

of said current adjusted assessed valuation based on the valuation reported by the county auditor in January of the school year for which the adjustment is requested, and file the same forthwith with the commissioner of education. Upon the filing of said new determination, the state board of education shall redetermine the foundation program aids payable on the basis of said new determination of said current adjusted assessed valuation by the equalization aid review committee and transmit to said school district any additional foundation program aids payable on the basis of said new determination of the current adjusted assessed valuation. Moneys sufficient to make said additional payments are appropriated from the income tax school fund in the state treasury to the department of education.

Approved May 23, 1963.

CHAPTER 837—H. F. No. 1937

[Coded in Part]

An act relating to the organization and operation of state government; providing for a state junior college board; appropriating moneys with certain conditions for education and related purposes, including the university of Minnesota and its hospitals, aids to rural libraries, junior colleges, payment of agricultural agents, and limiting and regulating the use thereof; providing aid to school districts including those affected by gross earnings taxation and authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; imposing conditions relative to the expenditure of public moneys, and providing for certain temporary borrowing.

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

Section 1. Educational purposes, appropriations. Except as herein otherwise provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury or any other fund herein designated for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1963", "1964", and "1965" wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1963, 1964, and 1965 respectively.

Changes or additions indicated by italics, deletions by strikeout.

		APPROPRIATIONS Available for the Year Ending June 30		
		1963	1964	1965
		\$	\$	\$
Sec. 2. DEPARTMENT OF EDUCATION:				
Subdivision 1. Salaries			849,472	852,995
Approved Complement—149				
The appointment of the commissioner of education shall be made with the advice and consent of the Senate.				
Subd. 2. Supplies and Expense			136,840	137,276
The amounts appropriated by Subd. 2, include items of traveling libraries and audiovisual recording expense and sufficient funds for veterans on the job training program.				

Included in the above appropriations in Subds. 1 and 2, sufficient funds are provided for establishing and developing a program of special education for exceptional children under a director in order to assist school districts in the education of such children in order to establish standards for teachers and other professional personnel engaged in providing instruction and services for such children; to prescribe courses of study for such children and minimum standards for the admission of such children to study such courses; to prescribe courses of study and curricula for state operated residential schools; and in order to provide plans for classes, schools, home instruction and other methods of educating and serving exceptional children. Provided that notwithstanding the provisions of M.S. 1961, Sec. 121.26, to the contrary, the fee for registering with the Teachers Employment Bureau shall not be less than \$6.00.

The appropriation provided in Subd. 2, includes an amount sufficient for travel expenses of the

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advisory board on handicapped, gifted and exceptional children.

Subd. 3. Liaison Committee—Salaries and Expenses 7,000

Provided the balance shall not cancel on June 30, 1964, but be available for the following year.

Subd. 4. Vocational Training of Disabled Persons, including the Homecrafters Program and the Rehabilitation of Epileptic Persons 848,608 850,426

Of the amount of state funds appropriated by Subd. 4, no additional employees shall be granted beyond the approved roster of 91. The above amounts include sufficient funds for the continued operation and expansion of the Granite Falls office.

Subd. 5. Scholarships for Indian Students 20,000 20,000

Subd. 6. Community Lunch Program 450,000 450,000

Of the amount provided by Subd. 6, so much thereof as is necessary shall be used for the type "C" milk program. To be distributed under standards established by the State Board of Education.

Subd. 7. Research 30,000 30,000

Approved Complement—5

Provided that the approved complement cannot be exceeded, regardless of the source of funds for financing such positions.

Subd. 8. Aid to Rural Public Libraries, provided that not to exceed \$5,900 each year may be expended for administration and for providing direct library service to rural areas including incorporated or unincorporated places with a population of 10,000 or less. The balance for financial assistance to rural public libraries as defined in Sub. 8. 175,000 200,000

A rural public library is a public library serving 20,000 or more

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persons or serving less than 20,000 persons with the approval of the commissioner of education in a rural area and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.

Applications for financial assistance shall contain such information as the department requires including descriptions of rural areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the rural areas it serves and an estimate of the financial assistance to put such plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes. Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the rural area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of rural library service in the state. In connection with this appropriation the department shall submit to the United States commissioner of education a plan for the extension of public library service to rural areas pursuant to the Library Services Act, Public Law No. 597, 84th Congress, 2nd Session (June 19, 1956) and shall adopt rules and regulations for the administration of the plan.

Subd. 9. Experimental Laboratory Program	100,000	95,000
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Not to exceed \$35,000 thereof may be expended as a working capital fund in each of the fiscal years ending June 30, 1964 and

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June 30, 1965, for the payment of salaries and expenses for which reimbursement is anticipated from gifts, private or public. The remainder is for salaries and expenses and includes, not exceeding, a one-half time director for each new curriculum project, a full time administrator for the laboratory, a full time test construction expert, a three-quarter time statistician, and two secretaries.

This personnel and the appropriation is for the continuation of the expanded experimental laboratory program in mathematics and other areas of elementary and secondary school curriculums to the greatest extent possible.

The laboratory program, known as the Minnesota National Laboratory, may be conducted in cooperation with educational agencies of the several states and the federal government, so that the programs may be applied to schools both within and without the state.

The authorized personnel may be engaged on a contract basis or may be employed from registers in the classified civil service.

The department may accept gifts from public or private sources to finance the Minnesota National Laboratory in whole or in part. Moneys so accepted are appropriated to the department for the purposes for which received.

The program for which this appropriation is made is deemed by the legislature to be experimental and not to be renewed in succeeding years unless justified by developments in this biennium.

The balance remaining on June 30, 1964, shall not cancel but be available for the following year.

Provided that the amounts appropriated in Sec. 2 except Subd. 3 and 8 shall be paid from the Income Tax School Fund.

