

through the county health department, county chest clinic, or county hospital, if there be one in the county or combination of counties.

Approved May 26, 1971.

CHAPTER 546—S.F.No.1795

[Not Coded]

An act relating to the St. Cloud metropolitan transit commission; authorizing additional compensation for the treasurer thereof; authorizing the commission to act without approval of the St. Cloud area metropolitan planning commission; amending Laws 1969, Chapter 1134, Section 3, Subdivisions 1, 4, 7 and 8.

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

Section 1. Laws 1969, Chapter 1134, Section 3, Subdivision 1, is amended to read:

Subdivision 1. **ST. CLOUD METROPOLITAN TRANSIT; ORGANIZATION; OFFICERS; MEETINGS; SEAL.** Within 90 days after July 1, 1969, or as soon as practicable after the selection and qualification of a majority of the first members of the commission, they shall meet to organize the commission at the call of a majority of the members, upon seven days notice by registered mail to all those who have qualified, at a time and place within the area designated in the notice. A majority of the commissioners appointed shall constitute a quorum at that meeting and all other meetings of the commission. At that meeting the commission shall elect a chairman from its membership, a vice chairman, a secretary, and a treasurer, which latter two officers shall serve at the pleasure of the commission, to serve until the regular monthly meeting of the commission to be held in the month of July next following or until their successors are elected and have qualified. At that regular monthly meeting and at the regular meeting held in the month of July in alternate years thereafter the commission shall elect successors to those officers to serve for two years or until their successors are elected and have qualified. The commission shall hold a regular meeting at least once in each month at a time and place within the area designated by the commission. Special meetings may be held as directed by the commission or at the call of the chairman or any two commissioners upon at least seven days notice by mail to all commissioners. All meetings of the commission shall be open to the public. Any authorized action may be taken by the commission upon the vote of a

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majority of those members present at any meeting lawfully convened. The commission may adopt a seal, which shall be officially and judicially noticed, to authenticate instruments executed by its authority, *but omission of the seal shall not affect the validity of any instrument.* The chairman, vice chairman, treasurer, and secretary shall have the powers and duties usually incident to their respective offices and such others as may be prescribed for or delegated to them by the commission or as may be otherwise provided by law.

Sec. 2. Laws 1969, Chapter 1134, Section 3, Subdivision 4, is amended to read:

Subd. 4. **COMMISSIONERS; COMPENSATION AND EXPENSES.** A commissioner shall receive no compensation for his services except as hereinafter provided, but shall be reimbursed for actual and necessary expenses incurred in the performance of his duties. Each commissioner shall be paid such sum as the commission may determine, not exceeding \$35 for each day or part thereof spent in attending meetings of the commission; provided, that no commissioner shall receive more than \$2,500 for such attendance during the first 12 months beginning with and following the organization meeting, nor more than \$1,600 in any one calendar year thereafter. The secretary and the treasurer shall receive such compensation as the commission may determine, which may be in addition to his their compensation as a commissioner ~~if he is~~ they are such.

Sec. 3. Laws 1969, Chapter 1134, Section 3, Subdivision 7, is amended to read:

Subd. 7. **COMMISSION; BONDS OF OFFICERS AND EMPLOYEES.** The commission may require bonds of any of its officers or employees ~~except the treasurer~~, conditioned as required by law for the bonds of public officers and with such further provisions as the commission may determine, with corporate surety for which the premiums shall be paid out of the funds of the commission. ~~The state treasurer's bond shall be security for the funds of the commission in his keeping in like manner as for state funds, and any increase of premium for such bond required on account of the commission's funds shall be paid therefrom.~~

Sec. 4. Laws 1969, Chapter 1134, Section 3, Subdivision 8, is amended to read:

Subd. 8. **COMMISSION; LEGAL STATUS; GENERAL POWERS.** The transit area, with the commission as its governing body, shall be a public corporation and a political subdivision of the state. All the powers vested and obligations or duties imposed upon the commission and acts of the commission by sections 1 to 14 shall be deemed to be those of the transit area wherever necessary or

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appropriate, and shall be exercised, performed, and discharged in behalf of the area by the commission in its name as a public corporation and with like force and effect as if done in the name of the area, and for all such purposes, the commission shall have the same status and powers as the area. The chairman and secretary of the commission shall have such powers as are delegated to them by the commission. The commission may sue and be sued and may enter into contracts which may be necessary or proper.

Except as otherwise provided, the commission may, within the transit area, ~~and subject to the prior approval of the St. Cloud area metropolitan planning commission,~~ acquire by purchase, lease, gift, or condemnation proceedings any real or personal property, franchises, easements, or other rights which may be necessary or proper and may acquire real property in such manner for use as terminal facilities, maintenance and garage facilities, ramps, parking areas and other facilities useful for or related to any public transit system. The commission shall have power to acquire by purchase, lease, or gift all or any part of the plant, equipment, shares of stock property, real, personal, or mixed, rights in property, reserve funds, special funds, franchises, licenses, patents, permits and papers, documents and records belonging to any operator of a public transit system within the area, and to lease property and to transfer or convey by sale or otherwise any property or rights to others, or to exchange the same for other property or rights which are useful for its purposes, and may in connection therewith assume any or all liabilities of any operator of a public transit system. The commission, without limitation, may acquire or construct and equip terminal facilities, maintenance and garage facilities, ramps, transit lanes or rights of way, parking areas and other facilities useful for or related to any public transit system and may hold, use, improve, operate, maintain, lease, sell, or otherwise dispose of any of its property to others and may contract with any operator or other person for the use by any such operator or person of any such property or facilities under its control. The commission shall not acquire any existing public transit system or any part thereof by condemnation. In the determination of the fair value of the existing public transit system, there shall not be included any value attributable to expenditures for improvements by the transit commission.

The commission may accept gifts, grants, or loans of money or other property from the United States, the state, or any person or entity for such purposes, may enter into any agreement required in connection therewith, may comply with any federal or state laws or regulations applicable thereto, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan, or agreement relating thereto. The commission may establish an executive committee, a finance committee, and such other

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committees of its members as it deems necessary or proper in furtherance of the provisions of sections 1 to 14, and may authorize them to exercise in the intervals between commission meetings any powers of the commission except those expressly required by law to be exercised by the commission.

Approved May 26, 1971.

CHAPTER 547—S.F.No.1823

An act relating to public assistance; providing for payment of medical assistance entirely from state funds in certain instances; amending Minnesota Statutes 1969, Section 256B.19, Subdivision 1.

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

Section 1. Minnesota Statutes 1969, Section 256B.19, Subdivision 1, is amended to read:

Subdivision 1. **MEDICAL ASSISTANCE FOR CHILDREN; DIVISION OF COST.** The cost of medical assistance paid by each county of financial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. The expense of assistance not paid by federal funds available for that purpose shall be shared equally by state and county ; except that where the recipient is a child who has been surrendered for adoption pursuant to Minnesota Statutes, Section 259.25, or has been committed to the guardianship of a licensed child placing agency pursuant to Minnesota Statutes, Section 260.241, and a bona fide dispute regarding the county of residence of the child exists, the commissioner of public welfare, pursuant to rules and regulations adopted by him, may pay the entire expense of assistance not paid by federal funds from state funds. The director of the child placing agency or his appointed agent shall be designated as the applicant for medical assistance benefits on behalf of the child .

Approved May 26, 1971.

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