

law for the submission of amendments to the constitution. The ballots used at this election shall have the following printed thereon:

"Shall Article VI of the Constitution of the State of Minnesota relating to the judicial power of the state be amended to organize, establish, conduct, and operate the judicial power of the State of Minnesota in accordance with the provisions of the amendment printed and published in Laws 1955, Chapter (*Here insert chapter number when assigned*)?"

Yes _____

No _____"

Approved April 18, 1955.

CHAPTER 882—H. F. No. 1407

[Not Coded]

An act proposing an amendment to the constitution of the State of Minnesota by including a consolidated article on public highways, providing for systems of public roads to be constructed, improved and maintained by the state, counties and municipalities; authorizing the state to construct and maintain trunk highways and aid in the construction and maintenance of other public highways; establishing and authorizing the creation of a fund for such purposes by the taxation of motor vehicles and motor fuel; the issuance of bonds for such purposes as to trunk highways; consolidating and combining the several provisions of the constitution relating thereto into a single article to be known as Article XVI taking the place of present Article XVI, Article IX, Section 16, and repealing inconsistent provisions of the constitution.
Be it enacted by the Legislature of the State of Minnesota:

Section 1. An amendment to the constitution of the State of Minnesota is proposed to the people of the state for their approval or rejection, which amendment if adopted shall be known as Article XVI and shall take the place of present Article XVI and Article IX, Section 16. The proposed amendments reads:

ARTICLE XVI

Section 1. Subject to the limitations of this article the state may establish, locate, construct, reconstruct, improve and maintain public highways and may assist political subdivisions in such work.

Sec. 2. There is hereby created a trunk highway system which shall be established, located, constructed, reconstructed, improved and maintained as public highways by the state. Said trunk highway system shall consist of the trunk highway routes numbered 1 through 70 described in the constitutional amendment adopted November 2, 1920, the trunk highway routes added to said foregoing routes by the legislature prior to the effective date of this article, and such additional routes as may be added to the trunk highway system hereby created pursuant to authority in this article contained. The said highways shall extend as nearly as may be along the routes number 1 through 70 described in said constitutional amendment adopted November 2, 1920, and the routes described in any act of the legislature which has made or will hereafter make a route a part of the said trunk highway system. The more specific and definite location of said routes shall be fixed and determined by such boards, officers or tribunals and in such manner as shall be prescribed by law, but in fixing such specific and definite routes there shall not be any deviation from the starting points or terminals set forth in said routes nor shall there be any deviation in fixing such routes from the various villages and cities named therein through which such routes are to pass.

The legislature may add by law new routes to said trunk highway system. Said trunk highway system shall not exceed 12,200 miles in extent, provided however that the legislature may add by law trunk highways to said system in excess of said foregoing mileage limitation as the legislature may determine as necessary or expedient to meet, use, or otherwise take advantage of any federal aid made available by the United States to the State of Minnesota for highway purposes.

Any route added by the legislature to the trunk highway system either prior or subsequent to the effective date of this article may be altered, amended, relocated, changed or removed from said system, as provided by law. The definite location of said trunk highways numbered 1 through 70 heretofore fixed pursuant to this article may be thereafter changed and relocated as provided by law but no such change or relocation shall be authorized which would cause a deviation from the starting points or terminals set forth in said routes nor cause any deviation from the various villages and cities named therein through which such routes are to pass.

Sec. 3. The legislature is hereby authorized to provide by law for the establishment of a system of county state-aid highways. The county state-aid highway system shall be established, located, constructed, reconstructed, improved and main-

tained by the counties as public highways in such manner as shall be provided by law. Such system shall include streets in cities, villages, and boroughs of less than 5,000 population where necessary, as provided by law, to provide an integrated and coordinated highway system and it may include similiar streets in other cities, villages, and boroughs. The county state-aid highway system as herein authorized shall not exceed 30,000 miles in extent, provided however that said limitation of 30,000 miles may be increased or decreased by the legislature by law.