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

Sec. 3. STATE COLLEGE
BOARD:

Subdivision 1. Maintenance and Equip- ment	8,586,261	9,532,834
<p>The above appropriation is for maintenance and equipment, including summer session and library, of the State College Board and the state colleges located at Bemidji, Mankato, Moorhead, St. Cloud and Winona.</p>		
Subd. 2. Repairs and betterments	80,000	80,000
<p>The above appropriation is for repairs and betterments of the state colleges located at Bemidji, Mankato, Moorhead, St. Cloud and Winona.</p>		
Subd. 3. Training of Cerebral Palsied Children—St. Cloud	27,500	27,500
Subd. 4. Teachers Training Program in Special Education for Handicapped Children—Man- kato State College	27,500	27,500
Subd. 5. Teachers Training Program in Special Education for Handicapped Children — Moorhead State College ..	27,500	27,500
Subd. 6. Nurses Training Program— Winona State College	16,000	25,000
Subd. 7. Teaching Machine Research Project—Winona State Col- lege	1,230	
Subd. 8. Oslo, Norway, Affiliation Project—Winona State Col- lege	1,400	1,400
Subd. 9. Liaison Committee—Salaries and Expense	7,000	
<p>Provided that the balance shall not cancel on June 30, 1964, but be available for the following year.</p>		
Subd. 10. Contingent Fund for En- rollment Increases	175,000	
<p>Provided, the balance remaining on June 30, 1964, shall not cancel but be available for the second year.</p>		

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

In event the enrollment of full-time equivalent students enrolled in on and off campus courses at any college during the regular school years exceeds the biennial budget estimates submitted to the 1963 legislature, the state college board may make application to the governor, who after consultation with the legislative advisory committee, as provided by Minnesota Statutes, Section 3.30, may grant a deficiency appropriation to provide additional teaching positions at a ratio of one unclassified teaching position to each 20 additional full-time equivalent students in excess of the biennial budget enrollment estimates.

Provided that within the appropriation made in Subd. 1, the state college board shall establish uniform tables of organization for college administrative (non-teaching) staffs and laboratory schools consistent with the relative enrollments of the respective state colleges. The state college board shall report with reference thereto on or before January 1, 1964, to the Commission on Legislative Services and to the commissioner of administration.

All receipts of every kind, nature and description, including student's tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state colleges, except those receipts attributable to the dormitory functions which shall be handled pursuant to authority under M.S. 136.31 to 136.38 are hereby reappropriated to the State College Board, but are subject to budgetary control to be exercised by the commissioner of administration.

Further exempt are those receipts attributable to the college Activity Funds and which are not subject to budgetary control as exercised by the commissioner of administration.

The appropriations to the State

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College Board are conditioned upon compliance with the following:

The State College Board shall charge tuition of students attending any state college at not less than the following schedule:

On Campus Tuition Rates

Regular School Year—Resident \$4.25 per credit hour

Regular School Year and Summer Session—Non-resident 6.50 per credit hour

Summer Session—Resident 5.50 per credit hour

Regular School Year and Summer Session—Graduate—Resident 6.00 per credit hour

Regular School Year and Summer Session—Graduate Non-resident 8.50 per credit hour

Off Campus Tuition Rates

All Students—Resident or Non-resident 8.00 per credit hour

Minnesota Statutes, Section 136.11, is superseded to the extent it is inconsistent with the foregoing schedule, but nothing herein contained shall be construed to prevent the State College Board from increasing the maximum tuition of students attending any of the above state colleges if deemed advisable, over the amount provided for tuition in the foregoing schedule.

The State College Board may waive tuition on certain institutes, courses or projects when the sponsor pays all costs.

Placement Service Registration Fee 6.00

Provided that the above fee shall be charged to each student or graduate upon registration with the college placement service.

- Subd. 11. The appropriation for salaries to the State College Board contain funds sufficient for increases for unclassified em-

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ployees on the basis of the formula contained in this act, which is hereby adopted as the basis of said salaries for the biennial period ending June 30, 1965.

Subd. 12. National Defense Student Loan Program	120,000	143,000
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Provided that any balance remaining on June 30, 1964, shall not cancel but be available for the following year. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1963.

Sec. 4. STATE UNIVERSITY, UNIVERSITY FARM SCHOOL, EXPERIMENT SCHOOL AND STATIONS, AND BRANCHES:

Subd. 1. For Maintenance and Improvements	30,137,901	33,364,149
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Provided, that of the above appropriation \$965,600 the first year and \$1,066,089 the second year is available for salary adjustments for promotion and special merit increases for the faculty.

The Board of Regents of the University may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation in case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes, Chapter 117.

The University of Minnesota may establish and conduct a school for the instruction of persons in law enforcement and the governing body of any political subdivision of this state may authorize the attendance upon such school of any law enforcement officer under its jurisdiction and may provide for the payment of the expenses of such person while in attendance at such school from the general funds of such political subdivision. To each person satis-

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factorily completing the prescribed course of instruction in the school as established shall be issued a certificate of graduation or diploma stating that the holder has graduated therefrom.

Provided, that out of the appropriation herein provided there shall be furnished without cost to the State Department of Health, maintenance and custodial care for the State Board of Health Psychology Building on the main campus of the University.

Provided, that of the amounts appropriated above, \$30,304 for the year ending June 30, 1964 and \$30,948 for the year ending June 30, 1965, is for ore estimates to be furnished by the School of Mines at the University of Minnesota for the Department of Taxation. *Provided, that of the amount appropriated above, \$10,000 each year shall be used for the Rural Nursing Coordinator program.*

Provided, that these appropriations for maintenance and improvements are made from revenues accruing to the University from:

- (1) the investments of Constitutional trust funds; and
- (2) the occupational tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general revenue fund.

The state auditor shall cause these appropriations to be paid to the University monthly on the first day of each month of each fiscal year beginning July 1, 1963. If at the end of any fiscal year there are unexpended revenues accruing to the University from the two sources of revenues herein enumerated, the general revenue fund shall be reimbursed therefrom to the extent that payments

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have been made from the general revenue fund during such fiscal year pursuant to these appropriations. The auditor and treasurer shall make the appropriate entries.

For budgetary purposes it is estimated that the foregoing appropriation from the general revenue fund will not exceed the sum of \$27,179,461 the first year and \$30,309,891 the second year.

On October 1, 1964 and 1965 the president of the University of Minnesota shall furnish the commissioner of administration the following information:

(1) the total amount of receipts during the fiscal year 1964 from all sources in excess of \$16,470,525 and during the fiscal year 1965 from all sources in excess of \$17,845,784.

(2) the sources of said receipts, and

(3) the purposes for which any excess receipts were expended and accounts to which transferred.

Subd. 2. For the support of the state University-Morris collegiate program	473,869	490,266
Subd. 3. Liaison Committee — Salaries and Expenses	7,000	

Provided the balance shall not cancel on June 30, 1964, but be available for the following year.

Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL, UNDER LAWS 1921, CHAPTER 411, SECTION 7, AS AMENDED.

Subd. 1. For state's share of expenses of county indigent patients ..	2,252,789	2,406,539
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Subd. 1 shall include and cover the amounts which may become due to the University of Minnesota from the state during the fiscal years covered by said subdivision under the provisions of General

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Laws 1921, Chapter 411, as amended by General Laws 1927, Chapter 431.

There is further appropriated to the University of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said University for the sum due from counties during said fiscal years under the provisions of said acts payments to be made quarterly out of said appropriation, as shown by certificates filed with the state auditor pursuant to the provisions of said act.....

2,252,789 2,406,539

The state auditor is authorized and directed to pay the University out of sums collected from counties under the provisions of Laws 1927, Chapter 431, during the fiscal years ending June 30, 1964 and June 30, 1965, respectively, an amount sufficient to reimburse said University in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 6. FOR THE PSYCHOPATHIC DEPARTMENT OF UNIVERSITY OF MINNESOTA HOSPITALS	745,519	783,387
Sec. 7. FOR THE CHILD PSYCHIATRIC DEPARTMENT OF THE UNIVERSITY OF MINNESOTA HOSPITALS	290,095	303,779
Sec. 8. MULTIPLE SCLEROSIS	63,148	70,717
Sec. 9. REHABILITATION CENTER	484,020	628,249

Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are hereby re-appropriated to said University Hospital.

Sec. 10. FOR VARIOUS EX-

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

PERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UNDER THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA:

Provided that the Board of Regents shall submit a written report to the 1965 Legislature of the results and status from all research work conducted from all appropriations made in this section.

Subd. 1. Business and Natural Resources:

a. (1) For general experiments in the beneficiation of manganiferous and low grade ores, and for experiments in the direct process beneficiation of low grade ores

75,000 80,000

(2) For experiments in the beneficiation of manganiferous and low grade ores and for experiments in the direct process beneficiation of low grade ores with special emphasis on ores of the Cuyuna Range

115,298 117,686

The amounts in items a (1) and a (2) will be available upon condition that the scope and nature of the experiment are defined by the agreement of the Commissioner of Iron Range Resources and Rehabilitation Commission and the Regents of the University (the commissioner being now directed to enter negotiations to the end of such determination) and that progress in this research will be reported to said commission and to the legislature as requested.

The amounts appropriated by item a are to be paid from the Iron Range Resources and Rehabilitation Fund and said appropriations are made a charge against said fund.

b. Business and Economic Research

45,000 45,000

The Regents of the University of Minnesota are urged to solicit in-

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	dustry to contribute an amount equal to the above appropriation.		
	c. Industrial Relations Education Program	45,000	45,000
Subd. 2.	Medical and Sociological:		
	a. For Medical and Cancer Research	95,000	95,000
	b. For Institute of Child Welfare Provided, that from the amounts appropriated research shall be conducted in problems relating to children and school curricula.	37,746	39,625
	c. Training Project for Delinquency Control	19,000	19,500
	d. Psychiatric Research	42,000	45,000
	e. Training of Laboratory Aides	12,368	12,764
Subd. 3.	Miscellaneous Research:		
	a. General Research	125,000	125,000
	b. Minnesota Institute of Research	37,000	37,000
	c. Special Education, Training and Research Program	45,098	47,201
Subd. 4.	Agricultural Research and Extension:		
	a. Tuition and transportation aid for students of state agricultural schools as provided by Minnesota Statutes, Section 124.23	45,000	45,000
	<i>The moneys appropriated by Subd. 4a are hereby appropriated from the Income Tax School Fund.</i>		
	b. Livestock Sanitary Board Laboratory	80,000	85,000
	<i>The appropriations herein made provide for the operation of the Livestock Sanitary Board Laboratory.</i>		
	c. To Livestock Sanitary Board <i>The appropriations herein made are to operate field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases.</i>	44,000	44,000

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The Board may contract with the Regents of the University of Minnesota for the operation of the field laboratories upon mutually agreeable terms.

No fees shall be collected for field laboratory tests.

d. Agricultural Research:		
Rosemount	120,003	122,542
e. General Agricultural Research	580,000	600,000

Provided that from this appropriation the Board of Regents shall conduct, in addition to present research, forestry research including disease and insect research, new product research, forest management research, and hardwood timber species research.

The Regents of the University are urged to solicit industries interested in breeding and testing farm crops, dairy manufacturing, mastitis control, brucellosis research, honey bee research, turkey disease research, swine disease research, and research in artificial insemination of cattle, to contribute an amount equal to the amount of the above appropriation spent upon any one of the research items in this paragraph described.

f. Soybean Research	52,000	54,000
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The foregoing appropriation shall be used for the purpose of soybean research of varieties adaptable to the various growing conditions in Minnesota, including a high protein, hard shell and low oil content bean, and an early maturing variety.

g. General Agricultural Extension	797,800	833,000
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Item g includes the items of agricultural extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases including special merit increases granted to personnel provided for by this section by the University shall not result in a reduction of the county portion of the salary payments.

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

Provided that of the amount appropriated for fiscal 1964, the sum of \$15,000 shall be used for special merit increases for County Home Agents and County Agricultural Agents. These special merit increases shall be in addition to other salary increases. The University shall report to the 1965 Legislature the names, titles, and amounts granted to employees.

h. Maintenance of the Southwest Agricultural Experiment Station	45,916	46,936
i. Legume and Grass Seed Research	44,000	46,000
j. Geological Survey	55,000	60,000
k. Beneficiation of Industrial Minerals and Non-ferrous Deposits	50,000	50,000
l. Potato Processing Research Laboratory		

The unexpended balance of moneys appropriated to the Regents of the University of Minnesota for potato processing research by Extra Session Laws 1961, Chapter 89, Section 10, Subdivision 4, item 1, is reappropriated to the regents for use during the biennium ending June 30, 1965, for salaries, supplies, and laboratory equipment relating to potato processing research. The money so appropriated is available only if a potato processing plant building is built and made available to the Regents of the University of Minnesota for cooperative research in potato processing with the North Dakota state university, the United States department of agriculture, and the Red River Valley potato growers association. The Regents of the University of Minnesota may negotiate with the North Dakota state university, the United States department of agriculture, and the Red River Valley potato growers association for the equipping, staffing, and operating of such a cooperative potato processing research plant.

