

administering and enforcing sections 232.20 to 232.25. All money collected pursuant to sections 232.20 to 232.25 and chapters ~~231~~, 233 and 236 shall be paid by the commissioner into the state treasury and credited to the grain buyers and storage fund and is appropriated to the commissioner for the administration and enforcement of sections 232.20 to 232.25 and chapters ~~231~~, 233 and 236. All money collected pursuant to chapter 231 shall be paid by the commissioner into the grain buyers and storage fund and is appropriated to the commissioner for the administration and enforcement of chapter 231.

Sec. 28. **REPEALER.**

Minnesota Statutes 1982, sections 17.031; 17.032; 17B.15, subdivision 2; 31.401; 31.402; 31.403; 31.404; 31.405; 31.406; 32.472; and 32.473 are repealed.

Sec. 29. **EFFECTIVE DATE.**

Sections 2, 4, 20, 21, 26, and 27 are effective the day following final enactment.

Approved June 7, 1983

CHAPTER 301 — H.F.No. 1290

An act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain money in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; providing for a motor vehicle study; providing for an information systems directory; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies, political subdivisions, and the University of Minnesota; setting certain salaries; setting guidelines and procedures for procurement; establishing boards and a council; providing for bonds; providing for certain licenses, permits, and certificates; setting evidentiary standards for workers' compensation court of appeals; modifying election procedures; regulating certain utilities; providing for a review process for tax expenditures; providing property tax relief for congressional medal of honor recipients; modifying certain tax obligations; regulating certain employment practices; providing assistance for residential energy conservation; modifying right of detainer and veterinary liens; providing for reimbursement of excess pension contributions; providing for capital improvements planning; allowing the city of Duluth to enter into a self-insurance pool with private employers; imposing penalties; amending Minnesota Statutes 1982, sections 3.732, by adding a subdivision; 3.922, subdivision 5; 3.9222; 6.65; 7.09, subdivision 1; 14.14, subdivision 1; 15.16, subdivision 5; 15A.083, subdivision 1; 16.02, subdivisions 10a, 14, and by adding a subdivision; 16.083, subdivisions 1, 3, 4, 5, 6, and by adding subdivisions; 16.084; 16.085; 16.086, subdivision

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

1; 16.098, subdivision 4; 16.28; 16.32, subdivision 2; 16.75, by adding a subdivision; 16.82, subdivision 1; 16.866, subdivision 1; 16.872, subdivision 4; 16A.125, subdivision 5; 16A.127, subdivisions 1 and 7; 16A.128; 16A.36; 16A.50; 16A.64, subdivisions 2 and 4; 16A.66, subdivisions 1, 2, and 3; 43A.05, subdivision 5; 43A.23, subdivision 1; 85A.01, subdivision 2; 85A.04, subdivision 3, and by adding a subdivision; 98.47, by adding a subdivision; 98.48, subdivision 9; 105.405, subdivision 2; 105.41, subdivision 5; 105.44, subdivision 10; 115A.58, subdivision 2; 116.03, subdivision 3; 116.07, subdivisions 2a, 9, and by adding a subdivision; 116.16, subdivision 10; 116.17, subdivision 2; 116.18, subdivision 1; 116.41, subdivision 2; 116C.03, subdivision 2; 116J.24, by adding a subdivision; 116J.27, subdivisions 2 and 6; 116J.31; 116J.36, by adding a subdivision; 116J.42, subdivision 8; 124.46, subdivision 2; 136.40, subdivision 8; 139.18, subdivision 1; 148.56; 156A.02, subdivision 6; 156A.10, subdivision 1; 161.465; 167.50, subdivision 2, as amended by Laws 1983, chapter 17, section 4; 169.123, subdivision 6; 174.51, subdivisions 2 and 3; 175A.05; 176.183, subdivision 2; 176.421, subdivisions 1, 3, and 6; 176.441, subdivision 1; 176.471, subdivision 1; 179.7411; 181A.12, subdivision 1; 183.375, subdivision 5; 183.411, subdivision 3; 183.545; 183.57, subdivision 2; 190.05, subdivisions 5, as amended, 5a, as amended, and 5b, as amended; 204B.32; 204D.11, subdivision 1; 206.09; 214.06, subdivision 1; 216B.164, subdivisions 2, 3, 5, 6, 8, and by adding a subdivision; 216B.44; 239.10; 290.06, subdivision 13; 290.37, subdivision 1; 290.44; 296.18, subdivision 1; 296.421, subdivision 5; 298.22, subdivision 1; 309.53, subdivision 2, and by adding a subdivision; 317.67, by adding a subdivision; 322A.16; 322A.71; 331.02, by adding a subdivision; 333.055, subdivision 3; 333.20, subdivision 4; 345.31, by adding a subdivision; 345.41; 357.08; 360.302, subdivisions 1, 2, and 3; 363.02, subdivision 1; 363.06, subdivision 4, and by adding a subdivision; 363.071, subdivision 2; 453.54, by adding a subdivision; 462A.02, subdivision 10; 462A.05, by adding subdivisions; 462A.21, by adding subdivisions; 471.345, by adding a subdivision; 473.833, subdivision 3; 480.09, subdivision 5; 480.241, subdivision 2; 480A.01, subdivision 2; 514.19; 514.92, subdivision 1; 546.27, subdivision 2; and 648.39, subdivision 5; Laws 1976, chapter 314, section 3; Laws 1980, chapter 564, article XII, section 1, subdivision 3; Laws 1980, chapter 614, section 192; Laws 1982, Third Special Session chapter 1, article 2, section 2, subdivision 1; proposing new law coded in Minnesota Statutes, chapters 3; 4; 16A; 116C; 116J; 216B; 270; 273; 462A; and 471; repealing Minnesota Statutes 1982, sections 3.472; 3.86; 4.073; 8.31, subdivision 4; 114A.01; 114A.02; 114A.03; 114A.04; 114A.05; 114A.06; 114A.07; 114A.08; 114A.09; 116J.27, subdivisions 5 and 7; 193.35; and 297A.05; and Laws 1965, chapters 66 and 312.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. STATE DEPARTMENTS; APPROPRIATIONS.

The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1983," "1984," and "1985," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1984, or June 30, 1985, respectively.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

SUMMARY BY FUND

| | 1984 | 1985 | TOTAL |
|----------------|----------------------|----------------------|------------------------|
| General | \$446,377,500 | \$472,622,200 | \$918,999,700 |
| Special | 10,828,900 | 13,489,000 | 24,317,900 |
| State Airports | 70,000 | 140,000 | 210,000 |
| Game and Fish | 31,069,800 | 31,530,300 | 62,600,100 |
| Trunk Highway | 9,460,300 | 19,260,700 | 28,721,000 |
| Highway User | 1,267,700 | 1,502,600 | 2,770,300 |
| Special Comp. | 1,678,900 | 1,697,000 | 3,375,900 |
| TOTAL | \$500,753,100 | \$540,241,800 | \$1,040,994,900 |

APPROPRIATIONS
Available for the Year
Ending June 30

| 1984 | 1985 |
|------|------|
|------|------|

Sec. 2. LEGISLATURE

| | | |
|--|--------------|--------------|
| Subdivision 1. Total for this section | \$26,974,200 | \$29,483,900 |
| Subd. 2. Senate | 8,253,400 | 9,280,500 |
| Subd. 3. House of Representatives | 12,266,000 | 13,520,000 |
| Subd. 4 Legislative Coordinating Commission | 3,891,300 | 4,089,900 |

The amounts that may be expended from this appropriation for each activity are as follows:

Legislative Reference Library

| 1984 | 1985 |
|------------|------------|
| \$ 578,400 | \$ 600,600 |

Revisor of Statutes

| | |
|-------------|-------------|
| \$2,446,600 | \$2,619,400 |
|-------------|-------------|

Legislative Commission on the Economic Status of Women

| | |
|-----------|-----------|
| \$ 91,000 | \$ 95,500 |
|-----------|-----------|

Great Lakes Commission

| | |
|-----------|-----------|
| \$ 31,500 | \$ 31,900 |
|-----------|-----------|

Interstate Cooperation Commission

| | |
|-----------|-----------|
| \$ 58,800 | \$ 59,200 |
|-----------|-----------|

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$51,900 the first year and \$52,000 the second year is for the state contribution to the council of state governments.

Legislative Commission on Pensions and Retirement

\$ 170,200 \$ 176,300

Legislative Commission on Employee Relations

\$ 84,100 \$ 88,500

Legislative Commission to Review Administrative Rules

\$ 94,100 \$ 98,100

Legislative Commission on Waste Management

\$ 122,500 \$ 97,100

Mississippi River Parkway Commission

\$ 10,300 \$ 10,700

This appropriation is from the trunk highway fund.

LCC - General Support

\$ 203,800 \$ 212,600

\$50,000 the first year and \$50,000 the second year is reserved for unanticipated costs of agencies in this subdivision and subdivision 5. The legislative coordinating commission may transfer necessary amounts from this appropriation to the appropriations of the agencies concerned, and the amounts transferred are appropriated to those agencies for expenditure by them. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$56,400 the first year and \$60,300 the second year is for the state contribution to the national conference of state legislatures.

| | | |
|---------------------------------------|-----------|-----------|
| Subd. 5. Legislative Audit Commission | 2,563,500 | 2,593,500 |
|---------------------------------------|-----------|-----------|

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The amounts that may be expended from this appropriation for each activity are as follows:

Legislative Audit Commission

\$ 11,500 \$ 11,800

Legislative Auditor

\$2,552,000 \$2,581,700

Sec. 3. SUPREME COURT

General Operations and Management

6,321,400 6,093,800

The amounts that may be expended from this appropriation for each program are as follows:

Supreme Court Operations

\$3,737,200 \$3,516,900

\$1,202,100 the first year and \$1,204,100 the second year is from the legal services account in the special revenue fund for legal services to low-income clients. Any unencumbered balance remaining of the legal services appropriation in the first year does not cancel but is available for the second year of the biennium.

\$2,100 the first year and \$2,100 the second year is for a contingent account for expenses necessary for the normal operation of the court for which no other reimbursement is provided.

The state court administrator, as directed by the supreme court, may transfer the unencumbered balance of the appropriation for supreme court operations to an appropriation for the court of appeals. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

State Court Administrator

\$2,073,600 \$2,059,900

\$24,800 the first year is to continue an alternative dispute resolution grant through December 31, 1983.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Of this amount \$200,000 the first year and \$200,000 the second year is available for the costs associated with the installation and operation of automated trial court information systems within a judicial district. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, section 3.30.

The ongoing cost of operating the trial court information system (TCIS) in a judicial district shall be shared between the state and the participating counties of a judicial district. The state share of operating costs shall be limited to the following categories: computer and terminal equipment hardware, computer and terminal equipment maintenance, software acquisition and maintenance, durable supplies, communications equipment acquisition and maintenance, data communications, and new judicial district systems personnel. The participating counties of a judicial district shall pay all other ongoing operating costs, including but not limited to: space rental for computer equipment, utilities, consumable supplies, postage, off-site computer disk file storage, and all personnel-related expenses other than salaries and fringe benefits for judicial district systems personnel.

If the appropriation for the state court administrator for either year is insufficient, the appropriation for the other year is available for it.

State Law Library

\$ 510,600 \$ 517,000

Sec. 4. COURT OF APPEALS

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 1,141,100 | 1,948,100 |
|-----------------------------------|-----------|-----------|

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 5. TRIAL COURTS

| | | |
|-----------------------------------|------------|------------|
| General Operations and Management | 12,805,500 | 12,846,300 |
|-----------------------------------|------------|------------|

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 52,500 \$ 52,500

White Earth-White Earth Reservation
Criminal and Juvenile Defense Corp.
For cases arising in Mahnomen, Becker, and
Clearwater counties.

\$ 52,500 \$ 52,500

For the biennium ending June 30, 1985, the legislative auditor may conduct periodic post-award audits of these grants as may be requested by the board of public defense and approved by the legislative audit commission.

In accordance with procedures established by the board of public defense, applications for funding during fiscal years 1986 and 1987 shall be received from Minnesota based public defense corporations currently established or from agencies or nonprofit organizations seeking to become established as public defense corporations.

The applications shall be reviewed and prioritized by the board, and a recommended level of funding shall be included in the budget document transmitted from the board to the 1985 legislature.

Sec. 8. PUBLIC DEFENDER

| | | |
|-----------------------------------|---------|---------|
| General Operations and Management | 964,300 | 970,500 |
| Approved Complement - 25 | | |

The amounts that may be expended from this appropriation for each activity are as follows:

Public Defender Operations

\$ 727,000 \$ 732,100

Legal Assistance to Minnesota Prisoners

\$ 142,400 \$ 143,100

Legal assistance to Minnesota prisoners shall serve the civil legal needs of persons confined to state institutions.

None of this appropriation shall be used to pay for lawsuits against public agencies or

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

public officials to change social or public policy.

Legal Advocacy Project

\$ 94,900 \$ 95,300

Sec. 9. GOVERNOR

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 2,209,400 | 2,215,700 |
|-----------------------------------|-----------|-----------|

The amounts that may be expended from this appropriation for each program are as follows:

Executive Operations

\$ 2,147,600 \$ 2,153,900

This appropriation includes \$248,700 the first year and \$251,200 the second year for the office of lieutenant governor.

\$66,700 the first year and \$66,700 the second year is for the committee on appointments.

\$225,500 the first year and \$226,900 the second year is for the state ceremonial building, of which \$10,000 each year is to provide part-time staff assistance to the state ceremonial building council established in Minnesota Statutes, section 16.872.

\$125,000 the first year and \$125,000 the second year is for executive operations in Washington, D.C.

Of this appropriation \$17,000 the first year and \$17,000 the second year is for personal expenses connected with the offices of the governor and lieutenant governor.

Interstate Representation and Cooperation

\$ 61,800 \$ 61,800

This appropriation is for membership dues of the national governors association.

The governor may transfer unencumbered balances among the purposes specified in this section, except that no transfer may be made from the appropriation to the lieutenant governor. Transfers shall be reported immediately to the committee on finance of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

the senate and the committee on appropriations of the house of representatives.

Sec. 10. SECRETARY OF STATE

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 1,205,900 | 1,537,200 |
|-----------------------------------|-----------|-----------|

Approved Complement - 36

The amounts that may be expended from this appropriation for each activity are as follows:

Elections and Publications

| | |
|------------|------------|
| \$ 251,200 | \$ 499,900 |
|------------|------------|

Uniform Commercial Code

| | |
|------------|------------|
| \$ 108,600 | \$ 105,700 |
|------------|------------|

Business Services

| | |
|------------|------------|
| \$ 485,500 | \$ 575,900 |
|------------|------------|

Administration

| | |
|------------|------------|
| \$ 268,000 | \$ 269,400 |
|------------|------------|

Fiscal Operations

| | |
|-----------|-----------|
| \$ 92,600 | \$ 86,300 |
|-----------|-----------|

The secretary of state may transfer unencumbered balances not specified for a particular purpose among the activities specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 11. STATE AUDITOR

| | |
|---------|---------|
| 381,100 | 383,900 |
|---------|---------|

Approved Complement - 122

General - 7.5

Revolving - 114.5

\$72,000 each year is to provide an account the auditor may bill for costs associated with conducting single audits of federal funds. This account may be used only when no other billing mechanism is feasible.

During the biennium ending June 30, 1985, the commissioner of finance shall not approve any rate increase for the state auditor beyond those in effect on January 1, 1983,

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

except for adjustments necessitated by salary increases, indirect cost assessments, and other verifiably escalating expenses associated with performing their reimbursable audits.

Sec. 12. STATE TREASURER

| | | |
|--|---------|---------|
| Subdivision 1. Treasury Management | 612,400 | 584,600 |
| Approved Complement - 20 | | |
| During the biennium ending June 30, 1985, the state treasurer shall use armored car services to transport cash outdoors. | | |
| Subd. 2. Unclaimed property | 392,200 | 395,100 |
| Approved Complement - 9 | | |
| This appropriation is to the commissioner of commerce. | | |

Sec. 13. ATTORNEY GENERAL

| | | |
|-----------------------------------|------------|------------|
| General Operations and Management | 12,603,400 | 13,039,000 |
| Approved Complement - 304 | | |
| General - 293 | | |
| Federal - 11 | | |

The amounts that may be expended from this appropriation for each activity are as follows:

Public Administration

| | |
|-------------|-------------|
| \$1,519,800 | \$1,579,500 |
|-------------|-------------|

Public Resources

| | |
|-------------|-------------|
| \$3,052,900 | \$3,179,300 |
|-------------|-------------|

Public Assistance

| | |
|-------------|-------------|
| \$1,717,800 | \$1,786,500 |
|-------------|-------------|

Public Protection

| | |
|-------------|-------------|
| \$3,428,000 | \$3,560,100 |
|-------------|-------------|

\$49,100 the first year and \$48,200 the second year is for the state match associated with establishing a public assistance vendor fraud unit. The attorney general shall report to the committee on finance in the senate and the committee on appropriations in the house of representatives at the end of each fiscal year of the biennium ending June

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

30, 1985. The report shall include the purposes for which the funding was utilized and documented revenues returned to the treasury pursuant to the activities of this unit. The state does not guarantee any continued funding beyond this biennium.

\$442,700 the first year and \$466,200 the second year is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws. The attorney general shall report the purposes for which this money is utilized. The reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$94,100 in the second year shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, section 3.30. The commissioner of public safety shall report to the chairmen of the house appropriations committee and the senate finance committee by February 15, 1984, on the effects of the recent changes in Minnesota Statutes, section 169.123 on the numbers of requests for administrative review, petitions for judicial review, hearings, and appeals.

