

CHAPTER 457—H. F. No. 1659

An act to appropriate money for expenses of the State Government, and salaries of officials and clerks thereof, and for other purposes, prescribing present and future regulations and limitations relative to, and expenditures of certain portions thereof, including certain appropriations from the Trunk Highway Fund, from the Game and Fish Department Funds, and from certain other funds, prohibiting any funds to be expended for publicity representatives, and making it unlawful for any official in any of the State departments to use any fund or fees for any purpose not contemplated by the appropriations in this act contained and making such act of using public funds or fees for purposes other than the purposes for which the fund was appropriated cause for immediate dismissal of the employe or official so diverting the use of fees collected or funds appropriated by this act, providing for restoration of salaries, and extending balances of appropriations heretofore made.

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

Section 1. Appropriation for expenses of state government.
—The sums hereinafter set forth in the columns designated "Appropriations" or so much thereof as may be necessary, are hereby appropriated out of any money in the state treasury not otherwise appropriated for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1937", "1938", and "1939", wherever used in this act shall mean that the appropriation, or appropriations listed thereunder shall be available for the year ending June 30, 1937, 1938 and 1939, respectively:

		APPROPRIATIONS	
		Available for year ending June 30:	
Section 2. The Legislature:		1938	1939
1. Salaries			\$198,000.00
2. Printing and Binding			30,000.00
	Item 2 is to be disbursed by the Commission of Administration and Finance.		
Section 3. Supreme Court:		1938	1939
1. Salaries		\$ 96,560.00	\$ 96,560.00
2. Supplies and Expense.....		5,000.00	5,000.00
3. Publishing Minnesota Reports.....		3,200.00	4,700.00

Provided, that of the moneys appropriated by Item 1 hereof, \$500 is additional salary of the clerk of the Supreme Court and \$400 is additional salary of the deputy clerk of the Supreme Court.

Section 4. District Courts:

To be disbursed by State Auditor.

	1938	1939
1. Salaries	\$306,000.00	\$306,000.00
2. Traveling and other expenses.....	11,500.00	11,500.00
	1937	
3. Salaries	4,800.00	

Section 5. Retired Supreme and District Court Judges and Commissioners:

	1937		1938	1939
1. Salaries	\$ 620.00			
			1938	1939
2. Salaries		10,500.00	\$ 13,500.00	

Section 6. Governor:

	1938	1939
1. Salaries	\$ 24,000.00	\$ 24,000.00
2. Supplies and Expense.....	2,500.00	3,500.00
3. Personal expenses connected with office	2,400.00	2,400.00
	1937	
4. For portraits of the late Governor Floyd B. Olson and of Governor Hjalmar Petersen	2,000.00	

Section 7. Secretary of State:

	1938	1939
1. Salaries	\$ 18,090.00	\$ 18,090.00
2. Supplies and Expenses.....	3,000.00	3,100.00
3. Election Expense	5,000.00	1,500.00

	1937	
4. Election Expense	3,500.00	
	1938	1939
5. Motor Vehicle Division.....	410,000.00	420,000.00

Provided, that out of the sums appropriated by Item 2, \$1,000.00 for the biennium shall be for Dexigraph alterations and supplies.

In addition to the above sum of \$5,000.00 appropriated by Item 3, the sum of \$5,000.00 is hereby re-appropriated from the unexpended balance remaining in the fund designated "sheriff's fees, collection of delinquent taxes", appropriated by Chapter 422, Section 3, Laws 1925, making the total appropriations of \$10,000.00 available therefor.

Provided, that out of the sums appropriated by Item 5, \$1,200 is for additional salary of the Secretary of State for supervising said division.

The money appropriated by Item 5, is hereby appropriated from the Trunk Highway Fund and is not to be charged against the revenue fund.

Section 8. State Auditor:

	1938	1939
1. Salaries	\$ 68,500.00	\$ 69,000.00
2. Supplies and Expense.....	10,000.00	15,000.00
	1937	
3. Supplies and Expense.....	4,193.22	

Provided, that out of the moneys appropriated by Item 1, \$4,500 is for annual salary of the chief deputy auditor and \$400 is additional for annual salary of state auditor.