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From the appropriations made to the University of Minnesota by this act and from other sources all non-academic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

Sec. 11. MINNESOTA BOARD OF NURSING:

Subd. 1. For Nursing Scholarships ... 100,000 100,000

Sec. 12. Subdivision 1. AID TO SCHOOLS 149,047,000 157,047,000

Should the appropriation for either year of the biennium be insufficient to pay all special state aids provided in this subdivision, then the appropriation for the other year of such biennium is available therefor.

Subd. 2. Except for foundation program aid, the appropriations for other aids in section 12 for the fiscal years 1964 and 1965 shall be distributed as provided by law. Notwithstanding the provisions of the education code, the provisions of the laws relating to income and excise taxes and the disposition thereof, or any other law to the contrary, the appropriations in section 12 for the fiscal years 1964 and 1965 for foundation program aid shall be distributed pursuant to the following:

(1) Foundation program aid shall be special state aid for schools as computed under the terms of this section.

(2) The maximum amount of foundation program aid, including the amounts payable as apportionment of the school endowment fund and Minnesota Statutes, Section 290.62, which a district or unorganized territory may receive shall equal (a) or (b) as calculated under the provisions of this subdivision, whichever is greater, less the maximum foundation program aid payable to

Handwritten notes: 124,210 subd 1 (a) and 124,210 subd 2

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the county for resident pupils of the district, computed under the provisions of this subdivision:

124,21
 Cont'd 2 → (a) For the school year ending June 30, 1964 aid shall be paid to a district on the basis of its actual total debt redemption and maintenance cost per pupil unit in average daily attendance or \$309, whichever is the lesser, for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance less 19 mills times the current adjusted assessed valuation of the district or unorganized territory; for the school year ending June 30, 1965, aid shall be paid to a district on the basis of its actual total debt redemption and maintenance cost per pupil unit in average daily attendance or \$315, whichever is the lesser, for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance less 19 mills times the current adjusted assessed valuation of the district or unorganized territory; provided that for the purpose of this subdivision the current adjusted assessed valuation in any district or unorganized territory which receives refunds under the gross earnings aid law or airport construction aid law shall include the taxable valuation of exempt property used in computing the amount of such refunds. ~~The amount payable under (a) shall be reduced~~ whenever the quotient hereinafter referred to as the local effort, obtained by dividing the levy spread in dollars for maintenance, including county tuition, public employees retirement association, group insurance, where identified as such, and any moneys received by the district by virtue of any laws pertaining to taconite and semi-taconite, on the taxable property of the district on or before January 10, of the current school year by the current adjusted assessed valuation used in comput-

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ing the district's aid exclusive of the valuation applied in determining refunds under Minnesota Statutes 124.28 equals less than ~~19~~ ²¹ mills. The adjustment shall be made by deducting from the foundation aid due under (a) the amount obtained by multiplying the current adjusted assessed valuation of the district by the number of mills the local effort as calculated in accordance with this subdivision is less than 19 mills.

(b) The amount payable under Minnesota Statutes, Section 290.62, plus \$95 for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance for the school year ending June 30, 1964 and \$95 for the school year ending June 30, 1965, which amounts per pupil unit in average daily attendance shall include the amount payable as apportionment of the school endowment fund. The amount payable under (b) for the school year ending June 30, 1964 shall be reduced whenever a district's total debt redemption and maintenance cost as defined in paragraph 5 in subdivision 2 of this section is less than \$309 per pupil unit in average daily attendance. The amount payable under (b) for the school year ending June 30, 1965 shall be reduced whenever a district's total debt redemption and maintenance cost as defined in paragraph 5 in subdivision 2 of this section is less than \$315 per pupil unit in average daily attendance. The adjustment for the school year ending June 30, 1964, shall be made by deducting from the amount due under (b) the number of the district's resident pupil units in average daily attendance times the difference between \$309 and the district's total debt redemption and maintenance cost per pupil unit in average daily attendance. The adjustment for the school year ending June 30, 1965 shall be made by deducting

124.21 mill ²/_(f)

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from the amount due under (b) the number of the district's resident pupil units in average daily attendance times the difference between \$315 and the district's total debt redemption and maintenance cost per pupil in average daily attendance.

2 / The amount payable under (b) shall be further reduced whenever the quotient hereinafter referred to as the local effort obtained by dividing the levy spread in dollars for maintenance, including county tuition, public employees retirement association, group insurance, where identified as such, and any moneys received by the district by virtue of any laws pertaining to taconite and semi-taconite, on the taxable property of the district on or before January 10 of the current school year by the current adjusted assessed valuation equals less than 19 mills. The adjustment shall be made by deducting from the foundation aid due under (b) the amount obtained by multiplying the current adjusted assessed valuation of the district by the number of mills the local effort as calculated in accordance with this subdivision is less than 19 mills; provided, however, that for the purpose of this paragraph the amount payable under (b) shall not be reduced below the amount payable under Minnesota Statutes, Section 290.62, plus \$90 for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance.

In order to meet the conditions of clauses (a) and (b) of this subdivision and of the next preceding paragraph and to avoid the reduction of the school aids therein provided for, any governing body which is limited by local charter or by any provision of law, general or special, from levying 19 mills as required to meet the conditions of said clauses (a) and (b) and the next preceding paragraph, may levy, notwithstanding the

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provisions of such charter or law to the contrary, such additional number of mills as will enable it to meet such conditions.

(3) The maximum amount of foundation program aid which a county may receive as partial reimbursement for tuition paid shall be the total of the amounts of maximum foundation program aid earned by the attendance in classified secondary or area vocational-technical schools of pupils residing in districts of the county which do not maintain classified secondary schools. For each such district in which paragraph 2(a) in subdivision 2 of this section determines the maximum foundation program aid due, the maximum foundation program aid paid to the county shall be that amount which bears the same ratio to the maximum foundation program aid to which the district is entitled under paragraph 2(a) as the total number of secondary and area vocational-technical school pupil units of the district bears to the total number of elementary, secondary, and area vocational-technical school pupil units of the district. For each such district in which (b) in subdivision 2 determines the amount of maximum foundation program aid due, the maximum foundation program aid paid to the county shall be \$95 times the total number of secondary and area vocational-technical school pupil units of the district for the school year ending June 30, 1964 and \$95 for the school year ending June 30, 1965, which amounts per pupil unit shall include the amount payable as apportionment of the school endowment fund, except that whenever a district's total debt redemption and maintenance cost as defined in paragraph 5 of subdivision 2 in the school year ending June 30, 1963 is less than \$309 per pupil unit in average daily attendance or in the school year ending June 30, 1964 is less

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than \$315 per pupil unit in average daily attendance, the aid for the school year ending June 30, 1964 or for the school year ending June 30, 1965, respectively, shall be reduced as provided under (b) in subdivision 2.

