

CHAPTER 437—H. F. No. 1567

An act to appropriate money for state department of education, state education institutions, including University of Minnesota, university agricultural schools and experiment stations, teachers' colleges, aids to high, graded, and semi-graded and rural schools, certain appropriations for experiments and investigations, aid to agricultural agents and for other purposes, prescribing present and future regulations and limitations relative to the expenditure of certain portions thereof, and conferring upon the Board of Regents of the University of Minnesota the power of eminent domain in certain cases.

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

Section 1. Appropriation for educational purposes.—The sums hereinafter named, or so much thereof as may be necessary, are hereby appropriated from any moneys in the state treasury not otherwise appropriated for the purposes specified in the following sections of this act, to be available where not otherwise stated for each of the fiscal years ending June 30, 1940, and June 30, 1941.

Sec. 2. State University, University Farm School and Experiment Schools and Stations:

1. For maintenance and special equipment \$3,540,000

Provided, that the Board of Regents of the University of Minnesota 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, the power of eminent domain may be exercised either in accordance with General Statutes 1894, Sections 4085 to 4091, inclusive, or Revised Laws 1905, Chapter 41.

The foregoing appropriation to the University of Minnesota is based upon the condition that the Board of Regents do not, during the biennium ending June 30, 1941, erect from any funds whatsoever any housing facilities or dormitories in Minneapolis or St. Paul, but this proviso shall not prohibit the erection of a union or student activity building, with incidental housing facilities.

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 sub-division of this state may authorize the attendance upon such school of any law enforcement officer under its jurisdiction and may pro-

vide for the payment of the expenses of such person while in attendance at such school from the general funds of such political sub-division. To each person satisfactorily completing the prescribed course of instruction in the school so established shall be issued a certificate of graduation or diploma stating that the holder has graduated therefrom.

Provided that out of the appropriation herein provided there shall be furnished, without cost to the state Department of Health, maintenance and custodial care for the State Board of Health-Psychology Building on the main campus of the University.

Sec. 3. Erection of buildings and special repairs and purchase of land.

1. For the construction and equipment of a Field Crops Building on the University Farm Campus, available for the year ending June 30, 1940\$ 350,000
2. For buildings and special repairs at Grand Rapids school and Experiment Station, available for the year ending June 30, 1940. \$ 15,000
3. For buildings and special repairs at Northwest school and Experiment Station at Crookston, available for the year ending June 30, 1940\$ 24,500

The State Board of Regents of the University of Minnesota is authorized and directed to proceed with the construction of the buildings above mentioned at a cost not to exceed the amounts of the various appropriations and any additional federal funds made available therefor.

4. For the purchase of approximately 352 acres of agricultural land contiguous to the land now owned and operated in connection with the Waseca Experimental Station, available July 1, 1939\$ 40,000

This appropriation is granted upon the express condition that whole tract of approximately 352 acres be purchased and that the total purchase price thereof shall not be in excess of the sum of \$40,000.

Sec. 4. For care of indigent county patients to be rendered by the University of Minnesota in the Minnesota General Hospital, under Laws 1921, Chapter 411, Section 7, as amended:

1. For state's share of expense of County indigent patients\$ 200,000

A. Item I shall include and cover the amount which may become due to the University of Minnesota from the state during the fiscal years covered by said item under the provisions of General Laws 1921, Chapter 411, as amended by General Laws 1927, Chapter 431. There is further appropriated to the University of Minnesota the sum of \$200,000, or so much thereof as may be necessary, for the purpose of reimbursing the said University for the sum due from counties during said fiscal years under the provisions of said acts, payment to be made quarterly out of said appropriation, as shown by certificates filed with the state auditor pursuant to the provisions of said act.

B. The state auditor is authorized and directed to pay the University out of sums collected from counties under the provisions of Laws 1927, Chapter 431, during the fiscal years ending June 30, 1938, and June 30, 1939, respectively, an amount sufficient to reimburse said University in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 5. For various experiments and investigations to be carried on under the direct supervision of the University of Minnesota:

