

Subd. 5. The commissioner of education shall appoint a director of community long term sheltered workshop programs to assist him in carrying out the purposes of this act. The director so appointed shall serve within the division of vocational rehabilitation and special services of the department of education and shall be classified not lower than a division head and shall receive the pay of a division head. Qualifications for the director shall include, but not be limited to, advance training in economics and experience in the field of economics. The commissioner may employ such other qualified personnel as are necessary to carry out the provisions of this act.

Sec. 6. [121.715] **Application.** This act does not apply to a county containing a city of the first class. However, this act does apply to a city, village, borough, or town within a county containing a city of the first class.

Sec. 7. **Appropriation.** There is hereby appropriated from the general revenue fund the sum of \$15,000 to the state board of education for the biennium beginning July 1, 1965, to carry out the provisions of this act.

Approved May 26, 1965.

CHAPTER 836—S. F. No. 1005

An act relating to highways; amending Minnesota Statutes 1961, Section 160.11, Subdivision 2.

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

Section 1. Minnesota Statutes 1961, Section 160.11, Subdivision 2, is amended to read:

Subd. 2. **Highways; sale of road building materials by municipalities.** The county board, town board, or council of any city or village may engage in the processing of crushed rock or other road building material for use on public roads or streets within their respective jurisdictions; and *such road authorities, including the commissioner of highways,* may by agreement sell to any other ~~county board, town board, city or village council~~ *road authority* any *unprocessed or pit-run* sand, rock, crushed rock, gravel or other earth material suitable for road purposes, upon terms and conditions as may be mutually agreed upon by the parties.

Subd. 3. **Acquisition of road building materials by state.**

Changes or additions indicated by italics, deletions by strikeout.

The highway commissioner shall have the right to lease lands containing road building material or purchase by cubic yard or on a royalty basis crushed rock or other road building material needed for fill, road base, and surfacing purposes ~~including borrow pit for grading fill~~. *He may acquire by eminent domain proceedings in the manner provided by law any tax forfeited lands containing gravel or other road building materials suitable for road purposes, together with the right of way to the same of sufficient width to allow trucks or other vehicles to pass. For borrow purposes he may also acquire by purchase, gift, or eminent domain proceedings, non-tax forfeited lands containing materials other than gravel.*

Approved May 26, 1965.

CHAPTER 837—S. F. No. 1066

An act relating to actions for death by wrongful act; increasing the limit on the amount of recovery; amending Minnesota Statutes 1961, Section 573.02, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Section 573.02, Subdivision 1, is amended to read:

573.02 Actions for death by wrongful act; amount of recovery. Subdivision 1. When death is caused by the wrongful act or omission of any person or corporation, the trustee appointed as provided in subdivision 2 may maintain an action therefor if the decedent might have maintained an action, had he lived, for an injury caused by such wrongful act or omission. The action may be commenced within three years after the act or omission. The recovery in such action is such an amount as the jury deems fair and just in reference to the pecuniary loss resulting from such death, shall not exceed ~~\$25,000~~ **\$35,000**, and shall be for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court then determines the proportionate pecuniary loss of the persons entitled to the recovery and orders distribution accordingly. Funeral expenses and any demand for the support of the decedent, other than old age assistance, allowed by the court having jurisdiction of the action, are first deducted and paid.

If an action for such injury was commenced by the decedent and not finally determined during his life, it may be continued by

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.