The amount payable under this subdivision shall be further reduced whenever the quotient obtained by dividing the levy spread in dollars for maintenance, including county tuition, public employees retirement association, group insurance, where identified as such, and any moneys received by the district by virtue of any laws pertaining to taconite and semi-taconite, on the taxable property of the district on or before January 10 of the current school year by the current adjusted assessed valuation equals less than 19 mills. The adjustment shall be made as provided under (b) in subdivision 2.

(4) Current adjusted assessed valuation for the purpose of this act means the adjusted assessed valuation as determined by the equalization aid review committee under the provisions of this section; provided that for the 1963-1964 school year it shall mean the correct assessed valuation approved by the equalization aid review committee and filed with the commissioner of education in the calendar year 1961 and annually thereafter.

124,21
subd B

(5) Actual total debt redemption and maintenance cost per pupil unit in average daily attendance for the purpose of this section shall mean the sum of the cost per pupil unit in average daily attendance for payments on principal and interest of bonded debt and maintenance exclusive of transportation, expenditures for junior colleges, veterans training program, community services, and receipts from the sale of other items sold to the individual pupil by the school such as lunches,

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paper, workbooks, and other materials used in the instructional program, and receipts from quasi-school activities when the school board has assumed direction and control of same; provided, that for the 1963-1964 school year it shall mean the 1962-1963 total debt redemption and maintenance cost per pupil unit in average daily attendance as indicated in this paragraph and for years to follow it shall mean the total debt redemption and maintenance cost per pupil unit in average daily attendance in the previous year.

Subd. 3. The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of taxation, is hereby continued and permanently established. The duty of this committee shall be to review the assessed valuation of the districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the correct full and true valuation of taxable property in such district, then said committee shall call upon the *department of taxation* to ascertain the correct full and true value of such property, and adjust such values as required by law to determine the correct assessed valuation. The department of taxation shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. On July 1, annually, the department of taxation shall submit its report to said committee for approval or rejection and, if approved, such report shall be filed with the commissioner of education not later than the following January 1, and shall replace, for the school year following the next January 1, the valuation figure provided by any county auditor for the calculation of foundation aid and gross earnings aid. A copy of this report shall

124.21
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be forthwith mailed by certified mail to the clerk of each district involved and to the county auditor and the county assessor or supervisor of assessments of the county or counties in which such district is located.

- Subd. 4. In any district in which the correct assessed valuation (exclusive of property added since the prior assessment) has increased more than 15 percent over the correct assessed valuation determined on the basis of the prior assessment, the equalization aid review committee shall review and redetermine the correct assessed value for the year 1960 and subsequent years when an application for such review is made by the district within twelve months after receipt of a copy of the report filed with the commissioner of education with respect to such prior year, provided that for the year 1960 such application may be made on or before July 1, 1963.

- Subd. 5. Should any district, within 60 days after receipt of a copy of a report filed with the commissioner of education made pursuant to subdivision 3 (or notice of redetermination made pursuant to subdivision 4) be of the opinion that the equalization aid review committee has made an error in the determination of the school district's correct full and true valuation, it may appeal from the report or portion thereof relating to the school district to the board of tax appeals, as provided in subdivisions 6 to 11.

- Subd. 6. The school district shall file with the clerk of the board of tax appeals a notice of appeal from the determination of the equalization aid review committee fixing the correct full and true valuation of the school district, and such notice shall show the basis of the alleged error. A copy of such notice of appeal shall be served upon the commissioners of

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taxation and education, and proof of service shall be filed with the clerk of the board.

- Subd. 7. Upon receipt of the notice of appeal the board of tax appeals shall review the notice of appeal and determine whether it appears from the allegations and proofs therein contained that an error has been made in the determination by the equalization aid review committee of the correct full and true valuation of the property in the school district. If the board finds it probable that such an error has been made, it shall notice the matter for hearing; otherwise, it shall dismiss the appeal and notify the parties thereof. Hearing shall be set and held in the same manner as other hearings of the board of tax appeals are set and heard. The attorney general shall represent the commissioners of taxation and education and equalization aid review committee; the Administrative Procedure Act, Minnesota Statutes, Sections 15.0415 to 15.0422, shall apply to hearings insofar as it is applicable.



- Subd. 8. The board of tax appeals shall hear, consider and determine such appeal, de novo upon the issues made by the notice of appeal, if a hearing has been granted thereon. At the conclusion of the hearing the board shall (1) file findings of fact, or (2) refer the issues to the equalization aid review committee with instructions and recommendations for a determination and correction of the full and true valuation of the appealing school district. The decision of the board of tax appeals, if it decides the matter de novo, shall have the same force and effect as a determination by the equalization aid review committee in the first instance under this section, and the equalization aid review committee shall be notified thereof. If the matter is re-referred to the equalization aid review commit-



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tee a redetermination by the equalization aid review committee in accordance with the recommendations of the board of tax appeals shall likewise have the same force and effect as a determination by it in the first instance under this section.

- Subd. 9. In addition to the powers and duties of the board of tax appeals as prescribed by Minnesota Statutes, Chapter 271, and any act amendatory thereof, any hearing ordered pursuant to the provisions hereunder may be heard by a hearing examiner in lieu of one or more members of the board of tax appeals. If a hearing is conducted by a hearing examiner, such hearing examiner shall exercise the same powers conferred by law upon one or more members of the board of tax appeals. He shall report to the board. The board is authorized to make findings of fact based on the report of the hearing examiner in the same manner as is required by these provisions *when the hearing is conducted by the board.* The board of tax appeals may employ hearing examiners upon such terms and conditions as it shall prescribe. A hearing examiner so appointed shall be in the unclassified service of the state.

New

- Subd. 10. A decision of the board of tax appeals pursuant to the terms hereof shall be final and shall not be subject to review by any court, except upon certiorari to the supreme court.