Section 9. State Treasurer:

	1938	1939
1. Salaries	\$ 30,000.00	\$ 30,000.00
2. Supplies and Expense.....	9,500.00	11,500.00

	1937	
3. Supplies and Expense.....	\$ 800.00	
	1938	1939
4. Stamps and Labels for Liquor Control Commission	\$110,000.00	\$110,000.00
<p>Provided that out of the moneys appropriated by Item 1 hereof, \$500 is for additional salary of the State treasurer and \$400 is for additional salary of the deputy state treasurer.</p>		
Section 10. Attorney General:		
	1938	1939
1. Salaries	\$ 82,000.00	\$ 82,000.00
2. Supplies and Expense.....	7,000.00	11,000.00
3. Special Contingent Fund.....	10,000.00	20,000.00
	1937	
4. Employees' Compensation	\$ 48.69	
5. Criminal Apprehension Bureau:	1938	1939
a. Salaries	\$ 55,000.00	\$ 55,000.00
b. Supplies and Expense.....	13,000.00	32,500.00
c. Radio Station	8,500.00	8,500.00

Provided, that of the moneys appropriated by Item 3 hereof, the sum of \$1,500 per annum, or so much thereof as may be necessary shall be available to pay attorneys' fees in litigations arising between departments of state, where the Attorney General is counsel for the department and where outside counsel must, of necessity, be secured for the opposing department.

Provided, that all moneys heretofore appropriated for the attorney general's office and continued in force and available to the attorney general by action under Section 124, General Statutes, 1923, and all balances of appropriations on hand at the end of the fiscal year are hereby

continued in force and made available to him for any services of his office to June 30, 1939.

Provided that the appropriation for salaries in Item "a" hereof is subject to the condition that, in the event any employee or head of the department of said Criminal Apprehension Bureau is the recipient of a pension or annuity from any pension or retirement fund to which the State of Minnesota, or any of its subdivisions contributes any part, then the salary of such employee shall be reduced in an amount equal to such pension or annuity, unless such employee waives or foregoes such pension or annuity during his term of employment or office.

Section 11. Executive Council:

	1938	1939
1. Salaries	\$ 7,200.00	\$ 7,200.00
2. Supplies and Expense.....	600.00	600.00
3. Capitol Grounds		1,000.00
	1937	
4. Capitol Grounds	\$ 1,000.00	

Section 12. State Board of Pardons:

	1938	1939
1. Maintenance	\$ 2,300.00	\$ 2,300.00

Section 13. State Board of Investment:

	1938	1939
1. Maintenance	\$ 400.00	\$ 400.00

Section 14. State Board of Parole:

	1938	1939
1. Parole	\$ 8,500.00	\$ 9,000.00
2. Probation	\$ 15,000.00	\$ 15,000.00

Section 15. **Railroad and Warehouse Commission:**

	1938	1939
1. Salaries	\$112,000.00	\$112,000.00
2. Supplies and Expense.....	21,200.00	18,200.00
3. Motor Buses and Trucks.....	21,000.00	21,000.00
4. Public Stockyards	3,500.00	3,500.00
5. Weights and Measures	35,000.00	35,000.00

It is hereby provided that from the moneys appropriated by Item 1, there shall be available \$4,000.00 for each of the years ending June 30, 1938, and June 30, 1939, for the salary of an attorney, who shall be appointed by the Attorney General.

There is hereby appropriated the sum of \$1,500 for each of the years ending June 30, 1938, and June 30, 1939, out of the grain inspection fund which sum is to be used as additional annual salary for members of the railroad and warehouse commission.

The Railroad and Warehouse Commission is hereby authorized to appropriate from the grain inspection fund such moneys as are properly chargeable to that activity, the same to be used in carrying on the work of its department.

