

removal of a structure, embankment or other obstruction to the view, or orders the construction, reconstruction or maintenance of an underground or overhead crossing on any public road, street, or highway, *it may in the same order direct that the costs of such removal of a structure, embankment or other obstruction to the view and the cost of installation of a safety device, gates, flagmen or other type of special protection or the construction, reconstruction, and maintenance of an underground or overhead crossing shall be divided between the railroad company and the public authority involved on such basis as the parties may agree, or, if they fail to agree, then as determined by the railroad and warehouse commission after notice and hearing on the basis of benefit to the users of each; or the commission may defer determination of the division of costs to a subsequent order to be made on the basis of evidence previously taken.* Where a state trunk highway is involved, the state's share of the costs shall be paid from ~~the state trunk highway fund~~ *any funds available to the department of highways.* In all other cases the public's share of the costs shall be paid from available federal highway allocations; ~~from highway user taxes allocated to a road authority as defined in Minnesota Statutes, Section 160.02; funds or from the Minnesota highway safety account, if ordered by the commission,~~ or from any combination of the above or other available funds; ~~as the railroad and warehouse commission shall by order determine;~~ provided that any highway, street or road fund shall only be expended for such costs on a highway, street or road within the political subdivision charged with the maintenance and care thereof and only upon the highways, streets or roads for which the fund was allocated, or for which the fund was created.

Approved April 22, 1965.

CHAPTER 246—S. F. No. 1117

[Not Coded]

An act authorizing the conveyance of certain state owned land in Olmsted county to the city of Rochester.

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

Section 1. **Conveyance of state lands; city of Rochester.** The governor, upon the recommendation of the commissioners of welfare and administration, shall transfer and convey by quit claim deed in such form as the attorney general may approve in the name

Changes or additions indicated by italics, deletions by strikeout.

of the state of Minnesota to the city of Rochester for park purposes, for a consideration agreed upon, the following described land lying and being in Olmsted county, to wit:

The northwest quarter (NW¼) and that part of the southwest quarter (SW¼) which lies north of the right-of-way of the Chicago and Northwestern Railway Company, all in Section 31, Township 107 North, Range 13 West.

also

Lot fifty-three (53) of School Section North thirty-six (36) Township number one hundred and seven (T N107) north of Range number Fourteen West (R14W).

Sec. 2. Such conveyance shall be conditioned upon the continued use of said land for park purposes and upon discontinuance for such use, the title to said land shall revert to the state which shall also have the right of re-entry thereon.

Approved April 22, 1965.

CHAPTER 247—S. F. No. 1192

An act relating to elections; providing for delivery of absentee return envelopes to judges of election; amending Minnesota Statutes 1961, Section 207.08, as amended.

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

Section 1. Minnesota Statutes 1961, Section 207.08, as amended by Laws 1965, Chapter 4, Section 2, is amended to read:

207.08 Elections; voting by mail; "return" and "ballot" envelopes, "directions to voters." The auditor of each of the several counties shall mail or deliver to the applicant with the ballots two envelopes and "Directions to Voters." One envelope shall be known as the "Return Envelope" herein described, to conveniently enclose and contain the "Ballot Envelope" herein described. There shall be printed or written across the left hand end of this envelope, by the auditor, before delivery thereof to the applicant, the words:

"Return Envelope
Postmaster to deliver on Election Day."

The auditor shall also cause this "Return Envelope" to be addressed to the "Judges of Election" in the precinct in which the

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