Sec. 4. The legislature is hereby authorized to provide by law for the establishment of a system of municipal state-aid streets within cities, villages and boroughs having a population of 5,000 or more. The municipal state-aid street system shall be established, located, constructed, reconstructed, improved and maintained as public highways by such cities, villages and boroughs in such manner as shall be provided by law. The municipal state-aid street system as herein authorized shall not exceed 1,200 miles in extent, provided that said limitation of 1,200 miles may be increased or decreased by the legislature by law.

Sec. 5. There is hereby created a fund which shall be known as the highway user tax distribution fund. The highway user tax distribution fund shall be used solely for highway purposes as specified in this article. Said fund shall consist of the proceeds of any taxes authorized to be imposed by sections 9 and 10 of this article. After the deduction of collection costs as provided by law and the payment of refunds authorized by law, the net proceeds of such taxes shall be transferred to the following funds in the following proportions; 62 percent to the trunk highway fund; 29 percent to the county state-aid highway fund; nine percent to the municipal state-aid street fund. After January 1, 1963, the legislature is authorized to provide by law that five percent of the net proceeds of the highway user tax distribution fund may be set aside and if so set aside shall be apportioned as provided by law to one or more of the three foregoing funds on such basis as the legislature may determine. After said five percent may have been so set aside the balance of the highway user tax distribution fund shall in all events be transferred to the trunk highway fund, the county state aid highway fund, and the municipal state aid street fund in accordance with the percentages hereinbefore set forth. No change in the apportionment of the proceeds so set aside shall be made within six years of the commencement of the year in which the last previous change occurred.

Sec. 6. There is hereby created a trunk highway fund

which shall be used solely for the purposes specified in section 2 of this article and the payment of principal and interest of any bonds which may be issued under the authority of section 12 of this article and any bonds issued for trunk highway purposes under the constitution prior to July 1, 1957. All payments of principal and interest on any such bonds issued shall be a first charge on moneys coming into this fund during the year in which such principal or interest is payable. The fund created by this section shall also be used for the carrying on of work undertaken and the discharge of obligations incurred payable out of or chargeable to the trunk highway fund or the trunk highway sinking fund constituted and established by the constitution prior to July 1, 1957, and all moneys in said funds on the effective date of this article are hereby transferred to the fund created by this section.

Sec. 7. There is hereby created a county state-aid highway fund. Said fund shall, in addition to the share of the highway user tax distribution fund transferred to it by section 5, receive and include all moneys accruing from the income derived from investments in the internal improvement land fund. All moneys in the state road and bridge fund as constituted and established by the constitution prior to July 1, 1957, are hereby transferred on the effective date of this article to the fund created by this section. To render aid for highway purposes the county state-aid highway fund shall be apportioned among the counties as provided by law. Except as provided herein, the funds apportioned shall be used by the counties as provided by law for aid in the establishment, location, construction, reconstruction, improvement and maintenance of county state-aid highways. The legislature may authorize the counties, as provided by law, to use a part of said funds so apportioned to them to render aid in the establishment, location, construction, reconstruction, improvement and maintenance of other county highways, township roads, municipal streets, and any other public highways, including but not limited to trunk highways and municipal state-aid streets within the respective counties.

Sec. 8. There is hereby created a municipal state-aid street fund. To render aid for highway purposes the municipal state-aid street fund shall be apportioned as provided by law among the cities, villages and boroughs having a population of 5,000 or more. Except as provided herein, the funds apportioned shall be used by such cities, villages and boroughs as provided by law for aid in the establishment, location, construction, reconstruction, improvement and maintenance of municipal state-aid streets. The legislature may authorize such cities, villages and boroughs, as provided by law, to use a part of said

funds, so apportioned to them to render aid in the establishment, location, construction, reconstruction, improvement and maintenance of other municipal streets and any other public streets, including but not limited to trunk highways within such cities, villages and boroughs and county state-aid highways within the counties wherein such cities, villages and boroughs are located.

