

in an institution maintained by the commissioner for the detention, diagnosis, custody and treatment of persons adjudicated to be delinquent, in order that the condition of the minor be given due consideration in the disposition of the case. Adoption investigations shall be conducted in accordance with the laws relating to adoptions. Any funds received under the provisions of this subdivision or under the provisions of section 260.175, clause (d) shall not cancel until the end of the fiscal year immediately following the fiscal year in which the funds were received. The funds are available for use by the commissioner of corrections during that period, and are hereby appropriated annually to the commissioner of corrections to furnish diagnostic services for wards of the Minnesota corrections authority as reimbursement of the costs of providing these services to the juvenile courts.

Sec. 28. Minnesota Statutes 1974, Chapter 8, is amended by adding a section to read:

**[8.14] ACTIONS CHALLENGING STATE EXPENDITURES; INTERVENTION.** In any action in which the state of Minnesota or any of its officers is a party and the amount of state expenditures for a particular purpose is challenged on the ground that the expenditure is insufficient to enable the state or any of its agencies to comply with the alleged requirements of the constitution of the United States or of federal law, the attorney general shall petition on behalf of and provide representation for (1) an individual taxpayer, who as an authorized representative of a particular class of recipients or beneficiaries of significant state appropriations, has requested the representation or (2) any other state agency that wishes to intervene in the action. The attorney general shall oppose any attempt to require the state to expend money for any purpose in excess of the amounts appropriated for that purpose by law.

Sec. 29. Sections 26 and 27 of this act are effective the day following its final enactment.

Approved June 4, 1975.

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#### CHAPTER 435—H.F.No.1798

*An act relating to the organization and operations of the state government; appropriating money to the department of highways and for other purposes; amending Minnesota Statutes 1974, Sections 161.35; 161.39, Subdivision 5a; and repealing Minnesota Statutes 1974, Section 161.355, Subdivision 2.*

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

**Section 1. STATE GOVERNMENT; HIGHWAYS; APPROPRIATIONS.** The sums hereinafter set forth and designated

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"APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury or any other fund herein designated, to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1975", "1976" and "1977" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1975, June 30, 1976, and June 30, 1977, respectively.

	APPROPRIATIONS	
	Available for the Year	
	Ending June 30,	
	1976	1977
	\$	\$
Sec. 2. LEGAL DIVISION		
Subdivision 1. Salaries	500,000	500,000
Subd. 2. Supplies and Expense	22,000	22,000
Sec. 3. ADMINISTRATIVE OPERATIONS		
Subdivision 1. Salaries	2,850,000	2,775,000
Subd. 2. Supplies and Expense	1,800,000	1,835,000
Sec. 4. MAINTENANCE, SALARIES, SUPPLIES AND EXPENSE	52,500,000	51,916,602
Sec. 5. HIGHWAY DEVELOPMENT SUPPORT, SALARIES, SUPPLIES AND EXPENSE	36,700,000	35,700,000
Sec. 6. RESEARCH AND STANDARDS, SALARIES, SUPPLIES AND EXPENSE	1,000,000	1,000,000
Sec. 7. STATE AID ADMINISTRATION, SALARIES, SUPPLIES AND EXPENSE	237,916	237,916
Sec. 8. PLANNING AND PROGRAMMING SALARIES, SUPPLIES AND EXPENSE	2,650,000	2,650,000
Sec. 9. EQUIPMENT	4,253,120	5,790,811
Sec. 10. BUILDINGS AND IMPROVEMENTS	1,759,830	
This includes funds for the construction of equipment storage buildings at Nopeming, Hibbing, Bagley, Karlstad, St. Peter, Cannon Falls and Wells; plus land acquisition and various remodeling and improvements.		
Sec. 11. INTERSTATE SAFETY REST AREAS	299,805	

Sec. 12. **FEDERAL/STATE SAFETY ACCOUNT.** The commissioner of highways may continue the Federal/State Safety Account established by Laws 1973, Chapter 718, Section 14, within the trunk highway fund, and he may transfer unobligated appropriation balances from the appropriations in sections 3 through 8 to said account if needed to advance state funds for approved federal highway safety projects; and may receive funds from state or local government agen-

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cies to be used for projects under the Federal Highway Safety Program. All federal reimbursements shall be deposited in the state treasury and are hereby appropriated to the Federal/State Account and will be available until June 30, 1977.