1. For the continuation of soil experiments and demonstrations in different parts of the state, under the direct charge of the Minnesota Experiment Station; and for making soil surveys in certain counties in Minnesota and for accompanying field experiments in the fertilization and management of soils to produce the most profitable crop returns, under the direct charge of the Minnesota Experiment Station\$ 10,000
2. For making investigations in the breeding and testing of superior varieties of farm crops with a view to developing varieties and strains that are of high yield and re-

	assistant to rusts, smuts and other crop diseases, under the direct charge of the Minnesota Agricultural Experiment Station . . . \$	4,000
3.	For experiments in the beneficiation of Manganiferous and low grade ores, available for the year ending June 30, 1940 \$	6,000
4.	For experiments in the beneficiation of manganiferous and low grade ores, available for the year ending June 30, 1941 \$	8,000
5.	For experiments in direct process beneficiation of low grade ores, available for the year ending June 30, 1940 \$	6,000
6.	For experiments in direct process beneficiation of low grade ores, available for the year ending June 30, 1941 \$	8,000
7.	For livestock Sanitary Board Laboratory . . \$	20,000
8.	For medical research \$	20,000
9.	For dairy manufacturing \$	5,000
10.	For Institute of Child Welfare \$	20,000
11.	For the psychopathic department of Minnesota General Hospital \$	65,000
12.	For the purpose of conducting educational and research work in the distribution and marketing of dairy products, for establishing and maintaining dairy exhibits at the Minnesota State Fair; for establishing and maintaining dairy exhibits at other fairs and exhibitions; for disseminating information concerning and promoting use of dairy products, available for year ending June 30, 1940 \$	4,000
13.	For Mastitis control \$	5,000

The amount appropriated by Item 13 is to be expended under the supervision of the Dairy and Veterinary Division and other cooperating divisions at the University Farm.

The Division of Dairy Husbandry, Department of Agriculture, University of Minnesota, is hereby authorized and em-

powered to expend out of the funds hereby appropriated by Item 12 such sums of money and for such aforesaid purposes as may be approved by the Minnesota Dairy Industry Committee.

Sec. 6. State Teachers' Colleges:

1. Bemidji:

- | | |
|---|------------|
| a. For Maintenance, including summer sessions and library | \$ 130,000 |
| b. For repairs, betterments and equipment | 8,000 |

Authority is hereby granted to transfer savings made from equipment fund granted in 1937 to campus improvements.

2. Duluth:

- | | |
|---|------------|
| a. For maintenance, including summer sessions and library | \$ 152,000 |
| b. For repairs, betterments and equipment | 7,000 |

3. Mankato:

- | | |
|---|------------|
| a. For maintenance, including summer sessions and library | \$ 170,000 |
| b. For repairs, betterments and equipment | 8,000 |

4. Moorhead:

- | | |
|---|------------|
| a. For maintenance, including summer sessions and library | \$ 150,000 |
| b. For repairs, betterments and equipment | 5,000 |

5. St. Cloud:

- | | |
|--|------------|
| a. For maintenance, including summer sessions and library | \$ 225,000 |
| b. For repairs, betterments and equipment, available for the year ending June 30, 1940 | 18,000 |

- | | | |
|----|---|------------|
| c. | For repairs, betterments and equipment, available for the year ending June 30, 1941 | 16,000 |
| d. | For maintenance of Child Welfare ... | 4,000 |
| 6. | Winona: | |
| a. | For maintenance, including summer sessions and library | \$ 150,000 |
| b. | For repairs, betterments and equipment | 10,000 |
| c. | For repairs, betterments and equipment | 11,000 |
| d. | For employees' compensation, available for the year ending June 30, 1939 | 833.96 |
| 7. | State Teachers' College Board: | |
| a. | For maintenance | \$ 1,800 |

Sec. 7. Aid to Schools:

1. For aid to high, graded, semi-graded, consolidated, industrial and rural schools to be distributed by law available for the year ending June 30, 1939 \$7,750,000
2. For aid to high, graded, semi-graded, consolidated, industrial and rural schools to be distributed by law, available for the year ending June 30, 1940 \$8,050,000

Provided, that of the amounts appropriated by Items 1 and 2 of this section not to exceed \$1500 per department each year shall be expended for teachers' training departments in high schools; and provided further, that the allowance of such aid for teachers' training departments shall not in any way reduce the supplemental aid to which the school district concerned shall be entitled under existing law, such total appropriation for teachers' training departments, however, not to exceed \$60,000 each year.

Provided that of the amounts specified in Items 1 and 2 hereof, the State Department of Education shall be authorized

to pay to the Lewiston School District a balance of \$3,558.23 in supplemental aid for the school years 1935-37, inclusive, in full settlement of its claim and that this amount be divided equally between the two years of the biennium.

Provided that of the amounts appropriated by Items 1 and 2 of this section, \$200,000 each year shall be expended to reimburse districts for the transportation or board of non-resident high school pupils, such transportation or board to be at rates, and under rules and regulations to be determined by the State Board of Education. No special state aid shall be paid for any non-resident pupil transported or boarded illegally or contrary to the standards established by the State Board of Education.

