota Statutes 1976, Section 16.023, is amended to read:

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16.023 STATE GOVERNMENT; OPEN APPROPRIATIONS; STATE'S SHARE OF PROPERTY FOUND PUT INTO GENERAL FUND. All lost or abandoned moneys found under the permit granted hereunder, and the proceeds from the sale of other abandoned or lost property found under such permit, shall be deposited in the general fund. The commissioner shall authorize in a manner provided by law the payment to the finder of the share due him under the terms and conditions provided when permission to search therefor was granted. ~~There is hereby appropriated from the general fund such amounts as may be necessary to pay to the finder the amount to which he is entitled under the terms and conditions of the permit granted to him.~~

Sec. 2. Minnesota Statutes 1976, Section 16A.27, is amended to read:

16A.27 STATE FUNDS; DEPOSIT; REGULATION BY COMMISSIONER. (a) Deposit of state funds in depositories by the treasurer under this section is subject to regulation by the commissioner of finance. He may determine the amount of funds to deposit in a depository and any other matter which he deems in the public interest. The treasurer shall comply with such regulations.

(b) All depositories with various noninterest bearing deposits which, as a group, total over \$100,000 shall report such balances as of the close of the previous business day by 9:00 a.m. daily to the treasurer and the commissioner of finance. The commissioner of finance shall record these daily balances, which shall be a matter of public record at the legislative reference library and reported monthly to the legislative audit commission.

(c) All state accounts shall be established by competitive bid among the designated depositories. The commissioner of finance shall send written notice of his intent to accept bids for the handling of the state account, or accounts, to all designated depositories. The notice shall specify such considerations, fiscal activities, and conditions as the commissioner may require. All such deposits shall be awarded by competitive bid to the lowest bidding depository which, in the opinion of the commissioner, has the capacity to discharge the required considerations, fiscal activities, and conditions.

(d) In exceptional cases, the commissioner may dispense with the bid procedure. In such event, he shall report the circumstances and reasons therefor to the legislative audit commission within five days after establishing the account.

(e) All presently existing state accounts shall be closed, and new accounts shall be established in compliance with the bid procedure established in clause (c) no later than one year after the effective date of Laws 1973, Chapter 492.

(f) Notwithstanding any provision in this section to the contrary, the commissioner of finance may agree to pay a depository a reasonable charge or keep appropriate compensating balances for handling state funds, for cashing state warrants, vouchers and the like. ~~Such moneys as may be necessary for such purpose are hereby appropriated annually to the commissioner of finance.~~

Sec. 3. Minnesota Statutes 1976, Section 84B.07, is amended to read:

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84B.07 PAYMENT IN LIEU OF PROPERTY TAXES. When a tract or lot of privately owned property is acquired by the federal government for inclusion within Voyageurs National Park, and when, as a result of the acquisition, taxes are no longer assessed against the tract or lot or any improvements thereon, the following amount is annually appropriated from the general fund shall be paid by the commissioner of natural resources to the county of Koochiching or St. Louis for distribution to the taxing districts: In the first year after taxes are last required to be paid on the property, 80 percent of the last required payment; in the second year after taxes are last required to be paid on the property, 60 percent of the last required payment; in the third year after taxes are last required to be paid on the property, 40 percent of the last required payment; in the fourth year after taxes are last required to be paid on the property, 20 percent of the last required payment. The county auditor shall certify to the commissioner of ~~finance~~ natural resources the total amount due to a county on or before March 30 of the year in which money is ~~appropriated~~ must be paid pursuant to this section. Money received by a county pursuant to this subdivision shall be distributed to the various taxing districts in the same proportion as the levy of a taxing district bears to the total levy on the property in the last year taxes were required to be paid on the property. In no case shall the total amount of money ~~appropriated~~ paid to Koochiching county exceed \$19,000, and in no case shall the total amount of money ~~appropriated~~ paid to St. Louis county exceed \$111,000.

Sec. 4. Minnesota Statutes 1976, Section 136A.08, Subdivision 1, is amended to read:

136A.08 RECIPROCAL AGREEMENTS RELATING TO NONRESIDENT TUITION WITH OTHER STATES. Subdivision 1. The Minnesota higher education coordinating board herein referred to as the board, in addition to its general responsibility for cooperatively engaging in planning higher education needs with neighboring states pursuant to section 136A.04, may enter into agreements or understandings which include remission of nonresident tuition for designated categories of students at state institutions of higher education and public area vocational-technical institutes with appropriate state agencies and institutions of higher education in other states to facilitate utilization of public higher education institutions in this state and other states. Such agreements shall have as their purpose the mutual improvement of educational advantages for residents of this state and such other states or institutions of other states with whom agreements are made.