- Subd. 11. During the pendency of any appeal from an equalization aid review committee evaluation, state aids to the district so appealing shall be paid on the basis of the evaluation or determination by the equalization aid review committee subject to *adjustment upon final determination of the appeal.* The amounts appropriated by Sec. 12 are to be paid from the elementary and secondary school's share of funds derived from the

New

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occupational tax on iron ore to the extent available and the remainder from the income tax school fund.

Sec. 13. BOARD OF TAX APPEALS

Subdivision 1. School District Appeals	5,000	5,000
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Sec. 14. SCHOOL AID — COUNTIES A/C NON-TAX AREAS

Subdivision 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of \$19,000 payable July 1, 1963, and \$19,000 payable July 1, 1964, to each county now or hereafter having not less than 50 nor more than 55 whole or fractional congressional townships in which 45 percent or more of the area therein is within a federal or state forest area.

Subd. 2. There is further hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of \$29,000 payable July 1, 1963, and \$29,000 payable July 1, 1964 to each county now or hereafter having not less than 60 or more than 65 whole or fractional congressional townships, and in which 85 percent or more of the area therein is within a federal or state forest area.

Subd. 3. The money appropriated in Subd. 1 and 2 shall be paid to the county treasurer by the state treasurer to be placed in such county funds as the county board may direct and the other half to be paid by the county treasurer to the various school districts of the respective counties as follows:

(1) One-half thereof in the proportion that the federal or state lands within each district bear to the total area of federal and state lands within such county.

(2) The other one-half in the proportion that the average school

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attendance within each district bears to the total average school attendance of such county for the year last preceding such payment.

Subd. 4. The money appropriated by this section is not to be deducted from other forms of state aid to such counties and the school districts therein, but is in addition thereto.

<p>SEC. 15. FOR GROSS EARNINGS AID AS PROVIDED BY M.S. 124.28</p>	7,903.32	1,493,000	1,493,000
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The amount appropriated by this section for the year ending June 30, 1963, shall be paid to independent school district no. 181, formerly no. 36, at Brainerd in Crow Wing county.

<p>Sec. 16. EXEMPT LAND SPECIAL SCHOOL AID, PURSUANT TO M.S. 124.30</p>	53,746.39	375,000	375,000
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The amount appropriated by this section for the year ending June 30, 1963, shall be paid to independent school district no. 708 in St. Louis county for aids to which it was entitled under Minnesota Statutes, Section 124.30 for the years ending June 30, 1958, 1959, 1960, and 1961.

Provided that none of the moneys appropriated by this Section shall be used for payment of aids to common school districts.

<p>Sec. 17. FOR AID TO CERTAIN SCHOOL DISTRICTS AS PROVIDED BY MINNESOTA STATUTES, SECTION 360.133</p>		120,000	120,000
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<p>Sec. 18. AID TO JUNIOR COLLEGES MAINTAINED BY PUBLIC SCHOOL DISTRICTS</p>	93,365.24	1,200,000	
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Notwithstanding any law to the contrary, the state board of education shall distribute to each public school district maintaining a junior college annually the sum of \$300 for each student in average daily attendance in said junior college pursuant to the provi-

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sions of Minnesota Statutes 124.34. This amount is in addition to any other junior college aids provided during the 1963 session of the legislature.

Sec. 19. STATE JUNIOR COLLEGE BOARD

Subdivision 1. Salaries, Supplies, and Expense	50,000	60,000
Subd. 2. Operation and Maintenance of Junior Colleges		2,128,000

Any moneys available as an aid for junior colleges for the fiscal year beginning July 1, 1964, pursuant to Minnesota Statutes 1961, Section 33.17, and any act amendatory thereof is hereby reappropriated to the state junior college board as a supplement for the purposes of this item.

This item includes junior college aids computed in the same manner as provided in Section 18, to be paid to school districts operating junior colleges during the fiscal year beginning July 1, 1964, to be paid by the state junior college board upon the certification of the commissioner of education as to the school district entitled thereto, and the amount thereof, and in accordance with Minnesota Statutes 124.34.

Subd. 3. Contingent Fund	100,000	
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To supplement the appropriation made by Subd. 1 and Subd. 2. Provided that the balance remaining on June 30, 1964, shall not cancel but be available for the following year. The above appropriation to be expended by the governor after consultation with the legislative advisory committee as provided by Minnesota Statutes 3.30.

Subd. 4. Liaison Committee—Salaries and Expenses	7,000	
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Provided that the balance shall not cancel on June 30, 1964, but be available for the following year.

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The amounts appropriated in Sections 13, 15, 16, and 17 are to be paid from the Income Tax School Fund.

Sec. 20. Unobligated balances on hand, cancelled into general revenue fund. Except the revolving loan fund for maintenance of crippled children, and other disabled persons receiving vocational training, and the revolving fund for the On the Job Training Program, the unobligated balances on hand as of June 30, 1963, June 30, 1964, and June 30, 1965, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general revenue fund for the fiscal years ending June 30, 1963, June 30, 1964, and June 30, 1965, and the unobligated balances on hand as of June 30, 1963, June 30, 1964, and June 30, 1965, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1963, June 30, 1964, and June 30, 1965.

Sec. 21. Income, fees, receipts, deposited in general revenue fund. Except as herein otherwise specifically provided, except the income to the University of Minnesota and the income to the account of disabled persons receiving vocational training, and except all federal aid, contributions or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general revenue fund.

Sec. 22. State college board salary schedule. The appropriation items in this act relating to maintenance and equipment to the State College Board insofar as the same includes appropriations for salaries shall be expended in accordance with the following conditions:

The following minimum and maximum salary ranges are established for the unclassified positions in all state colleges:

Group	I	II	III	IV	V
Minimum	7,100	6,200	5,400	4,800	3,760
Maximum	13,000	11,000	9,500	8,500	6,500

Groups I and V, inclusive, referred to above, mean the groups of unclassified positions as established by State College Board rules and regulations.