Legal Policy and Administration

| | |
|-------------|-------------|
| \$2,884,900 | \$2,933,600 |
|-------------|-------------|

Of this appropriation \$50,000 each year is for a special account for unanticipated legal expenses. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The attorney general may transfer unencumbered balances not specified for a particular purpose among the activities specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 14. INVESTMENT BOARD

1,391,300

1,405,000

Approved Complement - 30

During the biennium ending June 30, 1985, the executive director of the board of investment shall apportion the actual expenses incurred by the board on an accrual basis among the several funds whose assets are invested by the board based on the weighted average assets under management during each quarter. The charge to each retirement fund shall be calculated, billed, and paid on a quarterly basis in accordance with procedures for interdepartmental payments established by the commissioner of finance. The amounts necessary to pay these charges are appropriated from the investment earnings of each retirement fund. Receipts shall be credited to the general fund as nondedicated receipts. Funds other than retirement funds shall be not billed; their portion of the expenses will be borne by the general fund. It is estimated that these receipts will be \$999,700 for the first year and \$1,013,700 for the second year.

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The legislature intends to address during the interim before the 1984 session the proper role of retirement fund members, both active and retired, and the constitutional officers, in the process of making investment decisions.

Sec. 15. ADMINISTRATIVE

HEARINGS

1,414,000

1,428,400

Approved Complement

General - 34.0

Revolving - 20.5

Workers' Compensation

\$1,414,000

\$1,428,400

During the biennium ending June 30, 1985, the legislative commission to review administrative rules shall explore alternative dispute resolution procedures including, but

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

not limited to, informal mediation and binding arbitration to be offered as alternative options to the administrative hearing process. The commission may call upon the resources of the office of administrative hearings, the state planning agency, and the bureau of mediation services to assist the commission with the study. The study shall be coordinated with any similar efforts being made by the office of the governor.

Sec. 16. ADMINISTRATION

| | | | |
|-----------------------------------|-------|------------|------------|
| General Operations and Management | | 20,514,100 | 20,424,200 |
| | 1984 | 1985 | |
| Approved Complement - | 770 | 760 | |
| General - | 369.7 | 359.7 | |
| Dedicated - | 400.3 | 400.3 | |

The amounts that may be expended from this appropriation for each program are as follows:

Management Services

\$3,807,300 \$3,737,000

By January 1, 1984, the commissioner of administration shall complete a review of the records retention and disposition schedules for state agencies in the executive branch previously approved by the records disposition panel and recommend to the agency and to the panel shortening the retention period for records whose cost of retention for that period is, in her opinion, excessive in relation to the benefit from retention for that period.

Real Property Management

\$8,956,300 \$9,087,600

\$140,000 the first year and \$195,000 the second year is for operation and maintenance of the Minnesota education association building at 55 Sherburne Avenue, if acquired by the state.

By January 1, 1984, the commissioner shall conduct a study of parking fees and parking

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

policies in the capitol complex, the seven county metropolitan area, and outstate areas. The study shall include, but not be limited to, the review of free, subsidized, and full rate lots and whether rates charged should recover in total or in part the costs of improvements to the lots. The report shall be sent to the chairmen of the appropriations committee in the house and the finance committee in the senate.

The cost of energy audits performed on buildings housing activities of the department of natural resources and the transportation department shall be reimbursed to the general fund from the game and fish fund and the trunk highway fund respectively.

The department of administration shall designate adequate space on second floor of the capitol building to be retained for food distribution services pursuant to section 248.07, subdivision 7.

Repair and Betterment

\$ 642,200 \$ 384,500

\$67,000 the first year shall be used to incorporate prairie landscaping in Cass Gilbert park and, if funds are available, install irrigation systems in the remainder of the park and other areas within the capitol complex.

\$58,000 each year is for tree and shrub replacement. This appropriation shall be used for native Minnesota trees and shrubs, primarily evergreens.

The commissioner and the capitol area architectural and planning board shall consult with and solicit the assistance of volunteers provided by the state horticultural society to improve and maintain the flowers, shrubs, and trees in the capitol area.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

State Agency Services

\$1,914,000 \$1,554,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$250,000 the first year and \$20,000 the second year is for automation of the procurement system.

During the biennium ending June 30, 1985, the commissioner of administration shall purchase goods under contracts held by the regents of the University of Minnesota and Hennepin and Ramsey counties whenever this will result in cost savings to the state. The commissioner shall study the consequences of doing this for all purchases.

During the biennium ending June 30, 1985, the commissioner of administration shall provide state agency guidebooks to members of the legislature.

Public Services

\$4,248,000

\$4,712,600

\$211,800 each year is for block grants to public television stations.

\$373,500 each year is for matching grants to public television stations.

\$195,100 each year is for grants to public radio stations pursuant to Minnesota Statutes, section 139.19.

\$120,000 the first year is for emergency equipment replacement at the Austin public television station.

\$2,000 the first year and \$2,000 the second year is for the state employees' band.

Any unencumbered balance remaining in the first year for grants to public television or radio stations does not cancel but is available for the second year of the biennium.

General Support

\$ 946,300

\$ 948,500

The commissioner of administration with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 17. CAPITOL AREA

| | | |
|----------------------------------|--------|--------|
| ARCHITECTURAL AND PLANNING BOARD | 90,800 | 91,300 |
| Approved Complement - 2 | | |

Sec. 18. FINANCE

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 6,430,300 | 6,591,300 |
| Approved Complement - 122 | | |

The amounts that may be expended from this appropriation for each program are as follows:

Accounting Operations

| | |
|-------------|-------------|
| \$4,075,300 | \$4,133,400 |
|-------------|-------------|

During the biennium ending June 30, 1985, the commissioner of finance shall not allow the allotment by any agency for statewide accounting terminal or printer costs if the costs are no longer to be incurred by those agencies. This shall produce additional cancellations to the general fund of \$16,000 each year.

Budget and Control

| | |
|-------------|-------------|
| \$1,246,400 | \$1,344,000 |
|-------------|-------------|

Fiscal Management and Administration

| | |
|-------------|-------------|
| \$1,108,600 | \$1,113,900 |
|-------------|-------------|

The commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 19. EMPLOYEE RELATIONS

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 3,423,900 | 3,432,400 |
| Approved Complement - 101 | | |

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

General - 95

Special - 6

The amounts that may be expended from this appropriation for each program are as follows:

Administration

| | |
|-------------|-------------|
| \$1,038,700 | \$1,044,500 |
|-------------|-------------|

Equal Opportunity

| | |
|------------|------------|
| \$ 158,100 | \$ 158,300 |
|------------|------------|

Labor Relations

| | |
|------------|------------|
| \$ 372,600 | \$ 374,000 |
|------------|------------|

No state employee negotiated labor agreement shall contain a provision that guarantees a minimum number of allowable overtime hours to any employee.

The commissioner of employee relations shall not recommend or adopt a compensation plan pursuant to Minnesota Statutes, section 43A.18, subdivisions 2, 3, and 4, for payroll periods that begin after July 1, 1983, and end before July 1, 1985, if the compensation plan permits an employee who has received a salary increase after July 1, 1983 to convert accumulated vacation leave into cash or deferred compensation before separation from state service.

Personnel

| | |
|-------------|-------------|
| \$1,854,500 | \$1,855,600 |
|-------------|-------------|

The commissioner of employee relations with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 20. REVENUE

| | | |
|-----------------------------------|------------|------------|
| General Operations and Management | 33,107,900 | 33,770,200 |
|-----------------------------------|------------|------------|

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

1984 1985

Approved Complement - 973 982

The complement number includes ten unfunded positions.

The amounts that may be expended from this appropriation for each program are as follows:

Revenue Management

\$9,928,500 \$10,129,600

\$200,000 the first year and \$400,000 the second year is for a management and systems review of the department's data processing networks, for preparation of a plan for development or replacement of computerized systems, and for proceeding with development in the areas of highest demonstrated need.

None of the appropriation for the development of computer systems shall be expended until the commissioner of revenue has submitted to the legislature a plan for the development of new computer systems and has received the recommendations of the chairmen of the committee on finance of the senate and the committee on appropriations of the house of representatives on the plan.

When projects for computer systems have been approved in writing by the commissioner of revenue, the commissioner may cause funds to be encumbered in the state accounting system and the encumbered funds shall not cancel at the end of the fiscal year but shall be available for the approved project only, for a period not exceeding one year or until the approved project has been completed, whichever is shorter.

After the commissioner of revenue begins to expend the appropriation, he shall report every three months describing the progress made and the money expended in developing computer systems. The report shall be submitted to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$50,000 each year is to prepare the tax expenditure budget report required by this act. By March 1, 1984, the commissioner shall present a progress report to the chairmen of the appropriations and tax committees in the house of representatives and the finance and tax committees in the senate. The progress report on the tax expenditure budget shall include, but not be limited to, the proposed format to be used, preliminary data collected, the basis on which estimates were made, and the funding sources involved.

The commissioner shall report by January 15, 1984, on the feasibility of either establishing a fee or retaining a percentage of each debt recaptured pursuant to Minnesota Statutes, section 270A.07, in order to cover the costs of administering the program. The report shall be submitted to the chairmen of the appropriations committee in the house of representatives and the finance committee in the senate.

Income, Sales, and Use Tax Management

| | |
|--------------|--------------|
| \$18,859,000 | \$19,317,800 |
|--------------|--------------|

\$136,000 each year is for the reinstatement of walk-in taxpayer assistance programs. * (This item of section 20 was vetoed by the governor.)

If the office of the legislative auditor does not evaluate the desirability of continuing the current system of field offices and their satellite offices by July 1, 1984, the management analysis division of the department of administration shall do so. The study shall include consideration of management requirements; and evaluation of field versus office audit work; and the cost benefit of collocating these offices with federal district revenue offices, merger, or elimination. A report shall be submitted to the chairmen of the appropriations committee in the house of representatives and the finance committee in the senate by July 1, 1984, if done by the legislative auditor, or by July 1, 1985, if done by the management analysis division.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Property and Special Taxes Management

| | |
|-------------|-------------|
| \$4,200,900 | \$4,202,400 |
|-------------|-------------|

\$4,000 the first year and \$4,000 the second year is for payment of property taxes of veterans awarded the congressional medal of honor.

Assessors Board

| | |
|------------|------------|
| \$ 119,500 | \$ 120,400 |
|------------|------------|

\$75,000 each year is for state paid tuition for required assessor training.

The commissioner of revenue with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfer shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

| | | |
|-------------------------|---------|---------|
| Sec. 21. TAX COURT | 313,000 | 314,000 |
| Approved Complement - 6 | | |

| | |
|------------------|-----|
| Sec. 22. NATURAL | RE- |
| SOURCES | |

| | | |
|-----------------------------------|------------|------------|
| General Operations and Management | 84,765,100 | 86,231,600 |
| Approved Complement - 1572 | | |
| General - 1003 | | |
| Special - 21 | | |
| Game and Fish - 523 | | |
| Federal - 25 | | |

Of this appropriation \$46,019,500 the first year and \$45,465,400 for the second year is from the general fund; \$500,000 the first year and \$500,000 the second year is from the consolidated conservation area account in the special revenue fund; \$2,417,200 the first year and \$4,798,500 the second year is from the forest management account in the special revenue fund; \$622,800 the first year and \$696,800 the second year is from the nongame wildlife management account in the special revenue fund; \$3,000,500 the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

first year and \$3,000,500 the second year is from the state park maintenance and operation account in the special revenue fund; \$2,360,300 the first year and \$2,540,100 the second year is from the snowmobile trails and enforcement account in the special revenue fund; and \$29,844,800 the first year and \$29,230,300 the second year is from the game and fish fund.

The amounts that may be expended from this appropriation for each program are as follows:

Administrative Management Services

\$6,272,300 \$6,508,800

\$2,442,400 the first year and \$2,484,900 the second year is from the game and fish fund.

\$75,000 the first year and \$225,000 the second year is from the snowmobile trails and enforcement account in the special revenue fund.

During the biennium ending June 30, 1985, the fee for transferring existing leases, licenses, and agreements at the lessee's request is \$30.

During the biennium ending June 30, 1985, the utility crossing application fee is \$100.

During the biennium ending June 30, 1985, the fee for certifying trust fund land ownership, railroad land grants, and conveyances of them, as requested, is \$25.

\$300,000 the first year and \$300,000 the second year is for boating safety pursuant to Minnesota Statutes, section 296.421, subdivision 4.

The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances among the programs authorized pursuant to Laws 1981, chapter 304, section 4. No transfer of balances among the programs may be authorized until the legislative commission on Minnesota resources has approved amended work programs. Transfers shall be reported immediately to the committee on finance of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

the senate and the committee on appropriations of the house of representatives.

Regional Administration

\$3,306,600 \$3,324,000

\$773,400 the first year and \$783,500 the second year is from the game and fish fund.

Of these amounts, \$508,100 from the general fund and \$156,700 from the game and fish fund in the second year is for a regional office contingent account. Up to this amount may be released for regional administration only after the legislature has received a study of the regional and subregional structure of the department of natural resources. The management analysis unit in the department of administration shall conduct the study with the assistance of the department of natural resources. The study along with any recommendation for reorganization shall be presented to the legislature by January 1, 1984.

Notwithstanding the provisions of Laws 1982, chapter 641, article I, section 2, subdivision 1, paragraph (f), the commissioner need not close the metropolitan region office.

Field Services Support

\$5,190,000 \$5,276,000

\$1,549,600 the first year and \$1,627,700 the second year is from the game and fish fund.

Water Resources Management

\$3,305,200 \$3,311,500

Of the general fund appropriation reduction in Laws 1982, Third Special Session chapter 1, article 2, section 2, subdivision 1, paragraph (m), clause (2), \$415,000 is from the water bank appropriation in Laws 1976, chapter 83, section 27.

Mineral Resources Management

\$5,036,300 \$4,544,200

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$250,000 the first year and \$250,000 the second year is for copper-nickel test drilling. Two positions for this purpose are in the unclassified civil service and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been expended, their positions shall be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons is authorized.

\$300,000 the first year and \$300,000 the second year is for minerals research. Any unencumbered balance remaining in the first year shall not cancel but is available for the second year.

\$750,000 the first year and \$750,000 the second year is for direct reduction research, of which \$500,000 the first year and \$500,000 the second year is available only as matched by \$1 of nonstate money for each \$2 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

In order to promote the establishment of energy efficient direct reduction technologies that could increase the competitiveness of Minnesota's taconite, the iron range resources and rehabilitation board should consider sponsoring research and development of a direct reduction facility on the iron range.

\$277,200 the first year and \$283,100 the second year is for mineland reclamation.

\$1,529,500 the first year and \$1,027,900 the second year is for peat management, of which \$1,250,000 the first year and \$750,000 the second year is for peat development. The commissioner may match this state money with money from nonstate sources. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Of these amounts, \$250,000 the first year and \$250,000 the second year is for a detailed peat survey, environmental monitor-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

ing, reclamation field work, and rules development.

Six positions in peat development are in the unclassified civil service and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been expended, their positions shall be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons is authorized.

The commissioner shall review all peatlands identified as ecologically significant areas in the Minnesota peat program final report dated August, 1981. If any of these lands meet the resource and site qualifications for designation as a unit of the outdoor recreation system under Minnesota Statutes, chapter 86A, the commissioner shall designate the units or recommend that the legislature authorize the units pursuant to Minnesota Statutes, section 86A.07 on or before July 1, 1986.

Site preparation for commercial peat mining is limited to the west central lakes peat bog and any other bog that will be disturbed by activities relating to the mining of metallic minerals or other construction or excavation that would seriously impair the value of the land for other purposes.

The commissioner shall report to the legislature by January 1, 1984 and January 1, 1985 on the progress of peat development projects funded by this appropriation.

Forest Management

\$18,789,100 \$20,931,200

\$2,342,200 the first year and \$4,723,500 the second year is from the forest management account in the special revenue fund.

\$500,000 the first year and \$500,000 the second year is from the consolidated conservation areas account in the special revenue fund.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$930,700 the first year and \$967,600 the second year is for emergency fire fighting. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. No more than \$382,100 the first year and \$398,600 the second year is available for presuppression costs.

\$3,750,000 the first year and \$3,750,000 the second year is to implement the federal Boundary Waters Canoe Area legislation and is available only to match federal money on a basis of 80 percent federal, 20 percent state, provided that no more than \$250,000 the first year and \$250,000 the second year may be expended prior to the appropriation of federal funds. If the federal reimbursement is appropriated, the state appropriations are available until September 30, 1984, and September 30, 1985, respectively. The federal reimbursement shall be deposited in the general fund.

The following positions now in the unclassified service shall be transferred to the classified civil service of the state: three forest soil and hydrology positions (three natural resources forest soil specialists); four forest planners (one planning supervisor state, two planner seniors state, one planner principal state); ten forest management specialists (nine natural resources specialist 2/foresters, and one clerk typist 2). The incumbents of these positions shall be transferred, without competitive examination, to probationary status in the classified civil service. Positions and employees shall be placed in the same classification and pay step as of June 30, 1983, by the commissioner of employee relations.

All of the employees' accrued vacation and sick leave shall be transferred to their credit.

It is requested that the legislative audit commission undertake a study of the fees and taxes imposed by the state relative to the forest industry. The study should seek to determine the cost and benefit relationship between state expenditures that enhance the commercial and industrial forest economy

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

and the revenue generated through fees and taxes imposed on that sector. The study should be completed and presented to the legislature by December 1, 1983.