At the discretion of the board, a higher education reciprocity agreement with the state of Wisconsin may include provision for the transfer of funds between Minnesota and Wisconsin provided that an income tax reciprocity agreement between Minnesota and Wisconsin is in effect for the period of time included under the higher education reciprocity agreement. If provision for transfer of funds between the two states is included in a collegiate education reciprocity agreement, the amount of funds to be transferred shall be determined according to a formula which is mutually acceptable to the board and a duly designated agency representing Wisconsin. Such formula shall recognize differences in tuition rates between the two states and the number of students attending institutions in each state under the agreement. Any payments to Minnesota by Wisconsin shall be deposited by the board in the general fund of the state treasury. ~~There is hereby appropriated from any moneys not otherwise appropriated such amounts as may be~~

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necessary for payments to Wisconsin under the provisions of a collegiate education reciprocity agreement. The amount of any appropriation required for these purposes the payments shall be certified by the executive director of the higher education coordinating board to the commissioner of finance annually.

Sec. 5. Minnesota Statutes 1976, Section 136A.08, Subdivision 2, is amended to read:

Subd. 2. At the discretion of the board, a reciprocity agreement with North Dakota may include provision for the transfer of funds between Minnesota and North Dakota. If provision for transfer of funds between the two states is included in an agreement, the amount of funds to be transferred shall be determined according to a formula which is mutually acceptable to the board and a duly designated agency representing North Dakota. In adopting a formula, the board shall consider tuition rates in the two states and the number of students attending institutions in each state under the agreement. Any payment to Minnesota by North Dakota shall be deposited by the board in the general fund. ~~There is appropriated from the general fund to the higher education coordinating board the amounts necessary for payments to North Dakota under a reciprocity agreement.~~ The amount of the appropriation required for the payments shall be certified by the executive director of the higher education coordinating board to the commissioner of finance annually. All provisions in this subdivision pertaining to North Dakota shall also be applied to South Dakota and all authority and conditions granted for higher education reciprocity with North Dakota are also granted for higher education reciprocity with South Dakota.

Sec. 6. Minnesota Statutes 1976, Section 176.183, Subdivision 2, is amended to read:

Subd. 2. Upon a warrant prepared by the commissioner of the department of labor and industry and approved by the commissioner of finance, and in accordance with the terms of the order awarding compensation, the state treasurer shall pay compensation to the employee or his dependent from the special compensation fund. The commissioner of the department of labor and industry shall certify to the state treasurer and to the legislature at the end of each biennium the total amount of compensation paid from the special compensation fund under subdivisions 1 and 1a. The state treasurer shall upon proper certification reimburse the special compensation fund ~~from the general fund the total amount certified as paid under this section; and the funds required for the purpose of making such reimbursement are hereby annually appropriated.~~

Sec. 7. Minnesota Statutes 1976, Section 192.52, is amended to read:

192.52 EXPENSES OF MILITARY FORCES ORDERED TO ACTIVE DUTY.

In all cases where any of the military forces are called into active service by the governor and where no funds otherwise appropriated are available therefor, or where the appropriated funds, if any, are insufficient, the pay rolls of officers and enlisted men and expense bills shall be audited by the commissioner of finance, the commissioner of administration and the adjutant general, and paid upon their certificate out of the general fund, and the necessary sums are hereby appropriated. No payment shall be made

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pursuant to this section until the commissioner of finance has reported the amount of the proposed payment to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 8. Minnesota Statutes 1976, Section 299D.03, Subdivision 1, is amended to read:

299D.03 HIGHWAY PATROL. Subdivision 1. **MEMBERS.** The commissioner is hereby authorized to employ and designate a chief supervisor, a chief assistant supervisor, and such assistant supervisors, sergeants and officers as are provided by law, who shall comprise the Minnesota highway patrol. The members of the Minnesota highway patrol shall have the power and authority:

(1) As peace officers to enforce the provisions of the law relating to the protection of and use of trunk highways.

(2) At all times to direct all traffic on trunk highways in conformance with law, and in the event of a fire or other emergency, or to expedite traffic or to insure safety, to direct traffic on other roads as conditions may require notwithstanding the provisions of law.