Sec. 9. The legislature is hereby authorized to provide by law for the taxation of motor vehicles using the public streets and highways of this state on a more onerous basis than other personal property; provided, however, that any such tax on motor vehicles shall be in lieu of all other taxes thereon, except wheelage taxes imposed by political subdivisions solely for highway purposes and except that the legislature may impose such tax upon motor vehicles of companies paying taxes under gross earnings system of taxation and upon the right to use such vehicles upon the public highways notwithstanding the fact that earnings from such vehicles may be included in the earnings of such companies upon which such gross earnings taxes are computed. Any such law may, in the discretion of the legislature, provide for the exemption from taxation of any motor vehicle owned by a nonresident of the state but properly licensed in another state, and transiently or temporarily using the streets and highways of the state. The proceeds of such tax shall be paid into highway user tax distribution fund.

Sec. 10. The state may levy an excise tax upon any substance, material, fluid, force or other means or instrumentality, or the business of dealing in, selling or producing any or all thereof, used or useful, in producing or generating power for propelling motor or other vehicles used on the public highways of this state. The proceeds of such tax shall be paid into the highway user tax distribution fund.

Sec. 11. The legislature may authorize any political subdivision, upon such terms, conditions and in such manner as shall be provided by law, to aid or lend aid in the establishment, location, construction, reconstruction, improvement and maintenance of trunk highways within their respective boundaries. The enumeration as in this section contained of the power of the legislature to authorize political subdivisions to participate in trunk highway work shall never operate or be construed so as to limit, prejudice or curtail in any degree or manner whatsoever any power or authority now vested in the legislature concerning or relating to any other public highways.

Sec. 12. The legislature may provide by law for the issue and sale of the bonds of the state in such amount as may

be necessary to carry out the provisions of section 2 of this article; provided, however, that the total amount of such bonds issued and unpaid shall not at any time exceed \$150,000,000, par value. The proceeds of the sale of such bonds shall be paid into the trunk highway fund. Any bonds so issued and sold shall mature serially over a term not exceeding 20 years. They shall not be sold for less than par and accrued interest and shall not bear interest at a greater rate than five percent per annum. In case the trunk highway fund shall not be adequate to meet the payment of the principal and interest of the bonds authorized by the legislature as hereinbefore provided, the legislature may provide by law for the taxation of all taxable property of the state in an amount sufficient to meet the deficiency or it may, in its discretion, appropriate to such fund moneys in the state treasury not otherwise appropriated.

Sec. 13. Article XVI and Article IX, section 16, are hereby superseded in their entirety and any and all provisions of the constitution of the State of Minnesota inconsistent herewith are repealed so far but only so far as the same prohibit or limit the power of the legislature to enact laws authorizing or permitting the doing of the things hereinbefore authorized.

Sec. 14. This article shall take effect on the first day of July, 1957.

Sec. 2. The proposed amendment shall be submitted to the people of the state for their approval or rejection at the general election for the year 1956 in the manner provided by law for the submission of amendments to the constitution, and the votes thereon shall be counted, canvassed, and the result thereof proclaimed as provided by law. The ballots used at this election shall have printed thereon the following:

“Shall the Constitution of the State of Minnesota be amended by including a consolidated article on public highways, establishing and continuing the trunk highway system which is to be constructed and maintained by the state, authorizing the issuance of bonds for trunk highway purposes; authorizing the state to aid in the construction and maintenance of other public highways; authorizing the taxation of motor vehicles and the levying of an excise tax on motor fuel to create a fund for highway purposes, and apportioning the moneys in said fund for highway purposes as follows: 62 percent to the trunk highway fund, 29 percent to the county state-aid highway fund, and nine percent to the municipal state-aid street fund?

Yes No"

Approved April 25, 1955.