Fish Management

\$7,965,300 \$8,031,400

Except for \$32,100 the first year and \$32,200 the second year from the general fund for acid rain, this appropriation is from the game and fish fund.

\$149,700 the first year and \$178,300 the second year is for trout stream management.

Wildlife Management

\$10,490,100 \$9,649,900

\$610,300 the first year and \$684,300 the second year is from the nongame wildlife management account in the special revenue fund. \$9,749,200 the first year and \$8,834,900 the second year is from the game and fish fund.

The following positions now in the unclassified service shall be transferred to the classified civil service of the state: two natural heritage positions (natural resource specialist 3). The incumbents of these positions shall be transferred, without competitive examination, to probationary status in the classified civil service and shall be placed in the same classification and at the same step as at present. All of the employees' accrued vacation and sick leave shall be transferred to their credit.

\$854,300 the first year and \$854,900 the second year is for deer habitat improvement.

\$633,000 in the first year and \$653,400 the second year is for payments to counties in lieu of taxes on acquired wildlife lands.

\$2,310,700 the first year and \$1,310,700 the second year is from the wildlife acquisition account for the acquisition and development of wildlife management areas.

Ecological Services

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 880,500 \$ 881,700

\$535,500 the first year and \$535,200 the second year is from the game and fish fund.

Effective July 1, 1983, aquatic plant control permit fees established pursuant to Minnesota Statutes, section 98.48, subdivision 9 are doubled. Notice of the revised fees shall be published in the state register as soon as practicable.

Parks and Recreation Management

\$9,703,100 \$9,787,800

\$3,000,500 the first year and \$3,000,500 the second year is from the state park maintenance and operation account in the special revenue fund.

\$171,700 the first year and \$180,400 the second year is for the program to employ needy elderly persons in the maintenance and operation of state parks.

Upon expiration of the concessionaire contract at Fort Snelling state park, the commissioner shall work with the contract holder to establish a youth hostel at the park.

\$23,500 the first year and \$23,200 the second year is for payments in lieu of taxes on lands in voyageurs national park and St. Croix wild river state park. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Enforcement

\$8,351,500 \$8,427,000

\$75,000 the first year and \$75,000 the second year is from the snowmobile trails and enforcement account in the special revenue fund.

\$6,010,500 the first year and \$6,090,900 the second year is from the game and fish fund.

\$994,300 the first year and \$994,300 the second year is for grants to counties for boat and water safety.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The appropriation from the game and fish fund includes \$12,000 the first year and \$12,000 the second year for the purpose of controlling smelt fishing activities on the north shore, including development of parking facilities, traffic control, coordination of regulatory agencies, control of trespass and vandalism, control of littering and sanitation, and public information and education. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Planning and Research

\$ 868,800

\$ 893,500

The following positions now in the unclassified service shall be transferred to the classified civil service of the state: four policy development and management analysis positions and five natural resources data systems positions. The incumbents of these positions shall be transferred, without competitive examination, to probationary status in the classified civil service. Positions and employees shall be placed in the proper classifications by the commissioner of employee relations, with compensation appropriate to the assigned classifications. All of the employees' accrued vacation and sick leave shall be transferred to their credit.

\$84,600 the first year and \$84,600 the second year is for a grant to the Mississippi headwaters board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under its jurisdiction.

\$19,900 the first year and \$19,900 the second year is for department operating and administrative expenses associated with the Mississippi headwaters board grant and the implementation of the plan in areas along the river that are not included within the jurisdiction of the Mississippi headwaters board.

The commissioner of natural resources shall not disburse any money to the Mississippi headwaters board or for implementation of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

the plan in areas along the river that are not included within the jurisdiction of the Mississippi headwaters board until a copy of the cooperative Mississippi river management and jurisdiction agreement, signed by all the parties, has been filed in his office.

Youth Programs

\$ 805,600 \$ 809,300

This appropriation is for the operation of the Minnesota conservation corps, a summer youth program and a year-round young adult program. The department shall ensure that youths in all parts of the state have an equal opportunity for employment and that equal numbers of male and female youth be selected for the summer residential program. Youth enrollees shall be 15 - 18 years old inclusive and young adult enrollees shall be 18 - 26 years old inclusive. Enrollees in the Minnesota conservation corps shall not be considered a public employee under the definition contained in Minnesota Statutes, section 179.63, subdivision 7. The youth conservation corps shall provide service for the various department of natural resources disciplines including parks, forestry and wildlife habitat improvement, and trails and waterways.

\$125,000 the first year and \$125,000 the second year is from the wildlife acquisition account in the game and fish fund for the development of wildlife management areas.

\$75,000 the first year and \$75,000 the second year is from the forest management account in the special revenue fund for the development of forest lands.

\$12,500 the first year and \$12,500 the second year is from the nongame wildlife management account in the special revenue fund for the purpose of nongame wildlife management. Any unencumbered balance remaining in the first year shall not cancel, but is available the second year.

\$50,000 the first year and \$50,000 the second year is from the snowmobile trails

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

and enforcement account in the special revenue fund for the development of state snowmobile trails consistent with the purposes of the fund.

\$75,000 the first year and \$75,000 the second year is from the game and fish fund for the the purpose of public access and lake improvements.

No part of this appropriation may be expended for a project that is not consistent with the purposes of the fund from which the appropriation is made.

Trails and Waterways Management

\$3,574,000 \$3,629,300

\$2,160,300 the first year and \$2,190,100 the second year is from the snowmobile trails and enforcement account in the special revenue fund.

Of this amount \$300,000 the first year and \$300,000 the second year is available for acquisition and development of state snowmobile trails; up to \$45,000 the first year and up to \$45,000 the second year is available for professional services relating to acquisition and development of state snowmobile trails; and \$1,262,600 the first year and \$1,298,600 the second year is for snowmobile grants-in-aid.

\$651,000 the first year and \$674,000 the second year is from the game and fish fund for public access and lake improvements, but is available for expenditure only to the extent that unrefunded marine gasoline tax revenues pursuant to Minnesota Statutes, section 296.421, subdivision 4, are actually received by the game and fish fund.

Minnesota Environmental Education Board

\$ 226,700 \$ 226,000

The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 23. ZOOLOGICAL BOARD

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 5,545,300 | 5,502,700 |
| Approved Complement - 155.3 | | |
| General - 136.8 | | |
| Special - 16.5 | | |
| Gift - 2.0 | | |

The amounts that may be expended from this appropriation for each program are as follows:

Visitor Programs

| | |
|------------|------------|
| \$ 928,400 | \$ 930,800 |
|------------|------------|

Biological Programs

| | |
|-------------|-------------|
| \$1,402,300 | \$1,406,000 |
|-------------|-------------|

Business Management Services

| | |
|------------|------------|
| \$ 644,500 | \$ 646,400 |
|------------|------------|

Physical Facilities

| | |
|-------------|-------------|
| \$2,570,100 | \$2,519,500 |
|-------------|-------------|

The director of the Minnesota zoological garden with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section, except that he shall make no transfer into the zoo ride program. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

During the biennium ending June 30, 1985, the fee structure for the Minnesota zoological garden shall be established by the zoological garden board.

Sec. 24. WATER RESOURCES BOARD

| | |
|---------|---------|
| 109,500 | 113,300 |
|---------|---------|

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 3

Sec. 25. POLLUTION CONTROL AGENCY

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 6,298,700 | 6,476,100 |
| | 1984 | 1985 |
| Approved Complement - | 350.0 | 359.0 |
| General - | 164.5 | 174.5 |
| Federal - | 185.5 | 184.5 |

The amounts that may be expended from this appropriation for each program are as follows:

Water Pollution Control

| | |
|-------------|-------------|
| \$1,646,500 | \$1,653,200 |
|-------------|-------------|

Balances remaining from appropriations made in Laws 1977, chapter 455, section 33, subdivision 8, paragraph (b), lake improvement grants-in-aid, may be utilized for lake improvement grant administration. One position is authorized for this purpose.

Air Pollution Control

| | |
|------------|------------|
| \$ 874,200 | \$ 818,200 |
|------------|------------|

\$304,100 the first year and \$247,800 the second year is for the acid rain program.

Solid Waste and Hazardous Waste Pollution Control

| | |
|-------------|-------------|
| \$1,991,700 | \$2,213,200 |
|-------------|-------------|

\$257,000 the first year and \$537,400 the second year is additional money for the hazardous waste regulatory program and shall be covered by hazardous waste generator and facility fees collected for the biennium ending June 30, 1985.

Regional Support

| | |
|------------|------------|
| \$ 603,900 | \$ 606,100 |
|------------|------------|

General Support

| | |
|-------------|-------------|
| \$1,182,400 | \$1,185,400 |
|-------------|-------------|

The director of the pollution control agency, with the approval of the commissioner of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

finance, may transfer unencumbered balances not specified for a particular purpose among the activities specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 26. ENVIRONMENTAL QUALITY

| | | |
|-------|-----------|-----------|
| BOARD | 1,275,500 | 1,304,100 |
|-------|-----------|-----------|

Approved Complement - 25

Classified and unclassified state employees involved in the implementation and administration of the duties of the water planning board and the southern Minnesota rivers basin board shall be transferred, except for the position of chairperson of the water planning board, to the environmental quality board in the classified service of the state without competitive examination and shall be placed in the proper classification by the commissioner of employee relations with compensation as provided for the classifications. Nothing in this paragraph shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the commissioner's or managerial plans for unrepresented employees or the terms of an agreement between the exclusive representatives of public employees and the state or one of its appointing authorities.

| | | |
|---------------------------------|-----------|-----------|
| Sec. 27. WASTE MANAGEMENT BOARD | 1,713,500 | 1,089,600 |
|---------------------------------|-----------|-----------|

| | | |
|--|------|------|
| | 1984 | 1985 |
|--|------|------|

| | | |
|-----------------------|----|----|
| Approved Complement - | 25 | 20 |
|-----------------------|----|----|

| | | |
|-----------|----|----|
| General - | 18 | 13 |
|-----------|----|----|

| | | |
|-------------|---|---|
| Bond Fund - | 7 | 7 |
|-------------|---|---|

\$180,000 the first year and \$60,000 the second year is for grants to counties and local project review committees.

Any unencumbered balance remaining the first year shall not cancel but is available for the second year.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 28. ENERGY AND ECONOMIC DEVELOPMENT

| | | |
|-----------------------------------|------------|------------|
| General Operations and Management | 24,769,100 | 18,672,800 |
| Approved Complement - 141.5 | | |
| General - 116 | | |
| Federal - 25.5 | | |

The amounts that may be expended from this appropriation for each program are as follows:

Energy

\$3,215,200 \$2,610,900

\$31,600 the first year and \$68,400 the second year is to develop and market energy audits for multifamily and commercial buildings.

\$51,500 the first year and \$48,500 the second year is for energy audit interpretation.

\$300,000 the first year is for matching grants for planning the development of district heating systems.

\$40,000 the first year and \$40,000 the second year is for administration of the district heating planning grants.

\$68,000 the first year is for a steam trap survey.

\$60,000 the first year is for energy management training, including training of 800 building operators.

\$89,500 the first year and \$40,500 the second year is for the superinsulated home demonstration project.

\$46,500 the first year and \$36,000 the second year is for the building energy research center.

Economic Development

\$1,746,000 \$1,796,000

\$125,000 the first year and \$125,000 the second year is for a grant to the Duluth port

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

authority. * (This item of section 28 was vetoed by the governor.)

\$180,000 the first year and \$180,000 the second year is for community development corporations.

Any unencumbered balance remaining in the domestic development activity does not cancel but is available for the second year.

\$60,000 the first year and \$60,000 the second year is for a grant to a nonprofit corporation for the purpose of developing the motion picture and television industries. The grant shall be made only after the commissioner has established criteria for grant proposals and has solicited proposals through an open application process by July 1, 1983. To provide appropriate review for the disbursement of the grant, the governor shall appoint five persons to a Minnesota motion picture and television advisory council. The governor shall designate one of the appointees as chairperson and liaison to the governor for all activities concerning the grant recipient. It is a condition of the grant that the grantee shall submit a work plan to the council in a form determined by the council. None of the money provided by the grant may be expended unless it is part of an approved work plan. The appropriation for the second year is available only if the grantee can demonstrate the ability to match the amount on the basis of \$1 of money from nonpublic sources for each \$1 of state money.

Financial Management

\$15,613,400

\$9,386,100

\$10,000,000 the first year and \$5,000,000 the second year is for transfer to the economic development fund, if created by other law enacted at the 1983 regular session.

\$3,500,000 the first year and \$4,000,000 the second year is for transfer to the energy loan insurance fund, if created by other law enacted at the 1983 regular session.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$1,800,000 is for transfer to a reserve account in the energy development fund, if created by other law enacted at the 1983 regular session. Any unencumbered balance remaining in the first year shall not cancel and is available for the second year.

\$313,400 the first year and \$386,100 the second year is for part of the staff of the energy and economic development authority, if created by other law enacted at the 1983 regular session. These amounts include \$18,000 the first year and \$22,000 the second year for expenses of an intervention office, and \$44,000 the first year and \$46,000 the second year for a business assistance program.

Science and Technology

\$242,600

\$254,800

This appropriation is for a science and technology function. The commissioner may hire a director and additional staff as he deems necessary to carry out this function within this appropriation.

The science and technology director shall give advice and recommendations to the governor regarding technically related subjects including new issue analysis, research and development goals and projects, education initiatives, technologically related economic development, environmental protection, intergovernmental technology sharing, and governmental use of technology including the use of advanced information and communication technologies.

In the development of recommendations, the science and technology director shall establish a procedure for the evaluation of research projects with potential to become the basis of technological industrial growth in Minnesota. As part of this procedure, in order to ensure standards of excellence and cost beneficial expenditure of Minnesota state funding sources for research, the science and technology director shall consider a system of peer review analogous to the national science foundation or national insti-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

tutes of health, to evaluate and select proposals according to merit and scientific significance.

In addition, the science and technology director shall monitor and promote the opportunities for expanded federal expenditures in research and development in and for Minnesota, and act as a liaison and coordinator for activities of established scientific groups beneficial to the enhancement of science and technology. These groups include but are not limited to the Minnesota academy of sciences, the science museum, and various local, national, and regional professional and academic societies.

The science and technology director and supportive staff shall cumulatively reflect expertise or familiarity with a wide range of scientific areas including basic science (physics, chemistry, biology, and mathematics), information sciences, engineering, and medical, agricultural, and biotechnology.

Tourism

\$3,951,900

\$4,625,000

In order to develop maximum private sector involvement in tourism marketing activities, \$1,000,000 for the first year and \$1,000,000 for the second year will be placed in a separate account. Money will be made available from this account to the office of tourism after verification and documentation of private sector contributions to marketing tourism. For purposes of this appropriation, private sector in-kind services may provide one-half the match for this money in the first year.

"Private sector" means any private person, firm, corporation, or association, including but not limited to regional tourism organizations and chambers of commerce or convention bureaus.

The director shall submit a work program and semiannual progress reports, including the amount of private sector contributions received, to the chairman of the senate fi-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

nance committee and the chairman of the house of representatives appropriations committee.

In order to provide equity and representation of all tourism accommodation businesses, the office of tourism will produce directories of all these businesses.

Money provided to each of the six Minnesota tourism regions shall be used for the purpose of purchasing media space and time and marketing specific geographic areas within each region. None of this money shall be used for any type of administrative, salary, or overhead costs of the region. Ten percent of the total regional funding shall be withheld pending final audit each year to assure adherence to the goals of the program. No money will be provided until a detailed marketing plan is approved by the director of tourism. The three northern regions will coordinate their activities through the money provided by this section. In addition, the two southern regions will coordinate their programs.

The director shall review the quality of tourism marketing and promotion done at the regional level and report to the legislature by January 1, 1984 the findings and recommendations.

The commissioner of energy and economic development with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 29. INTERNATIONAL TRADE

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 3,270,000 | 1,130,000 |
| Approved Complement - 17 | | |

\$2,000,000 the first year is for transfer to the export finance authority working capital account, if created by other law enacted at the 1983 regular session.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$320,000 the first year and \$280,000 the second year is for administration of the export finance authority and export information office, if created by other law enacted at the 1983 regular session.

\$900,000 the first year and \$850,000 the second year is for the trade and export activity.

\$50,000 the first year is for the world trade center commission, which is hereby created. The commission shall consist of nine members appointed by the governor. The appointees of the governor shall include persons knowledgeable in the areas of finance, export business, and education. The commission shall select a chairperson and other officers it believes necessary. The purpose of the commission is to study the feasibility, size, scope, site, development, bonding authority, costs, and the amount of private and public financial commitment required for a Minnesota world trade center. The commission may do all things necessary and reasonable to conduct the study including holding meetings and soliciting testimony and information. The commission shall report to the legislature and the governor by January 15, 1984, its conclusions and recommendations concerning the world trade center. The commission expires February 1, 1984.

The appropriations in this section are to the commissioner of agriculture, except as otherwise provided in this section.

The commissioner of agriculture with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 30. STATE PLANNING AGENCY

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 4,138,600 | 3,918,900 |
| Approved Complement - 99 | | |

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

General - 67

Special - 4

Revolving - 10

Federal - 18

\$40,000 the first year and \$40,000 the second year is for policy studies and research relating to general manufacturing, energy, and technology-related businesses jointly initiated and conducted by labor, business, education, and government.

