

Sec. 4. **APPROPRIATION.** There is appropriated to the commissioner of public welfare from the general fund in the state treasury the sum of \$415,000 until June 30, 1980 for the purpose of implementing Laws 1976, Chapter 305. No more than \$90,000 of the appropriation may be spent for administrative expenses.

Approved April 5, 1978.

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**CHAPTER 761-H.F.No.1838**

*An act relating to the St. Cloud metropolitan transit commission; providing paratransit services authority; permitting contracts for certain services; amending Laws 1969, Chapter 1134, Section 3, Subdivisions 4 and 8, as amended; and by adding a subdivision.*

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

Section 1. Laws 1969, Chapter 1134, Section 3, Subdivision 8, as amended by Laws 1971, Chapter 546, Section 4, is amended to read:

[458A.03] Subd. 8. **COMMISSION; LEGAL STATUS; GENERAL POWERS.** The transit area, with the commission as its governing body, shall be a public corporation and a political subdivision of the state. All the powers vested and obligations or duties imposed upon the commission and acts of the commission by sections 1 to 14 shall be deemed to be those of the transit area wherever necessary or appropriate, and shall be exercised, performed, and discharged in behalf of the area by the commission in its name as a public corporation and with like force and effect as if done in the name of the area, and for all such purposes, the commission shall have the same status and powers as the area. The chairman and secretary of the commission shall have such powers as are delegated to them by the commission. The commission may sue and be sued and may enter into contracts which may be necessary or proper.

The commission may operate paratransit services, as defined in Minnesota Statutes, Section 174.22, Subdivision 6, may apply for and receive financial assistance under the paratransit service demonstration grant program established by section 174.25, and may exercise such other powers conferred upon it by Laws 1969, Chapter 1134, as amended, including the power to acquire property, as may be necessary and proper to operation of such services or the application for and receipt of such assistance.

Except as otherwise provided, the commission may, within the transit area, acquire by purchase, lease, gift, or condemnation proceedings any real or personal property, franchises, easements, or other rights which may be necessary or proper and may acquire real property in such manner for use as terminal facilities, maintenance and garage facilities, ramps, parking areas and other facilities useful for or related to any public transit system. The commission shall have power to acquire by purchase, lease, or gift all or any part of the plant, equipment, shares of stock property, real, personal, or mixed, rights in property, reserve funds, special funds, franchises, licenses, patents, permits and papers, documents and records belonging to any operator of a public transit system

**Changes or additions indicated by underline deletions by strikeout**

within the area, and to lease property and to transfer or convey by sale or otherwise any property or rights to others, or to exchange the same for other property or rights which are useful for its purposes, and may in connection therewith assume any or all liabilities of any operator of a public transit system. The commission, without limitation, may acquire or construct and equip terminal facilities, maintenance and garage facilities, ramps, transit lanes or rights of way, parking areas and other facilities useful for or related to any public transit system and may hold, use, improve, operate, maintain, lease, sell, or otherwise dispose of any of its property to others and may contract with any operator or other person for the use by any such operator or person of any such property or facilities under its control. The commission shall not acquire any existing public transit system or any part thereof by condemnation. In the determination of the fair value of the existing public transit system, there shall not be included any value attributable to expenditures for improvements by the transit commission.

The commission may accept gifts, grants, or loans of money or other property from the United States, the state, or any person or entity for such purposes, may enter into any agreement required in connection therewith, may comply with any federal or state laws or regulations applicable thereto, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan, or agreement relating thereto. The commission may establish an executive committee, a finance committee, and such other committees of its members as it deems necessary or proper in furtherance of the provisions of sections 1 to 14, and may authorize them to exercise in the intervals between commission meetings any powers of the commission except those expressly required by law to be exercised by the commission.

Sec. 2. Laws 1969, Chapter 1134, Section 3, is amended by adding a subdivision to read:

**[458A.03] Subd. 8a. SPECIAL POWERS; NONTRANSIT AREA SERVICE CONTRACTS.** The commission may provide public transit service outside the transit area by contractual arrangement with individuals, corporations or units of government.

Sec. 3. Laws 1969, Chapter 1134, Section 3, Subdivision 4, as amended by Laws 1971, Chapter 546, Section 2, and Laws 1976, Chapter 288, Section 3, is amended to read:

**[458A.03] Subd. 4. COMMISSIONERS; PER DIEM AND EXPENSES.** A commissioner shall receive no ~~compensation per diem~~ for his services except as hereinafter provided, but shall be reimbursed for actual and necessary expenses incurred in the performance of his duties. Each commissioner shall be paid such sum as the commission by resolution may determine, by public hearing for each day or part thereof spent in attending meetings of the commission; provided, that no commissioner shall receive more than \$2,500 for such attendance during the first 12 months beginning with and following the organization meeting, nor more than \$1,600 in any one calendar year thereafter. The secretary and the treasurer shall receive such ~~compensation per diem~~ as the commission may determine, which may be in addition to their ~~compensation per diem~~ as a commissioner if they are such.

Approved April 5, 1978.

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