In each fiscal year there is provided for merit increases for unclassified employees an amount calculated at 5% of salaries for all unclassified employees below the maximum of their group

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and range. Merit increases granted to individual employees may be more or less 5% of salary. Such merit increases shall not be automatic, but shall be dependent upon specific written recommendations by the president of the college in which the employee is employed, which recommendation shall be based upon standards of performance as indicated by service ratings or other pertinent data. Provided that each unclassified employee shall be limited to one salary increase in each fiscal year and provided further that no unclassified employee's salary, except the salary of a college president and the salary of any officer or employee of the State College Board, shall not exceed \$14,500 per year. Provided that the salaries of the state college presidents shall not exceed \$17,000 per year, and the salary of any officer or employee of the State College Board shall not exceed \$16,000 per year.

The salary of each unclassified employee, except one who is employed on a twelve month basis, who is employed during a summer session of a state college, shall be fixed on the basis of one-sixth of the nine month salary, provided that no such employee shall receive more than \$1,350 for a summer session.

The Department of Civil Service shall conduct an analysis of the unclassified positions in the state colleges to identify any positions which might be comparable to administrative positions in the state unclassified service or to positions in the classified state service. Their attention is directed to MSA 1961, Section 43.09, Subdivision 2, Clause 7 and Sections 350.083 and 350.084. The report of this analysis shall be submitted to the commissioner of administration prior to September 1, 1964. The commissioner shall present the report to the 1965 Legislature.

Sec. 23. Pay of state officers and employees. Notwithstanding any provisions of Minnesota Statutes, Chapter 43, to the contrary, moneys appropriated by this act or any other appropriation law for salaries shall be expended only in conformity with the provisions of this section.

(a) An economic salary adjustment in accordance with the provisions of Minnesota Statutes, Sections 43.122, and 43.123, shall be paid for the fiscal year beginning July 1, 1963; but no additional economic salary adjustment shall be computed, even if due, for the fiscal year beginning July 1, 1964.

(b) Salary increases authorized by the proposed civil service pay plan on file in the office of the commissioner of administration to be made effective on July 1, 1963, may be paid provided, however, that in computing the salary increases, if any, authorized by the pay

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plan, the economic salary adjustment authorized in clause (a) shall be considered as a part of the pay increases of the pay plan, and not in addition thereto.

(c) Merit increases and longevity increases shall not be granted during the fiscal year beginning July 1, 1963. Merit increases and longevity increases may be granted as provided by law during the fiscal year beginning July 1, 1964, to the extent that appropriations are available therefor. Merit increases granted pursuant to this section shall be on the basis of established standards.

(d) The provisions of Minnesota Statutes, Section 43.12, Subdivision 2, Clause (6) are applicable to the foregoing and to the provisions of any other appropriation act enacted during the 1963 legislative session from which salaries are paid.

Sec. 24. Salary allotment limitation. Departments or agencies that are subject to the provision of Minnesota Statutes, Section 16.16, and that operate in whole or in part with standing appropriations shall be subject to the provisions of this section. For the fiscal year beginning July 1, 1964, the commissioner of administration shall limit the annual and quarterly budget allotments for salaries as follows:

(a) In departments or agencies having from 51 to 100 employees and in the state colleges, 99 percent of the total moneys required for the payment of salaries, merit increases, longevity increases, and retirement contributions shall be allotted.

(b) In departments or agencies having 101 or more employees, 98 percent of the total moneys required for the payment of salaries, merit increases, longevity increases, and retirement contributions shall be allotted.

Sec. 25. None of the moneys appropriated by this act or any other appropriation law shall be expended in paying state officers or employees in the unclassified service for unused portions of annual leave allowances provided for by M.S., Section 351.12 for any greater period of time than is permitted state officers or employees in the classified service.

Sec. 26. Approved Complement. Whenever an appropriation to any department or agency for salaries discloses an approved complement, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Except as otherwise provided in this act, additional employees

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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.

Sec. 27. **Income tax school fund deficiencies.** (a) For the purpose of supplying deficiencies in the income tax school fund, the treasurer may temporarily advance money to that fund from other public funds, not exceeding in the aggregate \$120,000,000 in any year; provided that no fund shall be so impaired thereby that all proper demands thereon cannot be met. The power hereby conferred upon the treasurer is in addition to any other similar authority conferred by law.

(b) Whenever it becomes necessary in order to meet the current demands upon the income tax school fund for the payment of warrants issued or to be issued against said fund pursuant to appropriations, and it appears that the deficiencies in such fund cannot be temporarily supplied under (a) hereof, the governor, after securing the recommendation of the legislative advisory committee, which shall be advisory only, or if there be no such committee, the governor, the state auditor, and the state treasurer, as a special committee, at any time prior to June 30, 1965, may authorize the issuance and sale of certificates of indebtedness of the state, pursuant to and in accordance with Article IX, Section 6, of the Constitution, in anticipation of the collection of taxes levied for the income tax school fund, and any other revenues appropriated to that fund for expenditure during the biennium beginning July 1, 1963, in such amount as may be necessary to pay such warrants. The certificates shall be executed by the state auditor and attested by the state treasurer under their official seals, and shall be numbered serially and shall be of such denomination and shall bear such dates of issue and maturity and such rates of interest as the auditor shall determine, provided that no such certificates shall mature later than June 30, 1965, and provided further, that the aggregate amount of such certificates at any time outstanding, plus the aggregate amount of advances made under (a) and not previously repaid, shall not exceed \$120,000,000, and shall not exceed the limitation stated in the Constitution, Article IX,

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Section 6, Subdivision 3. The failure or refusal of the advisory committee, if there be one, to make a recommendation promptly shall be deemed a negative recommendation. If moneys on hand in the income tax school fund are not sufficient to pay any such certificate at maturity, with interest thereon, the same may be refunded by the issuance of any certificates maturing not later than December 1, 1966. If moneys on hand in said fund are not sufficient to pay all certificates of indebtedness issued thereon and outstanding on December 1, 1965, the state auditor shall levy a tax for the payment of all such certificates and interest thereon, in accordance with the Constitution, Article IX, Section 6, Subdivision 3. Certificates issued and sold pursuant to this act shall be retired out of the receipts of the income tax school fund appropriated to the payment of warrants which are issued against said fund but are taken up with proceeds of such certificates. Such sums as may be necessary are hereby appropriated from the income tax school fund and made available for the biennium beginning July 1, 1963, to pay the interest upon such certificates.

(c) The state board of investment, or its successor in authority, is hereby authorized to purchase the certificates of indebtedness herein authorized for any fund which it is authorized to invest, provided, it shall not purchase any such certificates bearing interest at a rate of less than one and one-half percent per annum.