\$10,000 in the first year is to study the feasibility of merging the departments of health and public welfare into a new department called the department of human services. The study shall examine the intergovernmental, social, administrative, and financial ramifications of the merger including: (1) services to be provided to the public; (2) administration of programs; (3) appropriate funding mechanisms; (4) appropriate interagency activity to effectuate the merger; and (5) reassignment of various areas of responsibility within the departments of health and public welfare to other state agencies as appropriate. The state planning director shall report to the legislature and to the governor by January 1, 1984.

\$110,000 the first year and \$110,000 the second year is for a grant to the environmental conservation library (ECOL).

\$418,400 the first year and \$418,400 the second year is for regional planning grants.

\$42,500 each year is for a grant to the government training service.

\$200,000 each year is for grants for youth intervention programs.

\$250,000 shall be transferred to the land management information center revolving account as working capital and shall be repaid to the general fund when service bureau fee receipts permit, but \$166,600

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

shall be repaid by June 30, 1985 and \$83,400 shall be repaid by June 30, 1986.

The balance of \$111,676 remaining in the appropriation made by Laws 1979, chapter 301, section 6, subdivision 2, is available the day following final enactment to be used by the commissioner to match money appropriated to the department of natural resources for the alteration of a portion of an old railroad bridge over the St. Louis river in the city of Duluth to make the bridge suitable for use as a public access fishing pier and observation site.

The state planning director with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 31. NATURAL RESOURCES ACCELERATION

| | | |
|--|------------|------------|
| Subdivision 1. General Operations and Management | 10,212,000 | 10,235,500 |
|--|------------|------------|

Approved Complement - 80

The amounts that may be expended from this appropriation for each activity are more specifically described in the following subdivisions of this section.

For all appropriations in this section, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

| | | |
|--|---------|---------|
| Subd. 2. Legislative Commission on Minnesota Resources | 230,000 | 232,500 |
|--|---------|---------|

For the biennium ending June 30, 1985, the commission shall review the work programs and progress reports required under this section, and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives, and other appropriate committees. The commission shall establish oversight committees to con-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

tinue review of a variety of natural resource subject areas as it believes necessary to carry out its legislative charge.

Subd. 3. Department of Natural Resources

5,164,600 5,111,600

Approved Complement - 67

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Department Information System

\$300,000 \$300,000

Approved Complement - 5

For partial implementation of a department-wide plan for a computer and word processing system.

(b) Volunteer Management Intensification

\$97,000 \$98,000

Approved Complement - 2

To begin coordination of volunteers in all disciplines through staff assistance and time budgeting.

(c) Groundwater Management

\$150,000 \$150,000

Approved Complement - 3

To apply innovative information collection techniques and develop general watershed management rather than the site and permit specific approach. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(d) Mineral Potential

\$85,000 \$85,000

Approved Complement - 2

Additional field work and research to understand mineral potential.

(e) Accelerated Phase II Forest Inventory

\$225,000 \$225,000

Approved Complement - 10

As one part of a three-part accelerated effort to complete the detailed inventory, includ-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

ing graphics machine and public land sampling. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(f) Forestry Information System

\$344,000 \$345,000

Approved Complement - 4

To finish development of an automated information system.

(g) Forest Recreation Development

\$400,000 \$400,000

Approved Complement - 3

To plan and implement rehabilitation of recreation development in state forests. All project costs are included in this appropriation.

(h) Wildfire Planning

\$97,000 \$98,000

Approved Complement - 3

To analyze, budget, and implement the most physically and economically effective fire protection on a pilot basis.

(i) Park Planning

\$110,000 \$110,000

Approved Complement - 6

To complete the remaining master plans required under Minnesota Statutes, chapter 86A, and recommend disposition of all other units.

(j) River Planning

\$100,000 \$100,000

Approved Complement - 4

To continue river planning analysis and technical assistance to local units for protection of river resources and to develop a proposal for possible inclusion in agency operations.

(k) Scientific and Natural Areas Planning

\$40,000 \$41,000

Approved Complement - 1

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

To continue management planning under Minnesota Statutes, section 84.033 and chapter 86A, for nine areas.

(l) Park Development

\$2,042,000 \$2,042,000

Approved Complement - 8

For major rehabilitation and new development in state parks and recreation areas. All project costs are included in this appropriation. \$726,000 the first year and \$749,000 the second year is from the state park development account in the special revenue fund. \$450,000 of this appropriation represents anticipated reimbursements to be received during the biennium from the land and water conservation fund to be earned by expenditures from this subdivision and is available for expenditure only as these reimbursements are deposited in the state treasury.

(m) Parks Information System

\$103,500 \$ 46,500

Approved Complement - 2

To develop a computerized information system to assist management activity in state parks.

(n) Water Access Acquisition and Development

\$740,000 \$740,000

Approved Complement - 5

To acquire access sites and improve or develop sites around the state. All project costs are included in this appropriation. The commissioner shall make every effort to maximize the use of local effort and finances in the program. \$150,000 of the appropriation represents anticipated reimbursements from the land and water conservation fund to be earned by expenditures from this subdivision and is available for expenditure only as these reimbursements are deposited in the state treasury.

In addition to this direct appropriation, and notwithstanding Minnesota Statutes, section 86.72, federal money for recreational boat-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

ing facilities improvement programs under United States Code, title 46, sections 1474 to 1481 made available by section 421 of the Surface Transportation Assistance Act of 1982, 96 Statutes at Large, pages 2162 to 2163, earned by projects in this section is appropriated to the commissioner of natural resources for water access acquisition and development and is available until expended.

(o) Implement Resource and Management Plan on Department of Natural Resources Lands

\$200,000 \$200,000

Approved Complement - 5

To implement an allocation plan based on land suitability and capability and public advice, which includes sale or exchange, or both. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(p) Wild and Scenic Rivers

\$ 62,500 \$ 62,500

Approved Complement - 2

To continue the wild and scenic river management program previously funded by legislative commission on Minnesota resources.

(q) Statewide Data Water Network

\$ 68,600 \$ 68,600

Approved Complement - 2

To continue legislative commission on Minnesota resources support for the statewide water data network.

Subd. 4. Pollution Control Agency 230,000 231,000

Approved Complement - 3

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Soil and Watershed Acidification

\$93,000 \$93,000

Approved Complement - 1

For the first biennium of a two-biennium effort to assess the effects of atmospheric deposition on soils. Data shall be collected

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(b) Groundwater Analysis Near Dump Sites

\$72,000 \$73,000

Approved Complement - 1

To investigate the effects on groundwater of 15 unregulated solid waste open dumps and improve management processes. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(c) Survey Organics in Monitor Wells

\$50,000 \$50,000

Approved Complement - 1

For sampling up to 350 private wells in the monitoring network for analysis of organics. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(d) Garvin Brook Monitoring

\$15,000 \$15,000

To provide water quality monitoring on the joint, federal-state project needed to assess the impact of land treatment. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

Subd. 5. Energy, Planning and Development

2,064,000 2,065,000

Approved Complement - 9

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Resource Management Models

\$75,000 \$75,000

Approved Complement - 1

For accelerated development of applications models to predict and simulate the effects of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

alternative policies and practices. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(b) Recreation Grants

\$1,750,000 \$1,750,000

Approved Complement - 4

For recreation open space projects requested by local units of government. The cost of administration is included in this appropriation. This appropriation is for grants of up to 50 percent of the total cost, or 50 percent of the local share if federal money is used. Up to 25 percent is available for acquisition. The per project limit for state grants is \$200,000.

The first priority in allocation is for development projects and for projects that are eligible for federal funding. Notwithstanding any other law to the contrary, these grants are not contingent upon the matching of federal grants.

\$875,000 the first year and \$875,000 the second year is reserved for projects outside the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures.

(c) Bioenergy Research

\$150,000 \$150,000

Approved Complement - 1

To continue research into biomass production potential on peat and other lands.

(d) Assessment and Development of Alternative Energy Business

\$89,000 \$90,000

Approved Complement - 3

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

To assess the potential for business development of alternative energy resources.

| | | |
|--|--------|--------|
| Subd. 6. Department of Health Approved Complement - 1 | 65,000 | 65,000 |
|--|--------|--------|

Survey Organics in Community Water Supplies

To provide equipment and a one-time sampling and analysis of volatile organic compounds in selected community water supplies.

| | | |
|----------------------------------|-----------|-----------|
| Subd. 7. University of Minnesota | 1,835,000 | 1,826,000 |
|----------------------------------|-----------|-----------|

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Strategic Minerals Research Capacity

| | |
|-----------|-----------|
| \$265,000 | \$265,000 |
|-----------|-----------|

For equipment and analysis to examine potential strategic minerals identification and recovery (cobalt, manganese, platinum, titanium).

(b) Taconite Reduction

| | |
|----------|----------|
| \$49,000 | \$49,000 |
|----------|----------|

For research to achieve increased metallic iron production from taconite.

(c) Aeromagnetic Survey

| | |
|-----------|-----------|
| \$346,000 | \$347,000 |
|-----------|-----------|

For the third biennium of a six-biennium effort to electronically acquire geologic data. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(d) Geology of Southeast Minnesota

| | |
|----------|----------|
| \$30,000 | \$30,000 |
|----------|----------|

To determine subsurface drainage and hydrology, and evaluate the impact of land practices. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(e) Computer Analysis of Contaminant Spreading

\$90,000

\$90,000

To develop interactive graphics models of contaminant spreading between selected Twin Cities aquifers. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(f) Accelerated Detailed Soil Survey

\$925,000

\$925,000

For the fourth biennium of a seven-biennium effort to provide the appropriate detailed survey, based upon the adopted cost-share formula between county, state, and federal ownership ratios. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(g) Research on River and Lake Management

\$70,000

\$70,000

To develop lake water quality simulations and predict river oxygen dynamics, and predict river scour and fill effects. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(h) Hydropower Research Facility Instrumentation

\$50,000

\$50,000

To provide instrumentation of donated equipment for advanced research capability.

(i) Underground Space Center

\$10,000

To provide for expenses involved in conducting an international conference in Octo-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

ber 1983 on the benefits and uses of underground space.

| | | |
|---------------------------------------|--------|--------|
| Subd. 8. Minnesota Historical Society | 75,000 | 75,000 |
|---------------------------------------|--------|--------|

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Microfilm Public Land Records

| | |
|----------|----------|
| \$25,000 | \$25,000 |
|----------|----------|

For completion of the project to microfilm state land ownership records.

(b) Conservation of Historic Collections

| | |
|----------|----------|
| \$50,000 | \$50,000 |
|----------|----------|

To provide the match for grants from the national endowment for the humanities and private sector, all for the purpose of repair, restoration, and stabilization of the collections. The match money is appropriated.

| | | |
|--------------------------------------|--------|--------|
| Subd. 9. Science Museum of Minnesota | 22,000 | 23,000 |
|--------------------------------------|--------|--------|

For a natural history survey of Minnesota's aquatic invertebrates. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

Subd. 10. Work Programs

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semiannual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided in this section may be expended unless the commission has approved the pertinent work program. Upon request from the commission the agency head shall submit an evaluation by July 1, 1984, as to whether the program should be incorporated in the next agency budget.

Subd. 11. Complement Temporary

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been expended, their positions shall be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons is authorized.

| | | |
|---|---------|---------|
| Subd. 12. Federal Reimbursement Account | 526,400 | 606,400 |
|---|---------|---------|

This appropriation is for the expenditure purposes in the natural resources federal reimbursement account in Minnesota Statutes, section 86.72.

Sec. 32. LABOR AND INDUSTRY

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 9,033,000 | 9,512,700 |
| Approved Complement - 225 | | |
| General - 126.5 | | |
| Federal - 39.5 | | |
| Special - 59 | | |

The amounts that may be expended from this appropriation for each program are as follows:

Employment Standards

| | |
|------------|------------|
| \$ 764,700 | \$ 767,800 |
|------------|------------|

Workers' Compensation

| | |
|-------------|-------------|
| \$4,991,800 | \$5,417,100 |
|-------------|-------------|

Of this appropriation \$1,678,900 the first year and \$1,697,000 the second year is from the special compensation fund.

\$2,329,200 the first year and \$2,733,900 the second year is for reimbursement of the special compensation fund pursuant to Minnesota Statutes, section 176.183, subdivision 2.

\$300,000 the first year and \$300,000 the second year is for payment of peace officer survivor benefits pursuant to Minnesota

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Statutes, section 352E.04. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

During the biennium ending June 30, 1985, the commissioner of labor and industry shall impose fees under Minnesota Statutes, section 16A.128, sufficient to cover the cost of approving and monitoring qualified rehabilitation consultants, consultant firms, and vendors of rehabilitation services.

The commissioner shall study the need for establishing criteria which would determine whether a workers' compensation claim is handled by the division's attorneys, referred for private action, or referred for arbitration or mediation. The commissioner shall report to the legislature the conclusions of this study by February 15, 1984.

Code Enforcement

\$ 728,600 \$ 732,100

The commissioner is instructed to merge the inspection duties of the boiler inspectors and the steamfitting inspector.

OSHA

\$ 996,700 \$1,006,800

The salary and expenses associated with the passenger elevator inspector shall be paid from the building code surcharge revenues produced pursuant to Minnesota Statutes, section 16.866.

General Support

\$1,014,300 \$1,030,700

\$125,000 the first year and \$125,000 the second year is for a grant to the Minneapolis urban league labor education advancement program. \$125,000 the first year and \$125,000 the second year is for a grant to the St. Paul urban league labor education advancement program. Before payment of these grants, the commissioner shall secure an approved contract that specifies the detailed budget to be submitted for use of each grant, the frequency and format of periodic

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

reports on actual use of the grants, and audit requirements. The legislative auditor may conduct post-award audits of these grants as requested by the commissioner and approved by the legislative audit commission. Twenty percent of each grant in each year, or \$25,000, shall be available for payment upon demonstration of a dollar for dollar match from nonstate contributions. If continuation of state funding is anticipated in the 1985-1987 fiscal biennium, the commissioner shall develop an application process by which organizations currently established or organizations seeking to become established as providers of labor education advancement programs may seek funding. The applications shall be reviewed and prioritized by the commissioner, and a recommended level of funding shall be transmitted by the commissioner to the 1985 legislature.

Information Management Services

\$ 536,900 \$ 558,200

The commissioner of labor and industry with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 33. WORKERS' COMPENSATION COURT OF APPEALS

382,200 382,800

Approved Complement - 9

The workers' compensation court of appeals shall report by February 15, 1984, to the chairmen of the senate finance committee and the house appropriations committee on the standards governing payments under Minnesota Statutes, chapter 352E. The report must describe any ambiguity in the definition of peace officers, eligible beneficiaries, and eligibility to receive benefits.

Sec. 34. MEDIATION SERVICES

1,113,600 1,077,900

Approved Complement - 24

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

| | | |
|---|--------|--------|
| Sec. 35. PUBLIC EMPLOY- MENT RELATIONS BOARD | 51,700 | 52,000 |
| Approved Complement - 1 | | |

| | | |
|-----------------------------------|-----------|-----------|
| Sec. 36. MILITARY AFFAIRS | | |
| General Operations and Management | 4,865,100 | 4,833,700 |
| Approved Complement - 235 | | |
| General - 130.8 | | |
| Federal - 104.2 | | |

Plus additional personnel as may be financed entirely from federal money for the period federal money is available.

The amounts that may be expended from this appropriation for each program are as follows:

| | |
|---|-------------|
| Maintenance of Military Training Facilities | |
| \$3,735,000 | \$3,760,700 |

\$4,100 each year is for an additional custodial position at Holman field. The adjutant general is directed to seek a federal share of \$12,300 each year.

The city of Moorhead having in error transferred \$23,600 to the state general fund for an armory improvement, \$23,600 is for repayment to the city of Moorhead, effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Moorhead.

The management analysis division of the department of administration shall review the feasibility of armory consolidation or closure. The study shall include in its considerations the needs of this department for defense and training related activities; the availability of other emergency facilities within the communities; and the age, physical maintenance needs, and personnel costs of the existing buildings.

The study shall also consider the cost effectiveness of reducing custodial hours, sharing custodial services among the armories, and increasing local financial support of armory maintenance expenses.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The recommendations resulting from this study shall be transmitted to the chairman of the finance committee in the senate and the appropriations committee in the house of representatives by March 15, 1984.

General Support

\$1,130,100 \$1,073,000

\$71,400 the first year and \$71,300 the second year is for expenses of military forces ordered to active duty pursuant to Minnesota Statutes, chapter 192. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The adjutant general with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose between the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 37. VETERANS AFFAIRS

General Operations and Management 10,449,800 10,540,300

Approved Complement - 314.5

The amounts that may be expended from this appropriation for each program are as follows:

Veterans Benefits and Services

\$2,277,200 \$2,256,400

\$1,938,100 each year is for emergency financial and medical needs of veterans. For the biennium ending June 30, 1985, the commissioner shall limit financial assistance to veterans and dependents to six months, unless recipients have been certified as ineligible for other benefit programs. Of this appropriation, \$50,000 each year shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, section 3.30.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Of this appropriation, \$37,800 the first year and \$38,500 the second year is for war veterans and war orphans education aid, to be expended pursuant to Minnesota Statutes, section 197.75.

Veterans Home - Minneapolis

\$6,116,200 \$6,217,200

Of the appropriation in fiscal year 1984, \$10,000 is for a grant to the Vietnam veterans awareness council for the purposes of obtaining liability insurance and repairs and betterments on building #2 which currently provides emergency shelter for veterans and their families.

By January 15, 1984, the commissioner shall report to the legislature on the cost effectiveness of seeking certification of the Minneapolis nursing care building for medical assistance reimbursement.