Section 16. **Adjutant General:**

	1938	1939
1. Salaries	\$ 30,000.00	\$ 30,000.00
2. Supplies and Expense	6,000.00	6,000.00
3. Indian War Pensions	3,000.00	3,000.00

Provided, that the amounts appropriated and such unexpended balances as are available shall be prorated amongst the pensioners carried on the Indian War Pension rolls.

- 4. National Guard\$243,800.00 \$243,800.00

For compensation, supplies and expenses as provided by law; to assist cities and villages in providing, equipping and maintaining armories, for the national guard, providing, that an equal amount be appropriated for the same purpose by each such city or village, not to exceed \$250 for each battery or company for a year, the same to be paid to the commanding officer or armory board in charge of such armory, provided further, that in the reorganization of the state militia, such cities and villages as have heretofore erected and maintained armories, shall be given preference in the organization of new companies. Of the amounts appropriated by item 4, not to exceed \$2500 shall be available for each of the fiscal years ending June 30, 1938, and June 30, 1939, for rental of the Minneapolis and St. Paul Municipal Flying Fields, respectively.

- 5. Naval Militia 14,500.00 14,500.00

For compensation, supplies, and expense as provided by law; to assist villages in providing, equipping and maintaining armories for the naval militia; providing that equal amount be appropriated for the same purpose by each such city or village, not to exceed \$250 for each division or company, the same to be paid to the commanding officer or armory board in charge of such armory, provided further that in the reorganization of naval militia such cities and villages as have heretofore erected and maintained armories shall be given preference in the organization of new divisions or companies.

6. For repairs to National Guard Armories	15,000.00	10,000.00
	1937	
7. For repairs to National Guard Armories	15,000.00	
	1938	1939
8. For headstones, markers and sockets for soldiers' and sailors' graves:	1,200.00	1,200.00
9. Employees' Compensation	222.02	

Section 17. Commission of Administration and Finance:

	1938	1939
1. Salaries	\$ 50,000.00	\$ 50,000.00
2. Supplies and Expense	6,000.00	6,500.00
	1937	
3. Printing Legislative Manual	24,000.00	
4. Printing Biennial Budget	1,500.00	
5. Publishing Session Laws in Newspapers	50,000.00	
	1938	1939
6. Printing Biennial Budget		3,000.00
7. Central Mailing Room	3,975.00	3,025.00

Section 18. Comptroller:

1. Salaries	\$ 48,000.00	\$ 50,000.00
2. Supplies and Expense		8,000.00

Section 19. Department of Agriculture Dairy and Food:

1. Salaries	\$ 48,180.00	\$ 68,180.00
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Provided, that of the unexpended balance in the Feeding Stuffs division \$40,000 thereof shall be deducted therefrom and added to Item 1 hereof, making a total available therefor for the year ending June 30, 1938 of \$88,180 and provided further that the sum of \$20,000

shall be deducted from Feeding
Stuffs receipts for the years 1938
and 1939 and added to the sum of
\$68,180 appropriated by Item 1
hereof, making a total available
therefor for the year ending June
30, 1939 of \$88,180.

2. Supplies and Expense	\$ 30,000.00	\$ 34,000.00
3. Eradicating Noxious Weeds	12,500.00	12,500.00
4. Cold Storage, Marketing and Pro- duce Inspection	34,000.00	34,000.00
	1937	
5. Cold Storage, Marketing and Pro- duce Inspection	\$ 8,250.00	
	1938	1939
6. Seed Inspection	10,000.00	\$ 10,000.00
7. Nursery Inspection	9,500.00	9,500.00
8. Apiary Inspection	6,500.00	6,500.00
9. Egg and Poultry Division	10,000.00	10,000.00
10. Bacteriological Laboratory	2,500.00	2,500.00
11. Insect Control	2,500.00	2,500.00
12. Primary Noxious Weeds Eradica- tion	35,000.00	50,000.00
	1937	
13. Employees' Compensation	1,667.35	
14. Oil Inspection Division:		
	1838	1939
a. Salaries	\$100,000.00	\$100,000.00
b. Supplies and Expense	55,000.00	55,000.00
c. Laboratory Equipment	1,500.00	1,500.00
d. Salaries and expense collecting gas tax	27,000.00	27,000.00
Section 20. Commissioner of Banks:		
1. Salaries	\$ 95,000.00	95,000.00

2. Supplies and Expense	8,000.00	24,500.00
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Provided that out of the moneys appropriated by Item 1, \$2,100 is for annual salary of a bond analyst.