(3) To serve warrants and legal documents anywhere in the state.

(4) To serve orders of the commissioner of public safety or his duly authorized agents issued under the provisions of the Drivers License Law, the Safety Responsibility Act, or relating to authorized brake and light testing stations, anywhere in the state and to take possession of any license, permit or certificate ordered to be surrendered.

(5) To inspect official brake and light adjusting stations.

(6) To make appearances anywhere within the state for the purpose of conducting traffic safety educational programs and school bus clinics.

(7) To exercise upon all trunk highways the same powers with respect to the enforcement of laws relating to crimes, as sheriffs, constables and police officers.

(8) To cooperate, under instructions and regulations of the commissioner of public safety, with all sheriffs and other police officers anywhere in the state, provided that said employees shall have no power or authority in connection with strikes or industrial disputes.

(9) To assist and aid any peace officer whose life or safety is in jeopardy.

(10) As peace officers to provide security and protection to the governor, governor elect, either or both houses of the houses of the legislature, and state buildings or property in the manner and to the extent determined to be necessary after consultation with the governor, or his designee. Pursuant to this clause, members of the highway patrol, acting as peace officers have the same powers with respect to the enforcement of laws relating to

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crimes, as sheriffs, constables and police officers have within their respective jurisdictions. ~~There is hereby appropriated from the general fund sufficient moneys to pay the total cost of providing the services of the patrol personnel assigned to protection duties involving non-highway functions.~~

(11) To inspect school busses anywhere in the state for the purposes of determining compliance with vehicle equipment, pollution control, and registration requirements.

(12) As peace officers to make arrests for public offenses committed in their presence anywhere within the state. Persons arrested for violations other than traffic violations shall be referred forthwith to the appropriate local law enforcement agency for further investigation or disposition.

Notwithstanding any provision of law to the contrary, the state may contract for highway patrol members to render services in excess of their regularly scheduled duty hours to a governmental unit pursuant to section 471.59, and patrol members rendering such services shall be compensated in such amounts, manner and under such conditions as the agreement provides.

Employees thus employed and designated shall subscribe an oath and furnish a bond running to the state of Minnesota, said bond to be approved and filed in the office of the secretary of state.

Sec. 9. Minnesota Statutes 1976, Section 351.11, is amended to read:

351.11 FEES OF COMMISSIONERS AND WITNESSES; HOW PAID. The fees of the special commissioners provided for in this chapter shall be the same allowed by law to referees, and witnesses giving testimony for the prosecution before such commissioner ~~shall be allowed the same fees as witnesses in the district court. In case of removal by the~~ governor of state officers, such fees shall be paid by the state ~~out of moneys not otherwise appropriated;~~ on the order of the governor. On presentation of the order to the commissioner of finance, he shall draw his warrant upon the state treasurer in favor of the person entitled to the same; but, when testimony is taken for or against a county officer, the fees of the commissioner and witnesses for the prosecution shall be paid by the county, upon allowance by the county board, in the same manner as other claims against the county. In such proceedings against a county officer, when testimony is taken by a shorthand reporter, his fees shall be the same as allowed district court reporters for like services, and the county board shall provide for its payment; but, if such services are performed by the commissioner, he shall be paid only reporter's fees. In such case the county board, in its discretion, may allow to counsel compensation not exceeding \$10 per day for the time actually engaged before the commissioner.

Sec. 10. Minnesota Statutes 1976, Section 352E.02, is amended to read:

352E.02 PEACE OFFICERS BENEFIT FUND. There is hereby created in the state treasury an account to be known as peace officers benefit fund. Funds in the peace officers benefit fund shall consist of moneys appropriated to that fund as ~~provided in section 352E.05.~~

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Sec. 11. Minnesota Statutes 1976, Section 481.15, Subdivision 2, is amended to read:

Subd. 2. **PROCEEDINGS.** Proceedings in such cases may be taken by the supreme court on its own motion, for matter within its knowledge, or upon accusation. Accusations may be made to the clerk of the supreme court and shall be investigated, prosecuted, heard and determined in accordance with rules which may be made, from time to time, by the supreme court. The supreme court may refer any accusation to any person, and such person shall have all the powers of a referee under the rules of civil procedure; objections to such referee may be filed within ten days of the appointment and shall be heard and determined by the supreme court. The referee shall report the evidence and, if directed by the supreme court, shall make findings thereon. Persons designated by the supreme court under the authority of this section shall be paid their necessary expenses and such compensation as shall be fixed by the supreme court. Officers and witnesses necessarily employed or called by the prosecution shall receive the fees and mileage allowed by law and the supreme court shall fix a reasonable compensation for the reporter. All expenses, fees and compensation herein authorized shall be paid by the state out of any money in the general fund not otherwise appropriated, upon itemized vouchers approved by one of the justices of the supreme court.