**Sec. 13. TRANSFER OF FUNDS.** Authority is hereby granted to the commissioner of highways to transfer unobligated appropriation balances between the various accounts and appropriations in sections 3 through 11.

**Sec. 14.** Notwithstanding any provisions of Minnesota Statutes, Section 161.50, to the contrary, the standing appropriation authority for maintenance of trunk highways, for construction operations, research, standards, state aid and planning and programming are hereby suspended and made inoperative. This section has no application to moneys for the actual construction or reconstruction of highways and for the actual payment to landowners for lands acquired for highway right of way and other costs necessary to construction and acquisition such as payments to leases, interest subsidies and relocation expenses.

**Sec. 15. APPROPRIATION CANCELLATIONS.** The commissioner of highways may at any time cancel back to the trunk highway fund any unobligated balance of the appropriations made in sections 3 through 11 for the purpose of providing funds for highway land purchase and road and bridge construction.

**Sec. 16. CONTINGENCY ACCOUNT.** If any of the appropriations made in sections 3 through 8 are insufficient, the commissioner of highways, with the approval of the Governor, may expend any of the moneys in the trunk highway fund standing appropriation for purposes enumerated in these sections after consultation with the legislative advisory committee in the manner provided in Minnesota Statutes in Section 3.30.

**Sec. 17. UNOBLIGATED BALANCES ON HAND, CANCELLED INTO TRUNK HIGHWAY FUND.** Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby shall cancel into the trunk highway fund as of June 30 of any fiscal year.

**Sec. 18.** Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

**Sec. 19.** Minnesota Statutes 1974, Section 161.35, is amended to read:

**161.35 EMPLOYMENT OF CONSULTANTS.** Until July 1, 1976, The commissioner, with prior approval of the commissioner of person-

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nel, is authorized to employ and engage the services of registered professional engineers, engineering firms, and registered land surveyors, to act as consultants in connection with and to prepare plans and specifications or to perform aerial photography and survey work preliminary to the preparation of plans and specifications themselves or by their organizations and employees for the construction of trunk highways, and the commissioner is authorized to negotiate for and agree upon the terms and compensation for such employment and services. If the commissioner employs and engages an engineering firm, the person or persons in responsible charge of the work or service to be performed shall be registered professional engineers or land surveyors.

Provided, however, that the commissioner shall make available to the legislature a list of such consultants, the tasks for which they were hired, and the amount of compensation which they received.

Sec. 20. Minnesota Statutes 1974, Section 161.39, Subdivision 5a, is amended to read:

Subd. 5a. **PERFORMING SERVICES FOR PUBLIC SERVICE COMMISSION, REIMBURSEMENT.** The trunk highway fund shall be reimbursed for moneys expended by the highway department in performing services for the public service commission. ~~The reimbursement shall not exceed \$25,500 each year from the general fund, and \$21,100 each year from the Minnesota highway safety account, section 210.401.~~

Sec. 21. **PERSONNEL POLICY.** The policy objective of this section is to develop improved productivity in the department of highways thereby reducing the number of full-time employees. The appropriations in sections 2 through 8 are based upon a reduction of full-time employees during the period commencing with the department of highway's hiring freeze initiated on April 4, 1975, and ending June 30, 1977. During this period the commissioner of highways shall set staffing levels for each organizational unit of the department as the work program requires, identify surplus positions and schedule personnel reductions, first making use of reduction through transfers to other departments and normal attrition, and then shall use mandatory layoff procedure under the provisions of the department of personnel rules and regulations or the collective bargaining agreements, as applicable, in order to meet this objective. The commissioner shall report quarterly to the Governor and Legislative Advisory Committee on progress towards achieving this policy objective.

Sec. 22. Minnesota Statutes 1974, Section 161.355, Subdivision 2, is repealed.

Approved June 4, 1975.

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