Veterans Home - Hastings

\$2,047,800 \$2,066,700

Big Island Veterans Camp

\$ 8,600

This appropriation is for contract expenses associated with operating the Big Island veterans camp; the contract shall be for up to two years in length and shall specify that the contractor will cooperate with the Hennepin county park reserve district.

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The commissioner of veterans affairs with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

committee on appropriations of the house of representatives.

| | | |
|---|---------|---------|
| Sec. 38. INDIAN AFFAIRS INTERTRIBAL BOARD | 205,100 | 208,900 |
| Approved Complement - 7 | | |
| General - 6 | | |
| Federal - 1 | | |

Ten percent of the funding in the second year, or \$20,900, shall be available for allotment upon demonstration of dollar for dollar match with nonstate contributions. Those dollars, up to the \$20,900, not receiving a match shall cancel to the general fund.

The agency shall report to the senate finance committee and house of representatives appropriations committee by March 1, 1984 its accomplishments for the first six months of the biennium and its work program, including its goals, objectives, timelines, and structure, for the remainder of the biennium. The appropriation for the second year is available for expenditure only with the approval of the governor after consultation with the legislative advisory commission, pursuant to Minnesota Statutes, section 3.30.

| | | |
|--|---------|---------|
| Sec. 39. COUNCIL ON AFFAIRS OF SPANISH-SPEAKING PEOPLE | 104,600 | 105,500 |
| Approved Complement - 3 | | |

Ten percent of the funding in the second year, or \$10,600, shall be available for allotment upon demonstration of dollar for dollar match with nonstate contributions. Those dollars, up to the \$10,600, not receiving a nonstate match shall cancel to the general fund.

The agency shall report to the senate finance committee and house of representatives appropriations committee by March 1, 1984 its accomplishments for the first six months of the biennium and its work program, including its goals, objectives, timelines, and structure, for the remainder of the biennium. The appropriation for the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

second year is available for expenditure only with the approval of the governor after consultation with the legislative advisory commission, pursuant to Minnesota Statutes, section 3.30.

Sec. 40. COUNCIL ON BLACK MINNESOTANS

104,400

105,600

Approved Complement - 3.5

Ten percent of the funding in the second year, or \$10,600, shall be available for allotment upon demonstration of dollar for dollar match with nonstate contributions. Those dollars, up to the \$10,600, not receiving a nonstate match shall cancel to the general fund.

The agency shall report to the senate finance committee and house of representatives appropriations committee by March 1, 1984 its accomplishments for the first six months of the biennium and its work program, including its goals, objectives, timelines, and structure, for the remainder of the biennium. The appropriation for the second year is available for expenditure only with the approval of the governor after consultation with the legislative advisory commission, pursuant to Minnesota Statutes, section 3.30.

Sec. 41. COUNCIL FOR THE HANDICAPPED

330,700

336,700

Approved Complement - 10

Ten percent of the funding in the second year, or \$33,700, shall be available for allotment upon demonstration of dollar for dollar match with nonstate contributions. Those dollars, up to the \$33,700, not receiving a nonstate match shall cancel to the general fund.

The agency shall report to the senate finance committee and house of representatives appropriations committee by March 1, 1984 its accomplishments for the first six months of the biennium and its work program, including its goals, objectives, timelines, and structure, for the remainder of the biennium. The appropriation for the second year is available for expenditure only

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

with the approval of the governor after consultation with the legislative advisory commission, pursuant to Minnesota Statutes, section 3.30.

Sec. 42. HUMAN RIGHTS

| | | |
|-----------------------------------|-----------|-----------|
| General Operations and Management | 1,363,400 | 1,440,900 |
| Approved Complement - 59 | | |
| General - 43 | | |
| Federal - 16 | | |

The commissioner of administration shall assign a transition team to work with the commissioner of human rights in reviewing or developing charge intake and charge processing policies. Specific action plans shall be developed for the purpose of improving the administration and enforcement of the Human Rights Act. The commissioner of administration shall report to the legislature by February 1, 1984, on the action plans developed and an analysis of the resources needed to accomplish the statutory responsibilities of the commissioner of human rights. The commissioner of administration shall consult with the attorney general to ensure that the new enforcement alternatives being implemented are consistent with the objectives and requirements of Minnesota Statutes, chapter 363.

The amounts that may be expended from this appropriation for each program are as follows:

Enforcement

| | |
|------------|------------|
| \$ 900,400 | \$ 979,300 |
|------------|------------|

The commissioner of human rights may assign priority to the investigation of charges based on likelihood of early settlement, potential for widespread impact on discriminatory behavior, or other criteria as established by the commissioner by rule adopted pursuant to Minnesota Statutes, chapter 14. By February 1, 1984, the commissioner shall report to the legislature on the charge-processing policies that have been adopted.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Planning, Public Information and Administrative Services

\$ 463,000 \$ 461,600

The commissioner of human rights with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the programs specified in this section. Transfers shall be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The agency shall report to the senate finance committee and house of representatives appropriations committee by March 1, 1984 its accomplishments for the first six months of the biennium and its work program, including its goals, objectives, timelines, and structure, for the remainder of the biennium. The appropriation for the second year is available for expenditure only with the approval of the governor after consultation with the legislative advisory commission, pursuant to Minnesota Statutes, section 3.30. If approval is obtained, the complement of the department of human rights is increased by six positions in fiscal year 1985.

Sec. 43. HOUSING FINANCE AGENCY

23,450,000

Approved Complement - 124

Spending limit on cost of general administration of agency programs:

| | |
|-------------|-------------|
| 1984 | 1985 |
| \$4,491,600 | \$4,575,100 |

The appropriation is for transfer to the housing development fund.

\$3,000,000 is for tribal Indian housing programs.

\$6,000,000 is for home improvement loans.

\$6,000,000 is for rehabilitation loans.

\$200,000 is for innovative multifamily housing.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$750,000 is for Vietnam veterans downpayment assistance.

\$5,000,000 is for energy conservation rehabilitation loans.

\$2,500,000 is for energy efficiency loans for rental housing.

The appropriation of \$200,000 from the general fund by Laws 1982, chapter 380, is canceled and reappropriated to the housing development fund created in Minnesota Statutes, section 462A.20, for the purpose of financing multifamily developments, to be used either (a) to make loans, with or without interest, pursuant to Minnesota Statutes, section 462A.05, subdivisions 1 and 3; or (b) to be paid into accounts of the agency for the purpose of making payments required by a resolution for the issuance of its notes or bonds, as permitted by Minnesota Statutes, section 462A.10, subdivision 4. The agency shall establish an account in the fund to record the receipt and disbursement of the amounts appropriated and any other amounts transferred to this account pursuant to Minnesota Statutes, section 462A.20, subdivision 3.

Sec. 44. EXECUTIVE COUNCIL 150,000 150,000

For expenses in emergencies pursuant to Minnesota Statutes, section 9.061.

Sec. 45. GENERAL CONTIN- GENT ACCOUNTS 7,175,000 7,175,000

The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

General Fund

\$7,000,000 \$7,000,000

Game and Fish Fund

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

| | | | |
|----------------------|------------|---------|---------|
| \$ 175,000 | \$ 175,000 | | |
| Sec. 46. TORT CLAIMS | | 475,000 | 475,000 |

To be disbursed by the commissioner of finance.

Of this amount \$450,000 the first year and \$450,000 the second year is from the general fund, and \$25,000 the first year and \$25,000 the second year is from the game and fish fund.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

| | | | |
|-----------------------|--|-------------|-------------|
| Sec. 47. DEBT SERVICE | | 116,101,700 | 144,399,400 |
|-----------------------|--|-------------|-------------|

For transfer by the commissioner of finance to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then transfer that amount pursuant to the statutory open appropriation.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

| | | | |
|---------------------|--|------------|------------|
| Sec. 48. RETIREMENT | | 16,321,300 | 18,651,800 |
|---------------------|--|------------|------------|

The amounts that may be expended for each purpose are more specifically described in sections 49 to 53.

| | | | |
|--|--|-----------|-----------|
| Sec. 49. MINNESOTA STATE RETIREMENT SYSTEM | | 3,756,300 | 4,493,800 |
|--|--|-----------|-----------|

The amounts estimated to be needed for each program are as follows:

Legislators

| | |
|-------------|-------------|
| \$1,347,000 | \$2,172,500 |
|-------------|-------------|

Pursuant to Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.11.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Judges

\$2,265,300 \$2,174,500

Pursuant to Minnesota Statutes, sections 490.106; and 490.123, subdivision 1.

Constitutional Officers

\$ 98,000 \$ 105,800

Pursuant to Minnesota Statutes, sections 352C.031, subdivision 5; 352C.04, subdivision 3; and 352C.09, subdivision 2.

State Employee Supplemental Benefits

\$ 46,000 \$ 41,000

Pursuant to Minnesota Statutes, section 352.73.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 50. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

28,000 21,000

For supplement benefits pursuant to Minnesota Statutes, section 353.83.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 51. MINNEAPOLIS EMPLOYEES RETIREMENT FUND

6,000,000 7,000,000

To the commissioner of finance for payment to the Minneapolis employees retirement fund pursuant to Minnesota Statutes, section 422A.101, subdivision 3.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 52. POLICE AND FIRE AMORTIZATION AID

6,537,000 6,537,000

To the commissioner of finance for state aid to amortize the unfunded liability of local police and salaried firefighters' relief associations, pursuant to Minnesota Statutes, section 423A.02. If an appropriation in this

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 53. PENSION CONTRIBUTION REIMBURSEMENT 600,000

To the commissioner of finance for reimbursement of excess public employee pension contributions as provided by this act.

Sec. 54. GAS TAX REIMBURSEMENT 1,057,700 1,072,600

This appropriation is from the highway user tax distribution fund.

The commissioner of finance shall transfer to the general fund on January 1 each year the amounts necessary to reimburse the general fund for the cost of collecting the tax on gasoline and gasoline substitutes and the cost of bond premiums during each fiscal year of the 1983-85 biennium.

Sec. 55. SALARY SUPPLEMENT 33,165,000 67,630,000

The amounts appropriated from each fund are as follows:

(a) General Fund

\$22,410,000 \$45,710,000

\$4,791,400 the first year and \$9,912,400 the second year is for comparability adjustments.

(b) State Airports Fund

\$ 70,000 \$ 140,000

\$14,200 the first year and \$29,300 the second year is for comparability adjustments.

(c) Game and Fish Fund

\$ 1,025,000 \$ 2,100,000

\$221,800 the first year and \$458,500 the second year is for comparability adjustments.

(c) Trunk Highway Fund

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 9,450,000 \$19,250,000

\$2,020,900 the first year and \$4,176,100 the second year is for comparability adjustments.

(d) Highway User Tax Distribution Fund

\$ 210,000 \$ 430,000

\$44,900 the first year and \$92,700 the second year is for comparability adjustments.

The compensation and economic benefit increases covered by this section are those paid to classified and unclassified employees in the executive, judicial, and legislative branches of state government, and to employees of the Minnesota historical society who are paid from state appropriations, if the increases are required by existing law or authorized by law during the 1983 session of the legislature or by appropriate resolutions for employees of the legislature, or are given interim approval by the legislative commission on employee relations pursuant to Minnesota Statutes, sections 3.855 and 43A.18 or 179.74, subdivision 5. Except as limited by the direct appropriations made in this section, the amounts necessary to pay compensation and economic benefit increases covered by this section are appropriated from the various funds in the state treasury from which salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1984, and June 30, 1985. In the case of salaries that are paid from one fund, but that fund is reimbursed by another fund, the amounts necessary to make these reimbursements are also appropriated.

The amounts appropriated for comparability adjustments shall be distributed pursuant to Minnesota Statutes, section 43A.05, according to the list of job classes approved by the legislative commission on employee relations on March 29, 1983.

The commissioner of finance shall transfer the necessary amounts to the proper accounts and shall promptly notify the com-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

mittee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.

Sec. 56. RECREATIONAL MOTOR VEHICLE STUDY.

By January 1, 1984, the commissioner of natural resources shall study the use and effects of recreational motor vehicles on the environment, including soils, vegetation, and wildlife; the demand now and future need for recreational motor vehicle recreational opportunities in the state; the appropriate legal and social implications of recreational motor vehicle use on public and private lands; the potential for recreational motor vehicle use on existing recreational trails; and the impact of increased recreational motor vehicle use on tourism opportunities statewide. For the purposes of this section, "recreational motor vehicle" has the same meaning as defined in Minnesota Statutes, section 84.90 except that snowmobiles are not included in the study. The commissioner shall work with, and solicit the comments and advice of, the departments of public safety, transportation, and any interested party or group in the study. The study shall be presented to the governor and the appropriate standing committees in the house of representatives and the senate.

Sec. 57. [3.3026] INFORMATION SYSTEMS DIRECTORY.

Subdivision 1. POLICY. The state must make maximum use of its information files and data processing systems. A statewide directory of information systems will direct users to existing information systems maintained by state agencies, minimize duplication of information systems already developed, and encourage the sharing of information systems within the state. A directory will assist users in contacting agencies about information files and about experience with hardware and software configurations. It will reduce overall costs, promote communication among agencies, and permit more efficient use of personnel resources for information systems development.

Subd. 2. DEFINITIONS. The terms used in this section have the meanings given them in this subdivision.

(a) "Directory" means an indexed listing of descriptive data about information systems. The descriptions will include agency name, information system name, contact person, software used, hardware used, and other information which in the discretion of the legislative reference library will assist users.

(b) "Information system" or "information systems" means an organized collection of data, either manually organized or automated, used by an agency in performing its duties or assisting in the making of administrative and budgetary decisions. An information system includes the data organized and any hardware or software used to process it.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Every state agency shall file a description of its existing information systems with the legislative reference library by January 31, 1984. These descriptions shall be in accordance with specifications and on forms provided by the library. Each agency shall file an updated description, noting additions, deletions, and changes by November 30 and by May 31 each year.

(c) "State agency" or "state agencies" means any office, department, agency, commission, council, bureau, research center, or society of state government, and other agencies supported by state funds.

Subd. 3. LEGISLATIVE REFERENCE LIBRARY; DEVELOPMENT OF PLAN. The legislative reference library shall prepare a plan for the directory by January 1, 1984. The plan shall include a definition of the types of systems that will be included in the directory, an enumeration of the types of information required for each system reported, and a description of the method selected for production and dissemination of the directory.

Subd. 4. LEGISLATIVE REFERENCE LIBRARY DIRECTOR; DUTIES. The legislative reference library director shall employ and fix the salary of the technical, clerical, and other assistants necessary to produce the directory. The director may enter into contracts for equipment and services necessary in the production and dissemination of the directory.

Subd. 5. PUBLICATION. The legislative reference library shall prepare a directory by January 1, 1985. The directory shall be prepared in a format which the legislative reference library, in its discretion, believes is most efficient and beneficial to the user.

Subd. 6. UPDATING. The legislative reference library shall continually update the directory and shall reissue it at intervals it finds, in its discretion, are reasonable and cost efficient.

Subd. 7. AGENCY COOPERATION. Every state agency shall appoint one person within the agency as a data processing liaison, responsible for working with the legislative reference library. The appointment shall be made and the name forwarded to the legislative reference library by July 1, 1983. The department of administration shall provide access to its library listing of systems and programs produced under section 16.90 and shall produce this information in hardcopy form or on magnetic tape media, as requested by the legislative reference library director.

Sec. 58. Minnesota Statutes 1982, section 3.732, is amended by adding a subdivision to read:

Subd. 6. The head of each department or agency, or his designee, acting on behalf of the state, may enter into structured settlements, through the negotiation, creation, and utilization of annuities or similar financial plans for claimants, to resolve claims arising from the alleged negligence of the state, its

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

agencies, or employees. The requirements set forth in sections 16.07, 16.08, and 16.098 shall not apply to the state's selection of and contracts with structured settlement consultants or purveyors of structured settlement plans.

Sec. 59. Minnesota Statutes 1982, section 3.922, subdivision 5, is amended to read:

Subd. 5. **OFFICERS, PERSONNEL.** The board shall annually elect a chairman and such other officers as it may deem necessary. The chairman shall have the authority to appoint subcommittees necessary to fulfill the duties of the board. It shall also employ, and prescribe the duties of such clerks, employees, and agents as it deems necessary. All employees are in the unclassified service. The chairman shall be an ex officio member of the state board of human rights. The appropriations and other funds of this board are subject to the provisions of chapter 16. The board shall maintain its primary office in Bemidji and shall also maintain personnel and office space in St. Paul.

Sec. 60. Minnesota Statutes 1982, section 3.9222, is amended to read:

3.9222 ~~ADVISORY COUNCIL~~ LEGISLATIVE COMMISSION ON THE ECONOMIC STATUS OF WOMEN.

Subdivision 1. ~~An advisory council~~ A legislative commission is hereby created to study and report on the economic status of women in Minnesota.

Subd. 2. The ~~council~~ commission shall consist of five members of the house of representatives appointed by the speaker, and five members of the senate appointed by the committee on committees, and eight citizens appointed by the governor. ~~At least 50 percent of those appointed by the governor and by the speaker of the house shall be women. Members shall serve for two years or until the expiration of their legislative terms; except, in order to establish staggered membership terms for the citizen members, the governor shall appoint four citizens for three-year terms and four citizens for two-year terms starting July 1, 1981. The compensation of non-legislator members, their removal from office and the filling of vacancies shall be as provided in section 15.059. The persons appointed by the governor shall be representative of a range of economic interests and vocations and shall include persons who are not regularly employed on a full-time or part-time basis outside their homes.~~

Subd. 3. The ~~council~~ commission shall study all matters relating to the economic status of women in Minnesota, including economic security of homemakers and women in the labor force, opportunities for education and vocational training, employment opportunities, the contributions of women to the economy, their access to benefits and services provided to citizens of this state, and laws and business practices constituting barriers to the full participation by women in the economy. In addition, the ~~council~~ commission shall study the adequacy of programs and services relating to families in Minnesota, including single-parent families and members beyond the nuclear or immediate family.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4. The council commission shall report its findings and recommendations to the governor and the legislature not later than December 15 of each even-numbered year and shall supplement its findings and recommendations not later than December 15 of each odd-numbered year. The report shall recommend legislation and administrative action designed to enable women to achieve full participation in the economy. The report shall also recommend methods to encourage the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and public and private providers of services related to children, youth and families.