Section 21. **Compensation Insurance Board:**

1. Salaries	\$ 8,000.00	8,400.00
2. Supplies and Expense	750.00	1,300.00

Section 22. **Custodian of new capitol, new office building and historical society building:**

1. Salaries	\$160,000.00	\$160,000.00
2. Supplies and Expense	75,000.00	75,000.00

1937

3. Employees' Compensation	\$ 956.14	
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1938

1939

Section 23. **Commissioner of Securities:**

1. Salaries	\$ 25,000.00	\$ 25,000.00
2. Supplies and Expense	3,500.00	3,500.00

Section 24. **Surveyor general of logs and lumber:**

1. Salaries	5,760.00	5,760.00
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Section 25. **Department of Taxation:**

1. Salaries	49,510.00	49,510.00
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Provided that of the amount appropriated by Item 1 hereof \$3,000 shall be used for salaries of an assistant secretary and an assistant clerk.

2. Supplies and Expense	8,000.00	8,000.00
3. Chain Store Tax Administration...	5,000.00	5,000.00
4. Reassessment	2,000.00	5,000.00
5. Appraisal Department	5,000.00	5,000.00
6. Moneys and Credits	15,000.00	15,000.00

Of the amount appropriated by Item 5 hereof \$3,000 shall be used each year for salary of a mining engineer.

7. Income Tax Division:

a. Salaries	\$115,000.00	\$115,000.00
b. Supplies and Expense	38,000.00	38,000.00

The moneys appropriated under Items "a" and "b" of Subsection 7 are to be charged up to the income derived by the Income Tax Division as provided by General Laws 1933, Chapter 405, any provision in said act or other acts to the contrary, notwithstanding, so that the expenses of collecting this fund shall be charged up to the fund and not to the Revenue Fund.

Section 26. State law library:

	1938	1939
1. Salaries	\$ 11,000.00	\$ 11,000.00
2. Supplies and Expense	2,000.00	2,000.00
3. Books and Binding	10,000.00	10,000.00

Section 27. State board of law examiners:

1. Salaries, Expenses and Supplies...	\$ 7,500.00	\$ 7,500.00
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Provided, that the fees collected by the State Board of Law Examiners are hereby re-appropriated for salaries, expenses and supplies of the Board of Law Examiners.

Section 28. Department of conservation:

A. Administration:

1. Salaries and Wages	\$ 15,000.00	\$ 15,000.00
2. Supplies and Expense	\$ 3,000.00	3,000.00
3. Contingent Fund	\$ 50,000.00	\$ 50,000.00

Provided, that of the amounts appropriated by Items 1 and 2 hereof three-fourths of each of such items

is hereby transferred and reappropriated from the fund known as "Game and Fish" on the books of the state auditor and the records of the Game and Fish Division, and one-fourth of each of such items is hereby appropriated out of any money in the State Treasury not otherwise appropriated.

The sum of \$10,000 appropriated by Chapter 246, Laws of 1929, is hereby reappropriated to the Commissioner of Conservation to be expended for acquisition by gift, purchase or condemnation including the expense thereof of lands for forest development, fire protection, forest administrative sites, CCC camp sites, or any other forestry purpose and for acquiring certificates of title on reverted state lands for the purpose of clearing the title to the state where such lands are required for purposes heretofore set forth.