The State Department of Education shall formulate such rules and regulations as may be necessary to the end that there shall be no competition between school districts for the enrollment of students.

To facilitate and control the transportation of non-resident high school pupils, the state board of education may divide the state into high school areas, each such area containing at least one classified public high school and such school districts and parts of districts as may conveniently be served by such high schools; provided, however, that a school district shall, upon a vote of its governing board in favor thereof, be assigned to the area of any adjoining or nearby district containing a classified public high school, if the latter, by vote of its governing board, is willing to have such district assigned to its area; provided, however, that the voters of a district set into a high school area by the governing board of their district, may, if they so desire, call a special election to decide which high school area they desire to join, and provided, further, that if such pupils are not transported to the nearest high school, the aid shall be limited to the amount which would be paid if they were transported to such high school. The state board of education shall formulate such rules and regulations as may be necessary for establishing such high school areas and for transporting non-resident pupils. The state board of education may appoint local advisory committees to assist in establishing such high school areas and in carrying out the rules and regulations pertaining to such areas and the transportation of non-resident pupils; but such rules or regulations shall not prevent or deny to any parent the right to transport, or to provide for the transportation of his children, at his own expense, to the high school of any district willing to receive them. Any school district dissatisfied with the areas recom-

mended by the advisory committee or established by the State Board of Education shall have the right of a hearing before the advisory committee and the State Board of Education.

Provided that of the amounts appropriated in Items 1 and 2 of Section 7, supplemental aid now provided by law shall be paid on the basis of at least 65% of the full amount.

3. For conducting evening schools for adults . . . \$	4,000
4. For special aid to school districts having a large proportion of property paying taxes under gross earnings tax, to be administered under General Laws 1921, Chapter 271, as amended by Laws 1927, Chapter 338, and under Laws 1931, Chapter 143 . . . \$	155,000
5. For agricultural extension \$	40,000
6. For extension of vocational training of disabled persons \$	25,000
7. For traveling libraries \$	7,500
8. For teachers' institutes, teachers' training schools and examinations \$	18,000
9. For physical education \$	5,000

Sec. 8. Department of Education:

1. Salaries \$	75,000
2. Supplies and Expense	20,000
3. Supplies and expenses, available for the year ending June 30, 1939	3,350
4. Teachers' Employment Bureau	5,000

Sec. 9. County Agricultural Agents and Cooperative Extension work:

1. For maintenance, county agricultural agents, and co-operative extension work . . . \$	97,525
--	--------

Provided, that out of moneys appropriated by Item 1, \$1175 for each agent for each of the years 1940 and 1941 is to be used to pay the salary of such county agent or agents, in each county.

Sec. 10. Special appropriation to certain counties.—There is hereby appropriated out of any money in the State Treas-

ury, not otherwise disposed of, the sum of \$19,000 payable July 1, 1939, and \$19,000 July 1, 1940, to each county of this state now or hereafter having not less than 50 nor more than 70 congressional townships, whole or fractional, and now or hereafter having an assessed valuation of less than \$750,000, in which more than 40% or more of the total area, not including boundary waters, is federal and state school, swamp, forest, parkway, university and Indian trust lands.

Such monies shall be paid to the county treasurer by the state treasurer on the warrant of the state auditor, \$11,500 of such monies shall be placed in such county fund as the county board may direct and \$7,500 shall be paid by the county treasurer to the various school districts of the county as follows:

(1) One-half thereof in the proportion that the federal and state school, swamp, forest, parkway, university, and Indian trust lands within each district bear to the total area of federal and state school, swamp, forest, parkway, university, and Indian trust lands within such county.

(2) The other half of the proportion that the average school attendance within each district bears to the total average school attendance of such county for the year last preceding such payment.

Sec. 11. Unexpended balances reappropriated.—The unexpended balance on hand June 30, 1939, in the several appropriations hereinbefore named and any balance in the revolving loan fund for maintenance of crippled children and other disabled persons receiving vocational training, are hereby reappropriated for the fiscal years ending June 30, 1940, and June 30, 1941, and 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; provided that if an appropriation has heretofore been made for a specific purpose and the object for which such appropriation was made has been accomplished, and unexpended balance in such appropriation shall not be hereby reappropriated, except as hereinbefore provided.

Approved April 22, 1939.

CHAPTER 438—H. F. No. 1613

An act relating to distribution of income tax collections and to amend Section 2394-57, Mason's 1938 Supplement.