Subd. 5. The council commission may hold meetings and hearings at the times and places it designates to accomplish the purposes set forth in this act section. It shall select a chairman and other officers from its membership as it deems necessary.

Subd. 6. The legislature coordinating commission shall supply the council commission with necessary staff, office space and administrative services.

Subd. 7. When any person, corporation, the United States government, or any other entity offers funds to the council commission by way of gift, grant or loan, for the purpose of assisting the council commission to carry out its powers and duties, the council commission may accept the offer by majority vote and upon acceptance the chairman shall receive the funds subject to the terms of the offer, but no money shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

Sec. 61. [4.09] WASHINGTON OFFICE EXPENSES.

In the operation of the Washington, D.C. office of the state of Minnesota, the governor may expend money appropriated by the legislature for promotional purposes in the same manner as private persons, firms, corporations, and associations expend money for promotional purposes. Promotional expenditures for food, lodging, or travel are not governed by the travel rules of the commissioner of employee relations.

Sec. 62. Minnesota Statutes 1982, section 6.65, is amended to read:

6.65 MINIMUM PROCEDURES FOR AUDITORS, PRESCRIBED.

The state auditor shall prescribe minimum procedures and the audit scope for auditing the books, records, accounts, and affairs of local governments in Minnesota. The minimum scope for audits of all local governments shall include financial and legal compliance audits for fiscal years ending after January 15, 1984. The state auditor shall establish a task force to promulgate an audit guide for legal compliance audits. The task force shall include representatives of the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

state auditor, the attorney general, towns, cities, counties, school districts and private sector public accountants.

Sec. 63. Minnesota Statutes 1982, section 7.09, subdivision 1, is amended to read:

Subdivision 1. **PROCEDURE.** The state treasurer is hereby authorized to receive and accept, on behalf of the state, any gift, bequest, devise, or endowment which may be made by any person, by will, deed, gift, or otherwise, to or for the benefit of the state, or any of its departments or agencies, or to or in aid, or for the benefit, support, or maintenance of any educational, charitable, or other institution maintained in whole or in part by the state, or for the benefit of students, employees, or inmates thereof, or for any proper state purpose or function, and the money, property, or funds constituting such gift, bequest, devise, or endowment. No such gift, bequest, devise, or endowment shall be so accepted unless ~~the governor, the commissioner of finance, and the state treasurer~~ shall determine that it is for the interest of the state to accept ~~the same~~ it, and shall approve of and direct ~~such~~ the acceptance. When, in order to effect the purpose for which any ~~such~~ gift, bequest, devise, or endowment has been accepted, it is necessary to sell ~~any~~ property so received, the state treasurer, upon request of the authority in charge of the agency, department, or institution concerned, may sell ~~the same~~ it at a price which shall be fixed by the state board of investment.

Sec. 64. Minnesota Statutes 1982, section 14.14, subdivision 1, is amended to read:

Subdivision 1. **REQUIRED HEARING.** No rule, ~~other than a rule setting a fee covered by section 16A.128 or 214.06, shall~~ may be adopted by any agency unless the agency first holds a public hearing affording all affected interests an opportunity to participate. ~~Fee adjustments authorized under section 16A.128 or 214.06 may be made by rule without a public hearing when the total fees received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.~~ Each agency shall maintain a list of all persons who have registered with the agency for the purpose of receiving notice of rule hearings. The agency may inquire as to whether those persons on the list wish to maintain their names thereon and may remove names for which there is a negative reply or no reply within 60 days. The agency shall, at least 30 days prior to the date set for the hearing, give notice of its intention to adopt rules by United States mail to all persons on its list, and by publication in the State Register. Each agency may, at its own discretion, also contact persons not on its list and may give notice of its intention in newsletters, newspapers or other publications or through other means of communication. The notice in the State Register ~~shall~~ must include the proposed rule or an amended rule in the form provided in section 14.07, subdivision 3, together with a statement of the place, date, and time of the public

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

hearing and other information as required by law or rule. When an entire rule is proposed to be repealed, the agency need only publish that fact, giving the citation to the rule to be repealed in the notice.

Sec. 65. Minnesota Statutes 1982, section 15.16, subdivision 5, is amended to read:

Subd. 5. **OBTAINING RECOMMENDATION.** No control of state-owned lands shall be transferred between state departments without first consulting the ~~legislative building commission, or other appropriate legislative committee or committees chairmen of the senate finance committee and house of representatives appropriations committee~~ and obtaining a ~~recommendation thereon their recommendations.~~ The recommendation recommendations shall be advisory only. Failure to obtain a prompt recommendation shall be deemed a negative recommendation.

Sec. 66. Minnesota Statutes 1982, section 15A.083, subdivision 1, is amended to read:

Subdivision 1. **ELECTIVE JUDICIAL OFFICERS.** The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

| | Effective July 1, 1979 | Effective July 1, 1980 |
|---|------------------------------|------------------------------|
| (1) Chief justice of the supreme court | \$56,000 | \$59,000 |
| (2) Associate justice of the supreme court | 52,500 | 56,000 |
| (3) <u>Judge of the court of appeals</u> | | <u>52,000</u> |
| (4) District judge, judge of county court (learned in the law), probate court, and county municipal court | 45,000 | 48,000 |
| (4) (5) Judge of a county court (not learned in the law) | 29,500 | 31,500 |

Sec. 67. Minnesota Statutes 1982, section 16.02, subdivision 10a, is amended to read:

Subd. 10a. No state agency shall initiate or renew a lease additional for space for its own use in any private building unless ~~it has certified in writing to the commissioner of administration that it has thoroughly investigated the availability of presently vacant space in public buildings, such as closed school buildings, and found that none that is feasible and adequate for its needs available.~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 68. Minnesota Statutes 1982, section 16.02, subdivision 14, is amended to read:

Subd. 14. To rent out, with the approval of the governor, any state property, real or personal, not needed for public use, the rental of which is not otherwise provided for or prohibited by law. This shall not apply to state trust fund lands, or other state lands under the jurisdiction of the department of natural resources, or to lands forfeited for delinquent taxes or to lands acquired under section 298.22. No such property shall be rented out for a term exceeding two years at a time without the approval of the state executive council; and no such property shall ever be rented out for more than 25 years.

Sec. 69. Minnesota Statutes 1982, section 16.02, is amended by adding a subdivision to read:

Subd. 29. To contract to purchase by installment payments capital or other equipment or services intended to improve the energy efficiency of a state building or facility provided that:

(a) the term of the contract does not exceed ten years;

(b) the entire cost of the contract is a percentage of the resultant savings in energy costs;

(c) the contract for purchase is based on a competitive basis; and

(d) the state may unilaterally cancel the agreement if the legislature fails to appropriate funds to continue the contract.

The commissioner may spend money appropriated for energy costs in payment of a contract under this subdivision.

Sec. 70. Minnesota Statutes 1982, section 16.083, subdivision 1, is amended to read:

Subdivision 1. **SMALL BUSINESS AND MINNESOTA CORRECTIONAL INDUSTRIES SET-ASIDES.** The commissioner of administration shall for each fiscal year designate and set aside for awarding to small businesses and Minnesota correctional industries a total of approximately 20 25 percent of the value of anticipated total state procurement of goods and services including printing and construction. The commissioner shall divide the procurements so designated into contract award units of economically feasible production runs in order to facilitate offers or bids from small businesses and Minnesota correctional industries. In making his annual designation of set-aside procurements the commissioner shall attempt (1) to vary the included procurements so that a variety of goods and services produced by different small businesses shall be set aside each year, and (2) to designate set-aside procurements in a manner that will encourage proportional distribution of set-aside awards among the geographical regions of the state. To promote the geographical distribution of set-aside

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

awards, the commissioner may designate a portion of the small business set-aside procurement for award to bidders from a specified congressional district or other geographical region specified by the commissioner. The failure of the commissioner to set aside particular procurements shall not be deemed to prohibit or discourage small businesses or Minnesota correctional industries from seeking the procurement award through the normal solicitation and bidding processes.

Sec. 71. Minnesota Statutes 1982, section 16.083, is amended by adding a subdivision to read:

Subd. 1a. CONSULTANT, PROFESSIONAL AND TECHNICAL PROCUREMENTS. Every state agency shall for each fiscal year designate and set aside for awarding to small businesses with their principal place of business in Minnesota approximately 25 percent of the value of anticipated procurements of that agency for consultant services or professional and technical services. The set-aside under this subdivision is in addition to that provided by subdivision 1, but shall otherwise comply with section 16.098 and the set-aside for businesses owned and operated by socially or economically disadvantaged persons.

Sec. 72. Minnesota Statutes 1982, section 16.083, subdivision 3, is amended to read:

Subd. 3. DETERMINATION OF ABILITY TO PERFORM. Before announcing a set-aside award, the commissioner shall evaluate whether the small business or Minnesota correctional industry scheduled to receive the award is able to perform the set-aside contract. This shall be done in consultation with an authorized agent of the Minnesota correctional industries program. This determination shall include consideration of production and financial capacity and technical competence.

Sec. 73. Minnesota Statutes 1982, section 16.083, subdivision 4, is amended to read:

Subd. 4. PREFERENCE TO SMALL BUSINESSES. At least ~~15~~ 24 percent of the value of the procurements designated for set-aside awards shall be awarded, if possible, to businesses owned and operated by socially or economically disadvantaged persons. The commissioner shall designate set-aside procurements in a manner that will encourage proportional distribution of set-aside awards among the geographical regions of the state. To promote the geographical distribution of set-aside awards, the commissioner may designate a portion of the set-aside for small businesses owned and operated by socially or economically disadvantaged persons for award to bidders from a specified congressional district or other geographical region specified by the commissioner. In the event small businesses owned and operated by socially or economically disadvantaged persons are unable to perform at least ~~15~~ 24 percent of the set-aside awards, the commissioner shall award the balance of the set-aside contracts to other small businesses. At least 50 percent of the value of the procurements awarded to

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

businesses owned and operated by socially or economically disadvantaged persons shall actually be performed by the business to whom the award is made or another business owned and operated by a socially or economically disadvantaged person or persons. The commissioner shall not designate more than 20 percent of any commodity class for set-aside to businesses owned and operated by socially or economically disadvantaged persons. A business owned and operated by socially or economically disadvantaged persons that has been awarded more than five percent of the value of the total anticipated set-aside procurements for a fiscal year under this subdivision is disqualified from receiving further set-aside awards for that fiscal year.

Sec. 74. Minnesota Statutes 1982, section 16.083, is amended by adding a subdivision to read:

Subd. 4a. CONTRACTS IN EXCESS OF \$200,000; SET-ASIDE. The commissioner as a condition of awarding state procurements for construction contracts or approving contracts for consultant, professional, or technical services pursuant to section 16.098 in excess of \$200,000 shall require that at least ten percent of the contract award to a prime contractor be subcontracted to a business owned and operated by a socially or economically disadvantaged person or persons. Any subcontracting pursuant to this subdivision shall not be included in determining the total amount of set-aside awards required by subdivisions 1, 1a, and 4, or any preference program authorized by the commissioner pursuant to section 16.085. In the event small businesses owned and operated by socially and economically disadvantaged persons are unable to perform ten percent of the prime contract award, the commissioner shall require that other small businesses perform at least ten percent of the prime contract award. The commissioner may determine that small businesses owned and operated by socially and economically disadvantaged persons are unable to perform at least ten percent of the prime contract award prior to the advertising for bids. Each construction contractor bidding on a project over \$200,000 shall submit with the bid a list of the businesses owned and operated by socially or economically disadvantaged persons that are proposed to be utilized on the project with a statement indicating the portion of the total bid to be performed by each business. The commissioner shall reject any bid to which this subdivision applies that does not contain this information. Prime contractors receiving construction contract awards in excess of \$200,000 shall furnish to the commissioner the name of each business owned and operated by a socially or economically disadvantaged person or persons or other small business that is performing work on the prime contract and the dollar amount of the work performed.

Sec. 75. Minnesota Statutes 1982, section 16.083, is amended by adding a subdivision to read:

Subd. 4b. PREFERENCE TO MINNESOTA CORRECTIONAL INDUSTRIES. At least 15 percent of the value of procurements designated for

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

set-aside awards shall be awarded, if possible, to Minnesota correctional industries, established and under the control of the commissioner of corrections under section 241.27, for the variety of goods and services produced by the Minnesota correctional industries, unless the commissioner of corrections acting through an authorized agent certifies that Minnesota correctional industries cannot provide them. If the correctional industries are unable to perform at least 15 percent of the set-aside awards, the commissioner shall award the balance of the set-aside contracts to small businesses.

Sec. 76. Minnesota Statutes 1982, section 16.083, subdivision 5, is amended to read:

Subd. 5. **RECOURSE TO OTHER BUSINESSES.** In the event that subdivisions 1 to 4 4b do not operate to extend a contract award to a small business or the Minnesota correctional industries, the award shall be placed pursuant to the normal solicitation and award provisions set forth in this chapter. The commissioner shall thereupon designate and set aside for small businesses or the Minnesota correctional industries additional state procurements corresponding in approximate value to the contract unable to be awarded pursuant to subdivisions 1 to 4 4b.

Sec. 77. Minnesota Statutes 1982, section 16.083, subdivision 6, is amended to read:

Subd. 6. **PROCUREMENT PROCEDURES.** All laws and rules pertaining to solicitations, bid evaluations, contract awards and other procurement matters shall apply as consistent to procurements set aside for small businesses or Minnesota correctional industries. In the event of conflict with other rules, the provisions of sections 16.081 to 16.086 and rules promulgated pursuant thereto shall govern.

Sec. 78. Minnesota Statutes 1982, section 16.084, is amended to read:

16.084 ENCOURAGEMENT OF PARTICIPATION; ADVISORY COUNCIL.

Subdivision 1. COMMISSIONER OF ADMINISTRATION. The commissioners of administration and energy, planning and development shall publicize the provisions of the set-aside program, attempt to locate small businesses able to perform set-aside procurement awards, and encourage participation. When the commissioner of administration determines that a small business is unable to perform under a set-aside contract, he shall so inform the commissioner of energy, planning and development who shall assist the small business in attempting to remedy the causes of the inability to perform a set-aside award. In assisting the small business, the commissioner of energy, planning and development in cooperation with the commissioner of administration shall use any management or financial assistance programs as may be made available by or

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

through the department of energy, planning and development, other state or governmental agencies, or private sources.

Subd. 2. ADVISORY COUNCIL. A small business procurement advisory council is created. The council consists of 13 members appointed by the governor. A chairperson of the advisory council shall be elected from among the members. The appointments are subject to the appointments program provided by section 15.0597. The terms and removal of members are as provided in section 15.059, but members do not receive per diem or expenses.

Subd. 3. DUTIES. The small business procurement advisory council shall:

(a) advise the commissioner of administration on matters relating to the small business procurement program;

(b) review complaints or grievances from small business vendors or contractors who are doing or attempting to do business under the program; and

(c) review the quarterly reports of the commissioners of administration and energy, planning and development provided by section 16.086 to ensure compliance with the goals of the program.

Sec. 79. Minnesota Statutes 1982, section 16.085, is amended to read:

16.085 RULES.

The commissioner of administration shall promulgate by rule standards and procedures for certifying that small businesses and small businesses owned and operated by socially or economically disadvantaged persons are eligible to participate under the requirements of sections 16.081 to 16.086. The procedure for determination of eligibility may include self-certification by a business, provided that the commissioner retains the ability to verify a self-certification. The rules shall provide that certification as a small business owned and operated by socially or economically disadvantaged persons will be for a maximum of five years from the date of receipt of the first set-aside award, and that after the expiration of the certification period the business may not again be certified for a five-year period. The commissioner shall promulgate by rule standards and procedures for hearing appeals and grievances and other rules as may be necessary to carry out the duties set forth in sections 16.081 to 16.086. The commissioner may make rules which exclude or limit the participation of nonmanufacturing business, including third-party lessors, jobbers, manufacturers' representatives, and others from eligibility under Laws 1980, chapter 361. The commissioner may adopt rules to establish a preference program whereby businesses owned and operated by socially and economically disadvantaged persons would be allowed a five percent preference in the bid amount on selected state procurements or a preference program whereby businesses owned and operated by socially and economically disadvantaged persons would be awarded any state

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

procurement if the business could meet the low bid amount for that procurement. Each of the preference programs is applicable to no more than 1.5 percent of the value of anticipated total state procurements of goods and services, including construction. Each preference program established by the commissioner expires on June 30, 1986, and the commissioner shall report to the legislature on the progress of the program by January 1, 1986.

