

CHAPTER 800—H. F. No. 2973

[Not Coded]

An act relating to the organization and operations of the state government; appropriating money to the department of highways, and for other purposes.

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

Section 1. **Highways; appropriation.** The sums hereinafter set forth and designated "APPROPRIATIONS," or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund in the state treasury to the department of highways for the purposes specified in the following sections of the act, to be available for the fiscal year indicated for each purpose. The figures "1969", "1970", and "1971" wherever used herein mean the appropriations listed thereunder to be available for the year ending June 30, 1969, June 30, 1970, and June 30, 1971, respectively. Except as otherwise specifically provided, the appropriations herein are for those purposes required by Minnesota Statutes, Section 161.50, Subdivision 2.

	APPROPRIATIONS Available for the Year Ending June 30		
	1969	1970	1971
	\$	\$	\$
Sec. 2. ADMINISTRATION OF THE DEPARTMENT OF HIGHWAYS			
Subdivision 1. Salaries		2,552,885	2,699,375
Approved Complement—1970—289 1971—293			
Subd. 2. Supplies and Expense		1,136,000	1,192,000
Sec. 3. SAFETY DIVISION			
Subdivision 1. Salaries		8,861,898	9,285,914
Approved Complement—1970—889 1971—909			
No new patrol supervisory positions shall be established.			
Subd. 2. Supplies and Expense		680,000	600,000
Subd. 3. The appropriations in section 3 include funds necessary to carry out the provisions of Minnesota Statutes 169.771.			
Sec. 4. LEGAL DIVISION			
Subdivision 1. Salaries		496,234	543,347
Approved Complement—38			

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

Subd. 2. Supplies and Expense 20,000 . . . 22,000

Sec. 5. PLANT AND EQUIPMENT 8,157,500 3,834,700

Includes district headquarters at Oakdale; maintenance headquarters at Windom; grade driver test street grid at Plymouth; equipment storage buildings at Olivia, Erskine, Two Harbors, Barnesville, St. Charles, and architectural feasibility study at Golden Valley; land acquisition, miscellaneous building improvements, and bulk storage facilities as listed on page 93 of the report of the legislative building commission to the 1969 legislature.

No building shall be constructed to be paid for out of moneys appropriated by this act or by any other act unless the commissioner of highways has first consulted with and obtained advice from the legislative building commission.

Sec. 6. INTERSTATE SAFETY REST AREA FACILITIES 1,023,000

Includes safety rest area facilities as enumerated on page 94 of the report of the legislative building commission to the 1969 legislature. Also includes the following tourist information centers and rest area facilities: one-half mile west of South Dakota line, eastbound lane Interstate 90; Thompson Hill near Duluth city limits, northbound lane Interstate 35.

Sec. 7. TRUNK HIGHWAY REST AREA FACILITIES 500,000 . . . 500,000

Provided that of this amount 90 percent shall be taken from funds available pursuant to the provisions of the federal highway beautification act of 1965 and not more than 10 percent from trunk highway funds.

Sec. 8. WEIGH STATION FACILITIES AT ORCHARD GARDENS 342,000

The appropriations provided in sections 5, 6, 7, and 8 shall be available until expended or the projects or purposes are completed or abandoned.

Sec. 9. CONTINGENT FUND 300,000

Any unexpended balance remaining in the first year shall not cancel but shall be available for the second year of the biennium.

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

The above appropriation shall be expended with the approval of the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes, Section 3.30.

The contingent fund may also be used to provide funds for the participation by the state in highway safety programs financed in whole or in part with federal funds. Such moneys, if used for such highway safety programs shall be expended in the manner prescribed by the governor and by such departments and agencies participating therein. A separate account shall be established on the books of the state auditor showing the highway safety program use of the contingent fund. Any moneys received from the federal government in reimbursement of the moneys spent from the contingent fund for the purposes expressed in this paragraph shall be returned to the contingent fund and are reappropriated to such fund for the purposes of the original appropriation.

A request for use of these funds in departments and agencies other than the highway department shall not be considered by the legislative advisory committee unless the request is originated by and with the approval of the commissioner of highways.

Sec. 10. Approved complement. Except as otherwise provided herein whenever an appropriation for salaries discloses an approved complement the department is limited in the employment of the number of full-time equivalent persons indicated by such approved complement.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

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Sec. 11. **Appropriations limitations.** Notwithstanding any provisions in Minnesota Statutes, Section 161.50, to the contrary, the moneys appropriated by this act are the only moneys to be expended for the purposes of Minnesota Statutes, Section 161.50, Subdivision 2; the provisions of Subdivision 3 of such section are hereby suspended and made inoperative.

Sec. 12. **Unobligated balances on hand, cancelled into trunk highway fund.** Except as otherwise provided in this act, any unexpended and unencumbered balances of the appropriations made hereby on June 30 of any fiscal year shall cancel into the trunk highway fund.

Sec. 13. Any moneys made available to any state department or agency by this act by appropriation, transfer or otherwise for the payment of salaries is a source of revenue to such department or agency under the provisions of Minnesota Statutes, Sections 355.50 and 352.04, Subdivision 5.

Approved May 27, 1969.

CHAPTER 801—S. F. No. 93

An act relating to criminal proceedings; providing for joint trials; amending Minnesota Statutes 1967, Section 631.03.

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

Section 1. Minnesota Statutes 1967, Section 631.03, is amended to read:

631.03 Criminal procedure; joint indictments. When two or more defendants shall be jointly indicted *or informed against* for a felony, ~~any defendant who shall require it~~ *they shall be tried separately. In other cases defendants jointly indicted may be tried jointly or separately, in the discretion of provided, however, upon written motion, the court, in the interest of justice and not related to time or economy may order a joint trial for any two or more said defendants. In cases other than felonies, defendants jointly indicted or informed against may be tried jointly or separately, in the discretion of the court. In all cases and any one or more of said defendants may be convicted or acquitted.*

Approved May 27, 1969.

Changes or additions indicated by italics, deletions by strikeout.