B. Division of drainage and waters:

	1938	1939
1. Salaries	\$ 25,000.00	\$ 25,000.00
2. Supplies and Expense	2,500.00	4,000.00
3. Drain Tile Inspection	1,000.00	1,000.00
4. Stream Gauging	3,000.00	3,000.00

C. Division of forestry and fire prevention:

1. Salaries, Supplies and Expense....	\$192,000.00	\$196,000.00
2. Fire Fighting	100,000.00	100,000.00

Of the amount appropriated by Item 2 hereof \$25,000 for the year ending June 30, 1938, and \$25,000 for the year ending June 30, 1939, is transferred and reappropriated from the fund known as "Public Shooting Grounds" on the books of the state auditor and the records of the Game and Fish Division.

3. Equipment	20,000.00	20,000.00
4. Buildings and Towers	8,000.00	8,000.00
5. Nursery	6,500.00	6,500.00
6. Timber	35,000.00	35,000.00
7. White Pine Blister Rust	500.00	500.00
8. Burntside Forest	1,000.00	1,000.00
9. Employees' Compensation	6,491.59	

D. **Division of lands and minerals:**

	1938	1939
1. Salaries	\$ 97,420.00	\$ 98,920.00
2. Supplies and Expense	18,000.00	22,000.00
3. Testing Low Grade Ores	12,000.00	12,000.00
	1937	
4. Employees' Compensation	1,025.34	

Section 29. **Commissioner of Insurance:**

	1938	1939
1. Salaries	\$ 40,000.00	\$ 40,000.00
2. Supplies and Expense	6,000.00	8,000.00
3. Aid to Fire Departments	170,000.00	180,000.00

Section 30. **Livestock Sanitary Board:**

1. Salaries	\$ 60,000.00	\$ 60,000.00
2. Supplies and Expense	28,000.00	28,000.00
	1937	
3. Supplies and Expense	\$ 3,100.00	

Provided that the amount appropriated by Item 3 shall be deducted from the Balance in the Expense for Accredited Counties Appropriation.

4. Employees' Compensation	\$ 260.73	
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Provided, that out of the moneys appropriated by Item 1 hereof, \$5,000 shall be for the annual salary of the secretary of the Livestock Sanitary Board.

Provided, that any balances in the appropriations for General Indemnity, and Expenses for Accredited Counties may be used for any such purposes in the event that the appropriations for either thereof shall become exhausted; provided further, that any of said funds may hereafter be used to assist the counties in the expense of the tuberculin testing of the cattle therein on the county area plan prior to the time such counties are officially designated as modified accredited areas where the county funds therefor are inadequate for that purpose; and provided, further, that when all of the appropriations named in this proviso have become exhausted the Livestock Sanitary Board, shall not be required to make any further tests, notwithstanding any law to the contrary.

Section 31. Board of Health:

	1938	1939
1. Salaries	\$ 32,500.00	\$ 33,500.00
2. Supplies and Expense	5,000.00	7,000.00
3. Providing Free Antitoxins and other Biologies	12,000.00	14,000.00
4. Preventable Diseases and Laboratory	74,000.00	76,000.00
5. Sanitary Engineering and Laboratory	27,500.00	27,500.00
6. Protection for Maternity and Infancy	20,000.00	20,000.00
7. Indian Health Work	8,000.00	10,000.00
8. Venereal Diseases and Education Venereal Diseases	24,000.00	24,000.00
9. For aid to Typhoid Carriers		4,500.00
10. Stream Pollution Survey	11,000.00	11,000.00
11. Hotel Inspection	45,000.00	45,000.00

The department of health is hereby authorized to expend the moneys paid into the department for the certification of milk, for the support of the branch laboratory of the department maintained at the city of Duluth, and fees received at the venereal disease clinic maintained at the State University in defraying the expense incurred in the carrying on of these respective activities.

	1937	
12: Employees' Compensation	16.10	
Section 32. Labor and Industry:		
	1938	1939
1. Salaries	\$205,000.00	\$210,000.00
2. Supplies and Expense	35,000.00	35,000.00
	1937	
3. Employees' Compensation	7,543.31	

Provided, however, that the various divisions of said Department shall continue to operate as now set up upon the books of the Commission of Administration and Finance, and that the budget request previews of the Department shall be submitted according to such divisions, and that no funds shall be transferred from one division of such Department to any other without the express consent of the Budget Commissioner.