Sec. 28. None of the moneys appropriated by this act or any other law shall be expended in making any refund where the amount thereof is \$1.00 or less except where the amount, received by the state, giving rise to the refund is \$1.00 or less. Such refunds may be made in conformity with requirements made therefor by the commissioner of administration. Such requirements shall be in lieu of the conditions prescribed by M.S., Section 6.136, Subdivision 1.

Sec. 29. ^{136.62} ~~[130.34]~~ **State board; establishment of colleges.** Subdivision 1. **Establishment of colleges, location.** (1) Not to exceed 15 state junior colleges are hereby established under the management, jurisdiction, and control of a state junior college board which is hereby created.

(2) Three of said state junior colleges shall be situated within the counties of Ramsey, Anoka, Dakota, Washington, and Hennepin. The board shall determine the areas of the state for the location of the other state junior colleges and shall give consideration to the needs for a state junior college in northwestern Minnesota.

Subd. 2. **Board, selection and administration.** (1) The state junior college board shall consist of five members appointed by

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the governor with the advice and consent of the senate. They shall be selected for their knowledge of, and interests in junior colleges of Minnesota. Except as otherwise provided in clause (2) each member shall be appointed for a seven year term commencing on July 1 in the year in which the terms begins. The governor shall in a like manner fill for the unexpired term all vacancies on the board.

(2) The first state junior college board appointed by the governor with the advice and consent of the senate shall consist of one member appointed for a seven year term, two members appointed for a five year term, and two members appointed for a three year term. The term of each such appointee shall commence on July 1, 1963.

(3) The state junior college board shall elect a president, a secretary and such other officers as it may desire. It shall fix its meeting dates and places. The commissioner of administration shall provide it with appropriate offices.

(4) Members of the state junior college board shall serve without compensation but they shall be reimbursed for travel, subsistence and other reasonable expenses incurred in the performance of their duties and in the same manner as other state officers are reimbursed therefor.

Subd. 3. Powers of board. (1) The state junior college board shall possess all powers necessary and incident to the management, jurisdiction, and control of the state junior colleges established in subdivision 1 and all property pertaining thereto. Such powers shall include, but are not limited to, the enumeration contained in this subdivision.

(2) The board may determine the exact location and site for each junior college and shall report to the 1965 regular session of the legislature in regard thereto. Such report shall be filed not later than January 15, 1965.

(3) The board may locate a junior college at the place of an existing junior college. It may contract with the school district owning and operating such existing junior college by lease, or otherwise, upon such terms as may be mutually agreed upon for the operation thereof by the state junior college board notwithstanding any provision or limitations of any other laws inconsistent with the provisions of this subdivision. The state junior college board, however, shall not locate or take over the operation of an existing junior college prior to July 1, 1964, nor shall it locate and take over the operation of any junior college which was not in existence upon the date of the final enactment of this section.

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(4) Subject to the other provisions of this section, the board shall appoint the heads of each junior college, the necessary teachers and supervisors, and all other necessary employees. All such appointed persons shall be subject to the provisions of Minnesota Statutes 1961, Chapter 43 in the same manner as such state civil service act is applicable to similar persons in the employ of the state college board. The board shall fix the compensation of its employees in the unclassified service unless otherwise prescribed by law. Personnel of an existing junior college taken over by the state junior college board pursuant to the provisions of this section shall continue as members of such retirement systems to which such personnel were eligible immediately prior to becoming employees of the state junior college board, and until such time as the legislature otherwise provides. The state junior college board is authorized to make the appropriate deductions and contributions to such retirement systems.

Subd. 4. Local advisory committees. (1) The board shall appoint a local advisory committee for each junior college composed of qualified persons with a knowledge of and interest in junior colleges residing in the area served by such junior college. The board from time to time shall consult with each local advisory committee on matters of courses of study to be offered at the junior college. The number of members and their terms of each advisory committee shall be fixed by the board. Advisory committee members shall serve without compensation and without reimbursement for expenses.

(2) The board shall prescribe the courses of study, including undergraduate academic programs, training in semi-professional and technical fields, and adult education, conditions of admission, fees and tuition to be paid by students, but not less than the fees and tuition required to be paid by students in state colleges, requirements for graduation, and such suitable rules and regulations necessary for the operation of such junior colleges. Rules and regulations so prescribed shall not be subject to the requirements of the administrative procedure act or any other law requiring notice, hearing or the approval of the attorney general prior to adoption.

(3) A junior college under the management, jurisdiction, and control of the state junior college board as a state junior college is ineligible for junior college aids under the provisions of any law heretofore or hereafter enacted unless such law specifically provides therefor.

Subd. 5. Approval of establishment of college. Notwithstanding the provisions of Minnesota Statutes 1961, Chapter 130,

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or any other law to the contrary no junior college shall be established after the final enactment of this section until the requirements of such chapter are met and the establishment thereof is also approved by the state junior college board.

Sec. 30. **Severability.** The provisions of this act are severable. If any provision or part of a provision is held to be invalid, it shall in no way affect the other provisions or any parts thereof in this act.

Approved May 23, 1963.

CHAPTER 838—H. F. No. 1955

[Coded in Part]

An act relating to the supreme court; appropriating moneys thereto for counsel fees and expenses of certain convicted persons and for certain other expenses of the supreme court.

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

Section 1. **Supreme court; appropriation.** The sum of \$1,000 is appropriated to the supreme court from the general revenue fund in the state treasury for the biennium beginning July 1, 1963, as a contingent fund for expenses connected with the court, to be expended on the authorization of the chief justice.

Sec. 2. [611.071] **Appeals from felony convictions, counsel fees and expenses.** Subdivision 1. The sum of \$34,000 is appropriated to the supreme court from the general revenue fund in the state treasury for the biennium beginning July 1, 1963, for the purposes set forth in this section.

Subd. 2. The supreme court may order the appointment of counsel, provide for the payment of counsel fees, and direct the payment of expenses in conformity with the provisions of this section.

Subd. 3. Application may be made to the supreme court for the appointment of counsel, the allowance of counsel fees, and the payment of expenses in the following cases:

(a) A person who has been convicted of a felony in the district court, who is without counsel, whose time for appeal from the judgment of conviction has not expired, and who is unable, by reason of poverty, to pay counsel and the expenses of an appeal.

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