Sec. 80. Minnesota Statutes 1982, section 16.086, subdivision 1, is amended to read:

Subdivision 1. **COMMISSIONER OF ADMINISTRATION.** The commissioner of administration shall submit an annual report pursuant to section 3.195 to the governor and the legislature with a copy to the commissioner of energy, planning and development indicating the progress being made toward the objectives and goals of sections 16.081 to 16.086 during the preceding fiscal year. This report The commissioner shall also submit a quarterly report to the small business procurement advisory council. These reports shall include the following information:

(a) the total dollar value and number of potential set-aside awards identified during this period and the percentage of total state procurement this figure reflects;

(b) the number of small businesses identified by and responding to the set-aside program, the total dollar value and number of set-aside contracts actually awarded to small businesses with appropriate designation as to the total number and value of set-aside contracts awarded to each small business, and the total number of small businesses that were awarded set-aside contracts; the information required by this clause shall be presented on a statewide basis, and shall also be broken down by geographic regions within the state;

(c) the total dollar value and number of set-aside contracts awarded to small businesses owned and operated by economically or socially disadvantaged persons with appropriate designation as to the total number and value of set-aside contracts awarded to each small business and to each category of economically or socially disadvantaged persons as defined by section 645.445 and agency rules, and the percentages of the total state procurements the figures of total dollar value and the number of set-asides reflect; the information required by this clause shall be presented on a statewide basis, and shall also be broken down by geographic regions within the state;

(d) the number of contracts which were designated and set-aside pursuant to section 16.083 but which were not awarded to a small business, the estimated total dollar value of these awards, the lowest offer or bid on each of these awards made by the small business and the price at which these contracts were awarded pursuant to the normal procurement procedures.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 81. Minnesota Statutes 1982, section 16.098, subdivision 4, is amended to read:

Subd. 4. **PROCEDURE FOR CONSULTANT AND PROFESSIONAL AND TECHNICAL SERVICES CONTRACTS.** Before approving a proposed state contract for consultant services or professional and technical services the commissioner shall have at least determined that:

(1) all provisions of section 16.083, subdivisions 1a and 4a, and subdivisions 2 and 3 of this section have been verified or complied with;

(2) the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities, and that there is statutory authority to enter into the contract;

(3) the contract will not establish an employer/employee relationship between the state or the agency and any persons performing under the contract;

(4) no current state employees will engage in the performance of the contract;

(5) no state agency has previously performed or contracted for the performance of tasks which would be substantially duplicated under the proposed contract;

(6) the contracting agency has specified a satisfactory method of evaluating and utilizing the results of the work to be performed.

Sec. 82. Minnesota Statutes 1982, section 16.28, is amended to read:

16.28 PURCHASES.

Subdivision 1. **GENERAL.** The commissioner of administration, subject to the approval of the governor, may make rules, ~~regulations,~~ and orders regulating and governing the manner and method of purchasing, delivering, and handling of, and the contracting for supplies, equipment, and other property for the various officials, departments, and agencies of the state government and institutions under their control. ~~Such~~ These rules, ~~regulations,~~ and orders shall be uniform, so far as practicable, shall be of general or limited application, and shall include provisions for the following:

(1) the advertisement for and the receipt of bids for supplies and other property and the stimulation of competition with regard thereto;

(2) the purchase of supplies and other property without advertisement or the receipt of bids, where the amount involved will not exceed \$500, when in the judgment of the commissioner it is expedient;

(3) the purchase of supplies and other property without competition in cases of emergency requiring immediate action;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(4) the purchase of certain supplies, equipment, and other property by long or short term contracts, or by purchases of contracts made at certain seasons of the year, or by blanket contracts or orders covering the requirements of one or more departments, offices, and commissions;

(5) the time for submitting estimates for various supplies, equipment, and other property;

(6) regulation to secure the prompt delivery of commissary or other necessary supplies;

(7) standardization of forms for estimates, orders, and contracts;

(8) standardization of specifications for purchasing supplies, equipment, and other property;

(9) standardization of quality, grades, and brands to eliminate unnecessary number of commodities or of grades or brands of the same commodity;

(10) the purchase of supplies and other property locally upon permission, specific or otherwise, of the commissioner;

(11) the use and disposal of the products of state institutions;

(12) the disposal of obsolete, excess, and unsuitable supplies, salvage, waste materials, and other property, and ~~the~~ their transfer ~~of same~~ to other departments, offices, and commissions;

(13) the storage of surplus supplies, equipment, and other property not needed for immediate use;

(14) the testing of commodities or supplies or samples thereof;

(15) hearings on complaints in respect to the quality, grade, or brand of commodities or supplies;

(16) the waiver of rules in special cases; and

(17) the purchase of supplies, equipment, and other property by state agency heads and institutions under their control without prior approval of the commissioner of administration when the amount involved does not exceed \$100.

The commissioner shall have immediate supervision of all purchases and contracts made, and shall carry out and enforce such rules, ~~regulations~~, and orders relative thereto as he may adopt.

Subd. 2. PURCHASES OVER \$100. Purchases may also be made under subdivision 1, clause (17) when the amount involved exceeds \$100 if:

(1) the purchases are made in accordance with rules adopted pursuant to section 16.085;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(2) the agency making the purchases has adopted a plan to make ten percent of the purchases on an annual basis from businesses owned and operated by socially and economically disadvantaged persons and to make purchases from vendors throughout the state for any agency that has offices located statewide, and to make purchases from local vendors by agency offices;

(3) the amount involved does not exceed \$1,000 from July 1, 1983 to June 30, 1984, and \$1,500 on and after July 1, 1984; and

(4) the purchases are made after solicitation of at least three price quotations, whenever possible, which may be oral quotations, but of which the agency must keep a written record.

Sec. 83. Minnesota Statutes 1982, section 16.32, subdivision 2, is amended to read:

Subd. 2. Notwithstanding any provision in this section to the contrary, the commissioner may after consultation with the legislative building commission chairmen of the senate finance committee and house of representatives appropriations committee, adopt a plan, provide for an improvement, or construct a building that contemplates expenditure for its completion of more money than the appropriation therefor, if the excess money is provided by the United States government and granted to the state of Minnesota under federal law or any rule or regulation promulgated thereunder. Such federal money, for the purpose of this section, shall be deemed a part of the appropriation for the project.

Sec. 84. Minnesota Statutes 1982, section 16.75, is amended by adding a subdivision to read:

Subd. 9. TRANSFER SERVICES. The central motor pool revolving account may be used to provide material transfer services to departments and agencies of state government.

Sec. 85. Minnesota Statutes 1982, section 16.82, subdivision 1, is amended to read:

Subdivision 1. The commissioner of administration, upon request of the head of a state agency or department having control of a state owned building which is no longer used and which is a fire or safety hazard, shall, after obtaining approval of the legislative building commission chairmen of the senate finance committee and house of representatives appropriations committee, sell, wreck, or otherwise dispose of such building.

Sec. 86. Minnesota Statutes 1982, section 16.866, subdivision 1, is amended to read:

Subdivision 1. **COMPUTATION.** For the purpose of defraying the costs of administering the provisions of sections 16.83 to 16.867, there is ~~hereby~~ imposed a surcharge on all permits issued by municipalities in connection with

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

the construction of or addition or alteration to, buildings and equipment or appurtenances, on and after July 1, 1971, as follows:

Where the fee for the permit issued is fixed in amount the surcharge shall be ~~is~~ equivalent to 1/2 mill (.0005) of ~~such the~~ fee or 50 cents, whichever amount is greater. For all other permits, the surcharge shall be ~~is~~ as follows: (a) where the valuation of the structure, addition, or alteration is \$1,000,000 or less, the surcharge is equivalent to 1/2 mill (.0005) of the valuation of the structure, addition or alteration. ~~Provided however, that;~~ (b) where the valuation of the structure, addition, or alteration is equal to or greater than \$1,000,000 but less than \$10,000,000, the surcharge shall be \$1,000, ~~is~~ \$500 plus two-fifths mill (.0004) of the value between \$1,000,000 and \$2,000,000; (c) where said the valuation is equal to or greater than \$10,000,000 but less than \$20,000,000 \$2,000,000 the surcharge shall be \$1,500 and is \$900 plus three-tenths mill (.0003) of the value between \$2,000,000 and \$3,000,000; (d) where said the valuation is equal to or greater than ~~\$20,000,000~~ \$3,000,000 the surcharge shall be ~~\$2,000~~ is \$1,200 plus one-fifth mill (.0002) of the value between \$3,000,000 and \$4,000,000; (e) where the valuation is greater than \$4,000,000 the surcharge is \$1,400 plus one-tenth mill (.0001) of the value between \$4,000,000 and \$5,000,000; and (f) where the valuation exceeds \$5,000,000 the surcharge is \$1,500 plus one-twentieth mill (.00005) of the value which exceeds \$5,000,000.

By September 1 of each odd numbered year beginning in 1979, the commissioner shall rebate to municipalities any money received pursuant to this section and section 16.851 in the previous biennium in excess of the cost to the building code division in that biennium of carrying out their duties under sections 16.83 to 16.867. The rebate to each municipality shall be in proportion to the amount of the surcharges collected by that municipality and remitted to the state. The amount necessary to meet the commissioner's rebate obligations under this subdivision is appropriated to the commissioner from the general fund.

Sec. 87. Minnesota Statutes 1982, section 16.872, subdivision 4, is amended to read:

Subd. 4. The powers and duties of the council are:

(1) To develop an overall restoration plan for the state ceremonial building and surrounding grounds;

(2) To approve alterations in the existing structure as the council deems appropriate; and

(3) Notwithstanding the gift acceptance procedures of sections 7.09 to 7.12, to solicit contributions for and maintain and improve the quality of furnishings for the public areas of the building by accepting gifts of, or acquiring with donated money, furnishings, objects of art, and other items that the council determines may have historical value in keeping with the period and purpose of the building; and

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(4) Notwithstanding sections 7.09 to 7.12, to solicit contributions for the renovation of and making capital improvements to the state ceremonial building.

Gifts for the benefit of the state ceremonial building and surrounding grounds are not accepted by the state unless accepted by the council. The council shall maintain a complete inventory of all gifts and articles received.

Sec. 88. Minnesota Statutes 1982, section 16A.125, subdivision 5, is amended to read:

Subd. 5. The term "state forest trust fund lands" as used in this subdivision, means any state school lands or other public lands subject to trust provisions under the state constitution and heretofore or hereafter set apart as state forest lands as provided by law under the authority of the commissioner as defined by section 89.001, subdivision 13.

The commissioner of finance and the state treasurer shall keep a separate account of all receipts from the sale of timber or other revenue from such state forest trust fund lands, to be known as the state forest suspense account, specifying the trust funds interested in such lands and the receipts therefrom, respectively.

As soon as practicable after the close of each fiscal quarter, upon information which shall be supplied by the commissioner of natural resources, the commissioner of finance shall determine and certify the total costs incurred by the state during that quarter under appropriations made for the protection, improvement, administration, and management of state forest trust fund lands for forestry purposes as authorized by law, specifying the trust funds interested in such lands.

As soon as practicable after the end of each fiscal year, the commissioner of finance and the state treasurer shall distribute the receipts credited to the state forest suspense account during that fiscal year as follows:

(1) The total costs incurred by the state for forest management purposes during the fiscal year as certified in this subdivision shall be transferred to the state forest development account, except that if the total costs exceed \$500,000, the costs in excess of \$500,000 shall be transferred to the forest management fund established under section 89.04.

(2) The balance of said receipts shall be transferred to the state trust funds concerned in accordance with their respective interests in the lands from which the receipts were derived.

All moneys accruing and credited to the state forest development account are appropriated to the division of forestry in the department of natural resources, subject to the supervision and control of the commissioner of natural resources, for the purpose of implementing the state forest resource management

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

policy and plan on state forest trust fund lands, to remain available until expended.

All appropriations under this subdivision shall be expended subject to the provisions of law. No appropriation shall become available for expenditure until any estimates required by law are approved by the commissioner of finance. No obligation involving expenditure of money shall be entered into unless there is a balance in the appropriation available not otherwise encumbered to pay obligations previously incurred.

Sec. 89. Minnesota Statutes 1982, section 16A.127, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** As used in this section the following terms shall have the meanings given them:

(a) "State agency" means a state department, board, council, committee, authority, commission or other entity in the executive branch of state government;

(b) "Nongeneral fund moneys" means any moneys any state agency is authorized to receive and expend from a source other than the general fund;

(c) "Statewide indirect costs" means all operating costs incurred by the state treasurer and ~~the~~ all departments of ~~administration, finance and personnel~~ and agencies which are attributable to the provision of services to any other state agency; except as prohibited by federal law, "statewide indirect costs" include all operating costs incurred by the legislative and judicial branches of state government;

(d) "Commissioner" means the commissioner of finance.

Sec. 90. Minnesota Statutes 1982, section 16A.127, subdivision 7, is amended to read:

Subd. 7. **LEGISLATIVE AUDITOR.** Unless otherwise specified by law, a state agency whose financial affairs are audited by the legislative auditor, and whose funds are not administered by the state treasurer, shall transfer to the general fund that portion of the cost of the audit applicable to the moneys received by the agency from sources other than the general fund. The collection by the legislative auditor of the cost of an audit may be waived in whole or in part by the legislative audit commission upon recommendation by the legislative auditor.

Sec. 91. Minnesota Statutes 1982, section 16A.128, is amended to read:
16A.128 **FEE ADJUSTMENTS.**

Subdivision 1. APPROVAL REQUIRED; AMOUNTS. The fees fixed for the various accounts for which appropriations are made by law, ~~shall be~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

neither may not be increased nor or decreased except with the approval of the commissioner of finance. If the fee or fee adjustment is required by law to be fixed by rule, the approval by the commissioner must be included in the statement of need and reasonableness. All these fees shall must be reviewed at least once each six months, and, except in special fee situations as determined by the commissioner, adjustments shall must be made to the end that the total fees received shall must approximate the amount appropriated for the several accounts, plus the portion of the general support costs and statewide indirect costs of the agency that is attributable to the function for which the fee is charged.

Subd. 2. PROCEDURE. Fees that are based on actual direct costs of a service, are one-time in nature, are not significant in terms of revenue as in the case of minor copying fees, are only billed within or between state agencies, or are specifically exempted by law from approval by the commissioner of finance, need not be set by rule unless specifically required by law. All other fees not set by law must be set by rule. Fee adjustments authorized under this section may be made pursuant to the procedure for noncontroversial rules in sections 14.21 to 14.28, but without a public hearing, which the notice of intention to adopt the rules must state, when the total fees estimated to be received during the fiscal biennium will not exceed the sum of all direct appropriations, indirect costs, transfers in, and salary supplements for that purpose for the biennium. This exemption from the public hearing requirements of the Administrative Procedure Act does not apply to adjustments of fees expended pursuant to open appropriations of dedicated receipts.

Sec. 92. Minnesota Statutes 1982, section 16A.36, is amended to read:

16A.36 GRANTS FROM UNITED STATES, USE.

All funds received by the state from the government of the United States as grants in aid for the financing of aid to dependent children, or for maternal and child health services, or for the care of crippled children, or for the care of neglected children and child welfare generally, or for vocational rehabilitation, or for the extension of public health services, or for any other public assistance or public welfare purpose shall be used solely for the purpose for which the grant was made. Any interest or income arising from the funds so granted shall be accredited credited by the state treasurer to the particular account for which the grant was made and used solely for the purpose of that grant, or repaid to the United States Treasury as if the proper authorities or the government of the United States may so require, or otherwise shall be credited to the general fund.

Sec. 93. Minnesota Statutes 1982, section 16A.50, is amended to read:

16A.50 REPORT TO LEGISLATURE.

On or before ~~November 15~~ December 31 of each year the commissioner of finance shall prepare and submit to the legislature and make available to the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

public a financial report covering the operations of all state funds during the preceding fiscal year. The report shall contain financial statements and disclosures which present the state's financial position and the fiscal results of state operations. This report shall be in conformity with generally accepted accounting principles.

Sec. 94. Minnesota Statutes 1982, section 16A.64, subdivision 2, is amended to read:

Subd. 2. The bonds shall be issued and sold upon sealed bids upon such notice, at such times, in such form and denominations, bearing interest at such rate or rates, maturing on such dates, either without option of prior payment or subject to prepayment upon such notice and at such times and prices, payable at such bank or banks, within or without the state, with such provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further regulations provisions, as the commissioner of finance shall determine, subject to the approval of the attorney general (but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62). Each bond shall mature within 20 years from its date of issue, ~~shall be sold at not less than par plus accrued interest,~~ and shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signature of one signatures of these officers on the face of any bond and on the interest coupons appurtenant to it, and their seals, and the signature of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, ~~or~~ engraved, or otherwise reproduced thereon. Each bond shall be authenticated by the manual signature on its face of one of the officers or a person authorized to sign on behalf of a bank or trust company designated by the commissioner to act as registrar or other authenticating agent.

Sec. 95. Minnesota Statutes 1982, section 16A.64, subdivision 4, is amended to read:

Subd. 4. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including, but not limited to, actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the Minnesota state building fund, and the amounts necessary therefor are appropriated from said fund; ~~provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be first paid to the extent possible from the amount so appropriated.~~

Sec. 96. Minnesota Statutes 1982, section 16A.66, subdivision 1, is amended to read:

Subdivision 1. For the purpose of refunding state bonds of any series heretofore or hereafter authorized, including interest on them, the commissioner

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

of finance may with approval by resolution of the executive council issue bonds of the state of Minnesota ~~in a maximum amount equal to the outstanding principal amount of the bonds to be refunded,~~ in the manner and upon the terms and conditions prescribed in this section and in the Constitution, article XI, section 7. For the prompt and full payment of all such refunding bonds and the interest thereon the full faith and credit and taxing powers of the state are irrevocably pledged. The proceeds of such bonds shall be credited to the state bond fund created by the Constitution, and within that fund to such separate bookkeeping account as shall have been created for the payment of the bonds to be refunded and the interest thereon, and shall be credited only against the tax otherwise required by the Constitution to be levied with respect to the refunded bonds.