The above appropriations include in Item 1, \$2,640 for each of the fiscal years and Item 2, \$350 for each of the fiscal years, for the Division of the Deaf.

Section 33. Liquor Control Commission:		
	1938	1939
1. Salaries	\$ 94,000.00	\$ 94,000.00
2. Travel and Subsistence	24,000.00	24,000.00

3. Office Expenses and Equipment...	12,000.00	12,000.00
	1937	
4. Salaries	5,000.00	
5. Employees' Compensation	17.62	

No expenses or salaries of the Liquor Control Commission shall be charged against any receipts thereof from and after the passage of this act.

Section 34. **Unexpended balances re-appropriated.**—Unexpended balances on June 30, 1937, in the several appropriations heretofore made to the departments and activities named in this act are hereby reappropriated and made available for the fiscal years ending June 30, 1938, and June 30, 1939, respectively, for the purposes for which such appropriations were made. Where an appropriation is made in this act and there remains a balance in a previous appropriation for the same purpose, such balance shall be added to and become a part of such appropriation, except as herein otherwise specifically provided, and except the balances remaining in the Motor Vehicle Division of the Secretary of State's office which balances are to be covered into the Trunk Highway Fund.

Section 35. **State Auditor and Treasurer to pay inheritance tax to counties.**—The state auditor and state treasurer are hereby authorized to pay to the county treasuries of the several counties of the state on or before November 1, 1938, and 1939, the amounts due the respective counties as their share of the state inheritance tax under the provisions of Section 21-D, Chapter 209, General Laws 1911, and acts amendatory thereof.

Section 36. **Certain acts illegal.**—It is hereby made illegal for any official or head of any state department or any employee thereof to use monies appropriated by this act or fees collected for any other purpose than the purpose for which such moneys have been appropriated and any such act by any head of a department or any state official is hereby declared to be illegal and be cause for immediate removal of such official or head of a state department from the position he holds with the government of this state, or if proof is made of such charge before any judge of any District Court of this state such Court may cause such official or head of a state department to be removed upon proof being duly made of the misappropriation or for any other purpose than for which the appropriation was made, except in an emergency and then only with the approval of Commission of Administration and Finance.

Section 37. **Reduced salaries re-instated.**—All appropriations under the items of salaries for all state departments, whether by fees, transfers of funds or by direct appropriation from the general revenue fund of the state treasury, have been made with the purpose of restoring the 10% reduction made in salaries of various employes in state departments as provided by Laws 1935, Chapter 391, Section 37. All salaries are to be restored to what they were prior to the enactment of said Section 37, being an increase of 10% on all salaries of employes receiving more than \$1320 per year.

Section 38. **Employees compensation revolving fund to be reimbursed.**—In all cases where any state department owes the Employees Compensation Revolving Fund created by Laws 1933, Chapter 161, for claims paid its employes and no direct appropriation is made therefor, such department shall reimburse said Revolving Fund from the funds available to it for supplies and expense.

Section 39. **To be expended according to law.**—All the foregoing appropriations herein contained are to be expended subject to the provisions of Chapter 426, Session Laws of 1925. No appropriation shall become available for expenditure until such estimates as required by Section 5, Article III of such act, shall have been approved by the Commission of Administration and Finance. No obligation involving expenditure of money shall be entered into unless there is a balance in the appropriation available not otherwise encumbered to pay obligations previously incurred.

Section 40. **Not to use funds collected—exceptions.**—No state department, bureau, or division, whether the same operates on funds appropriated or receipts or fees of any nature whatsoever, except the Department of Rural Credits, Highway Department and Game and Fish Division, shall use any of such funds for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau or division shall be personally liable for funds spent contrary to this provision. This shall not be construed, however, as preventing any such department, bureau or division, from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau or division was created.

Section 41. This act shall take effect and be in force from and after its passage.

Approved April 24, 1937.