Sec. 12. Laws 1973, Chapter 567, Section 7, is amended to read:

Sec. 7. **PAYMENT IN LIEU OF PROPERTY TAXES.** When a tract or lot of privately owned property is acquired by the state for inclusion within St. Croix Wild River state park, and when, as a result of the acquisition, taxes are no longer assessed against the tract or lot or any improvements thereon, the following amount is ~~annually appropriated from the general fund shall be paid by the commissioner of natural resources~~ to the county of Chisago for distribution to the taxing districts: In the first year after taxes are last required to be paid on the property, 90 percent of the last required payment; in the second year 80 percent; in the third year 70 percent; in the fourth year 60 percent; in the fifth year 50 percent; in the sixth year 40 percent; in the seventh year 30 percent; in the eighth year 20 percent; in the ninth year 10 percent. The county auditor shall certify to the ~~state auditor~~ commissioner of natural resources the total amount due to a county on or before March 30 of ~~each the year in which money is appropriated must be paid~~ pursuant to this section. Money received by a county pursuant to this section shall be distributed to the various taxing districts in the same proportion as the levy of a taxing district bears to the total levy on the property in the last year taxes were required to be paid on the property. In no case shall the total amount of money ~~appropriated~~ paid to Chisago county exceed \$20,000.

Sec. 13. **REPEALER.** Minnesota Statutes 1976, Sections 124.23; 136.508; 352E.05; 355.31; 355.32; 355.33; 355.34; 355.35; 355.36; 355.37; 355.38; and 355.39; are repealed.

Sec. 14. **APPROPRIATIONS.** The sums set forth in the column designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal year indicated for each purpose. The figures "1978" and "1979" wherever used in this and the following sections of this act mean that the

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appropriation or appropriations listed under them are available for the year ending June 30, 1978, or June 30, 1979, respectively.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30,</u>	
	<u>1978</u>	<u>1979</u>
	\$	\$
<u>Sec. 15. COMMISSIONER OF</u>		
<u>FINANCE</u>		
<u>Subdivision 1. Building Bond</u>		
<u>Principal and Interest,</u>		
<u>per Section 16A.64,</u>		
<u>Subdivision 5</u>	<u>50,676,626</u>	<u>49,402,716</u>
<u>Subd. 2. State Building</u>		
<u>Refunding Bond Principal and</u>		
<u>Interest, per Laws 1963,</u>		
<u>Chapter 677, Section 1</u>	<u>2,564,000</u>	<u>2,499,800</u>
<u>Subd. 3. Voyageurs National</u>		
<u>Park Bond Principal and Interest,</u>		
<u>per Section 84B.08,</u>		
<u>Subdivision 5</u>	<u>735,150</u>	<u>711,150</u>
<u>Subd. 4. Zoological Garden</u>		
<u>Bond Principal and Interest,</u>		
<u>per Section 85A.05,</u>		
<u>Subdivision 4</u>	<u>1,477,987</u>	<u>2,043,153</u>
<u>Subd. 5. Water Pollution</u>		
<u>Control Bond Principal and</u>		
<u>Interest per Section 116.17,</u>		
<u>Subdivision 6</u>	<u>4,896,250</u>	<u>4,768,250</u>
<u>Subd. 6. Vocational-Technical</u>		
<u>Building Bond Principal</u>		
<u>and Interest, per</u>		
<u>Section 121.215</u>	<u>1,570,525</u>	<u>1,528,725</u>
<u>Subd. 7. State University</u>		
<u>Bond Principal and Interest,</u>		
<u>per Section 136.40,</u>		
<u>Subdivisions</u>		
<u>6, 8, and 9</u>	<u>1,385,697</u>	<u>1,378,306</u>
<u>Subd. 8. Transportation Bond</u>		
<u>Principal and Interest,</u>		
<u>per Section 174.51,</u>		
<u>Subdivision 5</u>	<u>2,498,750</u>	<u>2,448,750</u>
<u>Subd. 9. Veterans Bonus Bond</u>		
<u>Principal and Interest, per</u>		
<u>Section 197.986</u>	<u>5,324,812</u>	<u>5,187,187</u>
<u>Subd. 10. School Loan Bond</u>		
<u>Principal and Interest,</u>		
<u>per Section 124.46,</u>		

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Subdivision 3 4,152,022 4,066,997

This appropriation is from the school loan bond account in the state bond fund.

Subd. 11. Employment Security Building Bond Principal and Interest, per Laws 1965, Chapter 532, Section 4, and Laws 1967, E. S., Chapter 8, Section 23

246,929 240,679

This appropriation is from the employment security building fund.

Subd. 12. Sale expenses and principal and interest on the bonds and certificates of indebtedness for which an appropriation is made in this section shall be paid from these appropriations rather than from a statutory open appropriation for the same purpose. If any of these appropriations is insufficient to make all payments due during the period for which it is made, the commissioner of finance shall certify the amount of the deficiency to the committee on finance of the senate and the committee on appropriations of the house of representatives and shall then make payment pursuant to the statutory open appropriation.

Sec. 16. COMMISSIONER OF NATURAL RESOURCES

Subdivision 1. Payment in Lieu of Taxes on Lands in Voyageurs National Park, per Section 84B.07

50,000 50,000

Subd. 2. Payment in Lieu of Taxes on Lands in St. Croix Wild River State Park, per Laws 1973, Chapter 567, Section 7

20,000 20,000

Sec. 17. STATE UNIVERSITY BOARD

Part Time Employment of Students, State Share, per Sections 136.501 to 136.507

341,000 350,000

Sec. 18. STATE COMMUNITY COLLEGE BOARD.

Part Time Employment of Students State Share

341,000 350,000

Sec. 19. HIGHER EDUCATION COORDINATING BOARD

Reciprocity Payments, per Section 136A.08

(a) To Wisconsin 5,081,000 5,704,600

(b) To North Dakota 363,870 373,200

(c) To South Dakota 650,000 550,000

Sec. 20. COMMISSIONER OF LABOR AND INDUSTRY Reimbursement of Special

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<u>Compensation Fund,</u> <u>per Section 176.183</u>	<u>150,000</u>	<u>150,000</u>
Sec. 21. <u>ADJUTANT GENERAL</u> <u>Expenses of Military Forces</u> <u>Ordered to Active Duty,</u> <u>per Chapter 192</u>		
	<u>150,000</u>	<u>150,000</u>
Sec. 22. <u>COMMISSIONER OF</u> <u>PUBLIC SAFETY</u> <u>Security Protection to</u> <u>Governor, Legislators, and</u> <u>State Buildings,</u> <u>per Section 299D.03</u>		
	<u>486,058</u>	<u>459,645</u>
Sec. 23. <u>PEACE OFFICERS</u> <u>BENEFIT FUND</u> <u>Survivor Benefits, per</u> <u>Section 352E.04</u>		
	<u>395,196</u>	<u>395,196</u>

Sec. 24. If an appropriation in this act for either year is insufficient, the appropriation for the other year is available for it.

Sec. 25. EFFECTIVE DATE. This act is effective July 1, 1977.

Approved June 2, 1977.

CHAPTER 404—H.F.No.967

An act relating to education; quality education council; expanding duties and functions; amending Minnesota Statutes 1976, Sections 3.925 and 3.927.

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

Section 1. Minnesota Statutes 1976, Section 3.925, is amended to read:

3.925 EDUCATION; QUALITY EDUCATION COUNCIL; PURPOSE. The legislature of the state of Minnesota expresses concern over the future of elementary and secondary education in this state, its ability to meet the educational needs of the public school students, the professional growth and satisfaction of school staffs, the effectiveness and efficiency of present schools and their learning processes, continuing pupil unit cost escalation and the resulting financial crisis which this brings about. New approaches to the learning process, better utilization of professional staff and community resources, different requirements as to course offerings, course content, grading, graduation and school attendance must be researched and developed. It is believed that revised programs, innovations, new attitudes about learning and the public schools' responsibilities can be effectively achieved if such research and development are performed by the council on quality education and at the local school level by the school's staff and with involvement by the students and their community. Although funds spent now for such purposes can

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