Sec. 97. Minnesota Statutes 1982, section 16A.66, subdivision 2, is amended to read:

Subd. 2. Unless otherwise expressly provided in the law authorizing the issuance of any series of bonds, such authorization shall include authorization to the commissioner to issue refunding bonds ~~in a maximum principal amount equal to the principal amount thereof outstanding at any time,~~ for the purpose of refunding the same in the manner and upon the terms and conditions prescribed in this section. Any act directing the issuance of bonds for any purpose shall, together with this section, constitute complete authority for the issuance of bonds to refund the same, and such refunding bonds shall not be subject to the restrictions or limitations contained in any other law.

Sec. 98. Minnesota Statutes 1982, section 16A.66, subdivision 3, is amended to read:

Subd. 3. Such refunding bonds shall be issued and sold upon sealed bids, or may be sold directly to the state board of investment without bids, or may be exchanged for bonds refunded by agreement with the holders thereof, and shall be prepared, executed, and delivered, and when issued shall be secured, in the same manner in all respects as provided by law and the Constitution for the bonds refunded thereby. The proceeds of the bonds may be deposited, invested, and applied to accomplish the refunding in the manner and upon the conditions provided in section 475.67, subdivisions 5 to ~~4~~ 10. The interest rate on refunding bonds may exceed that on the bonds refunded when in the judgment of the commissioner and council refunding is nevertheless necessary or desirable for the purpose of extending the maturities and reducing the annual amount of the property tax or other funds needed to pay and secure the bonds and interest, ~~in lieu of the revenues primarily appropriated for their payment.~~

Sec. 99. **[16A.672] BONDS AND CERTIFICATES OF INDEBTEDNESS.**

Subdivision 1. GENERAL. Notwithstanding any contrary provision of other law, the commissioner of finance and the state treasurer shall have the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

powers specified in this section with respect to the issuance, form, execution, delivery, registration of transfer and exchange, and payment of bonds and certificates of indebtedness heretofore or hereafter authorized to be issued or issued by the state.

Subd. 2. FORM OF OBLIGATIONS. The bonds or certificates of indebtedness may be issued in bearer form with interest coupons attached, with or without provision for registration as to principal only, or in fully registered form, in one or more denominations, and with provisions for conversion of form, exchange of denominations, and transfer of ownership as prescribed by the commissioner of finance. All bonds and certificates of indebtedness, when issued according to orders of the commissioner of finance, shall be securities within the meaning of sections 336.8-101 to 336.8-408, and the commissioner of finance and the state treasurer may do on behalf of the state all acts and things which are permitted or required of issuers of securities under sections 336.8-101 to 336.8-408 and are consistent with the orders. The bonds or certificates of indebtedness may be printed, lithographed, or otherwise reproduced in the style and form the commissioner prescribes, but the form shall state in a general way the purpose for which they are issued and the security provided for their payment.

Subd. 3. EXECUTION OF OBLIGATIONS. The bonds and certificates of indebtedness shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. Facsimile signatures and seals of either or both of these officers may, as the commissioner of finance deems appropriate, be printed, lithographed, stamped, engraved, or otherwise reproduced. Every bond and certificate issued, whether initially or upon transfer, exchange, or replacement, shall be manually signed on its face by one of these officers, or by a duly authorized representative of a bank or trust company designated by order of the commissioner of finance, whether at or after the time of initial issue, as registrar or otherwise as agent of the state to authenticate it.

Subd. 4. DELIVERY OF OBLIGATIONS. The commissioner of finance may appoint a bank or trust company within or outside the state to act as delivery agent on behalf of the state, and to deliver the bonds or certificates of indebtedness to the initial purchaser upon payment therefor.

Subd. 5. REGISTRAR. The commissioner of finance, in the order for the issuance of any bonds or certificates of indebtedness, may designate a corporate registrar to perform on behalf of the state the duties of a registrar as set forth in sections 336.8-101 to 336.8-408, including but not limited to authentication and delivery upon initial issuance and upon registration of transfer, exchange, or conversion into another form. Any registrar shall be an incorporated bank or trust company, within or outside the state, authorized by the laws of the United States or of the state in which it is located to perform these duties.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 6. PAYMENT OF OBLIGATIONS. The order authorizing the issuance of any bonds or certificates of indebtedness may provide for the payment of principal and interest in the manner and by the means the commissioner deems necessary to ensure full and prompt payment when due, and may provide for the payment at the office of a bank or trust company within or outside the state. In the case of fully registered bonds or certificates of indebtedness, the order may provide that the interest coming due on any interest payment date shall be payable to the person or entity who is the registered owner on the bond or certificate register on a specified date preceding the interest payment date, by check, draft, or other transfer to the order of the registered owner.

Subd. 7. AGREEMENTS. The commissioner of finance may enter into agreements containing terms which are necessary or desirable to carry out the authority given him in this section, pursuant to applicable orders of the commissioner. The agreements may provide for the payment of compensation for services to be performed and expenses to be incurred on behalf of the state, and may provide for their payment from the proceeds of the bonds or certificates of indebtedness, or from other money appropriated to the commissioner of finance, or from charges to be imposed on the holders of bonds or certificates of indebtedness, or from a combination of these sources. As much of the proceeds of the bonds or certificates as necessary is appropriated for this purpose.

Subd. 8. APPROPRIATION. There is appropriated annually to the commissioner of finance from the general fund in the state treasury an amount of money sufficient to pay when due all compensation and expenses due to registrars, delivery agents, and paying agents for state bonds and certificates of indebtedness under the terms of agreements entered into according to subdivision 7.

Subd. 9. APPROVAL BY ATTORNEY GENERAL. No agreement described in subdivision 7 shall become effective until it has been approved as to form and execution by the state attorney general or his designee.

Subd. 10. REGISTRATION DATA PRIVATE. All information contained in any register maintained by the state treasurer or a corporate registrar with respect to the ownership of state bonds or certificates of indebtedness constitutes nonpublic data as defined in section 13.02, subdivision 9, or private data on individuals as defined in section 13.02, subdivision 12. The information is not public and is accessible only to the individual, corporation, or other entity which is the subject of it, except as disclosure (a) is necessary for the performance of the duties of the registrar, the state commissioner of finance, the state treasurer, or the state legislative auditor, or (b) is requested by an authorized representative of the state commissioner of revenue or attorney general or of the commissioner of internal revenue of the United States for the purpose of ascertaining the application of any estate, inheritance, or other tax, or (c) is required under section 13.03, subdivision 4.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 100. Minnesota Statutes 1982, section 43A.05, subdivision 5, is amended to read:

Subd. 5. **COMPARABILITY ADJUSTMENTS.** The commissioner shall compile, subject to availability of funds and personnel, and submit to the legislative commission on employee relations by January 1 of each odd-numbered year a list showing, by bargaining unit, and by plan for executive branch employees covered by a plan established pursuant to section 43A.18, those female-dominated classes and those male-dominated classes in state civil service for which a compensation inequity exists based on comparability of the value of the work. The commissioner shall also submit to the legislative commission on employee relations, along with the list, an estimate of the appropriation necessary for providing comparability adjustments for classes on the list. The commission shall review and approve, disapprove, or modify, the list and proposed appropriation. The commission's action shall be submitted to the full legislature in the same manner as provided in section 3.855 and section 43A.18 or section 179.74, subdivision 5, provided that the full legislature may approve, reject, or modify the commission's action. The commission shall show the distribution of the proposed appropriation among the bargaining units and among the plans established under 43A.18. Each bargaining unit and each plan shall be allocated that proportion of the total proposed appropriation which equals the number cost of providing adjustments for the positions in the unit or plan approved by the commission for comparability adjustments divided by the total number cost of providing adjustments for all positions on the list approved by the commission for comparability adjustments. Distribution of any appropriated funds within each bargaining unit or plan shall be determined by collective bargaining agreements or by plans.

Sec. 101. Minnesota Statutes 1982, section 43A.23, subdivision 1, is amended to read:

Subdivision 1. **GENERAL.** The commissioner is authorized to request bids from carriers or to negotiate with carriers and to enter into contracts with carriers which in the judgment of the commissioner are best qualified to underwrite and service the benefit plans. Contracts to underwrite the benefit plans shall be bid or negotiated separately from contracts to service the benefit plans, which shall be awarded only on the basis of competitive bids. The commissioner shall consider the cost of the plans, conversion options relating to the contracts, service capabilities, character, financial position, and reputation of the carriers and any other factors which the commissioner deems appropriate. Each benefit contract shall be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. The commissioner shall, to the extent feasible, make hospital and medical benefits available from at least one carrier licensed to do business pursuant to each of chapters 62A, 62C and 62D. The commissioner need not provide health maintenance organization services to an employee who

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

resides in an area which is not served by a licensed health maintenance organization. The commissioner may refuse to allow a health maintenance organization to continue as a carrier if it was selected by less than 200 employees in the preceding benefit year. The commissioner may elect not to offer all three types of carriers if there are no bids or no acceptable bids by that type of carrier or if the offering of additional carriers would result in substantial additional administrative costs. Any carrier licensed pursuant to chapter 62A shall be exempt from the tax imposed by section 60A.15 on premiums paid to it by the state.

Sec. 102. Minnesota Statutes 1982, section 85A.01, subdivision 2, is amended to read:

Subd. 2. The board shall annually elect a chairman from among its members and such other officers as it may deem necessary for the performance of its duties. It shall appoint a director to serve at its pleasure who is in the unclassified service of the state and who shall be chosen solely on the basis of his training, experience and other qualifications ~~in~~ appropriate to the field of zoo management. The director shall act as executive secretary and appoint administrative officers and employees of the board with the approval of the board. With the approval of the board, he shall exercise the powers and duties set forth in section 85A.03.

Sec. 103. Minnesota Statutes 1982, section 85A.04, subdivision 3, is amended to read:

Subd. 3. **ZOO GIFT STORE ACCOUNT.** A working capital account is established for the gift store of the Minnesota zoological garden. All receipts from the gift store operation shall be deposited in the state treasury and credited to the account and are appropriated for the purposes of the gift store. Gift store expenses, including inventory, personnel costs, space rental, and overhead, shall be paid from the account. The unencumbered balance in the account on June 30 of each year in excess of the value of the inventory of the gift store on June 30, 1981 shall be ~~transferred to the general fund~~ calculated and disbursed as follows: for the periods ending June 30, 1982, and June 30, 1983, the entire amount shall be transferred to the general fund; for the year ending June 30, 1984, and each year thereafter, the amount attributable to the period July 1, 1982, to June 30, 1983, shall be transferred to the general fund and the remainder shall be retained by the zoological garden. Any amount so retained shall be dedicated to capital improvements at the zoological garden and are appropriated for that purpose. If improvements or expansions are planned for the gift store operation to be paid with gift store receipts, the plan must be first approved by the governor after receiving the recommendation of the legislative advisory commission.

Sec. 104. Minnesota Statutes 1982, section 85A.04, is amended by adding a subdivision to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4. ZOO RIDE ACCOUNT. All receipts from the operation of the zoo ride shall be deposited in a special account in the state treasury. All receipts from the zoo ride are appropriated to the board for the purposes of the zoo ride. These receipts are the only money appropriated for zoo ride operating expenses or debt service.

Sec. 105. Minnesota Statutes 1982, section 98.47, is amended by adding a subdivision to read:

Subd. 18. A license to take deer shall be issued without charge to any resident of Minnesota who is a veteran as defined in section 197.447, with a 100 percent service connected disability as defined by the United States veterans administration, and who furnishes satisfactory evidence of his disability to the county auditor or a subagent of the county auditor, acting under the provisions of section 98.50. This license must be issued in accordance with any rules the commissioner may prescribe.

Sec. 106. Minnesota Statutes 1982, section 98.48, subdivision 9, is amended to read:

Subd. 9. (a) The commissioner may issue special permits, with fee, to gather or harvest any aquatic plants, or plant parts, other than wild rice from public waters of the state, to transplant any aquatic plants into other public waters, or to destroy any harmful or undesirable aquatic vegetation or organisms in public waters by such means and under such conditions as he may prescribe for protection of such waters and desirable species of fish, vegetation, and other forms of aquatic life therein and for the protection of the public.

(b) Each application for a permit shall be accompanied by a permit fee when required by a fee schedule established by the commissioner pursuant to rules and regulations adopted after public hearing and published in the manner provided by section 97.53. The schedule may provide exemptions from fees, maximum fees not to exceed \$50 ~~\$100~~ per permit based upon the cost of receiving, processing, analyzing and issuing the permit and additional costs which may be imposed subsequent to the application for inspecting and monitoring the activities authorized by the permit. No fee may be imposed on any state or federal governmental agency applying for a permit. All money received pursuant to this subdivision shall be deposited in the game and fish fund.

(c) The commissioner shall promulgate, by January 1, 1975, after public hearing and shall publish in the manner provided by section 97.53, rules and regulations containing standards and criteria governing the issuance and denial of permits for activities affecting aquatic plants including, but not limited to, provisions to insure that aquatic plant control is consistent with shoreland conservation ordinances, lake management plans and programs, wild and scenic river plans, penalties for failure to comply with permit regulations and enforcement procedures.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 107. Minnesota Statutes 1982, section 105.405, subdivision 2, is amended to read:

Subd. 2. No permit authorized by sections 105.37 to 105.55 nor any plan for which the commissioner's approval is required or permitted, involving a diversion of any waters of the state, surface or underground, to a place outside of this state shall be granted or approved until after a determination by the commissioner that the water remaining in this state will be adequate to meet the state's water resources needs during the specified life of the diversion project and after approval by the legislature.

Sec. 108. Minnesota Statutes 1982, section 105.41, subdivision 5, is amended to read:

Subd. 5. Records of the amount of water appropriated or used shall be recorded for each such installation and such readings and the total amount of water appropriated shall be reported annually to the commissioner of natural resources on or before February 15 of the following year upon forms to be supplied by the commissioner.

~~For the purpose of improving the state's water use data collection and dissemination system, there is established~~ The records shall be submitted with an annual water appropriation processing fee of \$5 in the amount established in accordance with the following schedule of fees for each water appropriation permit in force at any time during the year: (a) irrigation permits, \$10 for each permitted 40 acres or portion thereof; (b) for nonirrigation permits, \$5 for each ten million gallons or portion thereof permitted each year, but not to exceed a total fee of \$250 per permit. The fee is payable regardless of the amount of water appropriated during the year. ~~The fee shall be paid at the time of making the annual report required by this section.~~ Failure to pay the fee is sufficient cause for revoking a permit. No fee may be imposed on any state agency, as defined in section 16.011, or federal governmental agency holding a water appropriation permit.

Sec. 109. Minnesota Statutes 1982, section 105.44, subdivision 10, is amended to read:

Subd. 10. **PERMIT FEES.** Each application for a permit authorized by sections 105.37 to 105.64, shall be accompanied by a permit application fee in the amount of ~~\$15~~ \$30 to defray the costs of receiving, recording, and processing the application. The commissioner may charge an additional permit application fee in excess of the fee specified above, in accordance with a schedule of fees adopted by rules promulgated in the manner provided by ~~chapter 14~~ section 16A.128, which fee schedule shall be based upon the project's costs and the complexity of the permit applied for.

For projects requiring a mandatory environmental assessment pursuant to chapter 116D the commissioner may charge an additional field inspection fee of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

not less than \$25 for each permit applied for under sections 105.37 to 105.64. The commissioner shall establish pursuant to rules adopted in the manner provided by ~~chapter 14~~ section 16A.128, a schedule for field inspection fees which shall include actual costs related to field inspection such as investigations of the area affected by the proposed activity, analysis of the proposed activity, consultant services, and subsequent monitoring, if any, of the activity authorized by the permit.

Except as provided below, the commissioner may not issue a permit until all fees required by this section relating to the issuance of a permit have been paid. The time limits prescribed by subdivision 4, do not apply to an application for which the appropriate fee has not been paid. Field inspection fees relating to monitoring of an activity authorized by a permit may be charged and collected as necessary at any time after the issuance of the permit. No permit application or field inspection fee may be refunded for any reason, even if the application is denied or withdrawn. No permit application or field inspection fee may be imposed on any state agency, as defined in section 16.011, or federal governmental agency applying for a permit.

Sec. 110. Minnesota Statutes 1982, section 115A.58, subdivision 2, is amended to read:

Subd. 2. **ISSUANCE OF BONDS.** Upon request by the board and upon authorization as provided in subdivision 1, the commissioner of finance shall sell Minnesota state waste management bonds. The bonds shall be in the aggregate amount requested, and sold upon sealed bids upon the notice, at the price in the form and denominations, bearing interest at the rate or rates, maturing in the amounts and on the dates (with or without option of prepayment or subject to prepayment upon the notice and at the specified times and prices), payable at ~~the a~~ a bank or banks within or outside the state (with provisions, if any, for registration, conversion, and exchange and for the issuance of temporary bonds or notes in anticipation of the sale or delivery of definitive bonds), and in accordance with ~~any~~ further provisions as the commissioner of finance shall determine. ~~The sale is,~~ subject to the approval of the attorney general, but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any interest coupons and their seals may be printed, lithographed, engraved, ~~or stamped,~~ or otherwise reproduced thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an ~~officer~~ authorized representative of a bank designated by ~~them~~ the commissioner of finance as registrar or other authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 111. Minnesota Statutes 1982, section 116.03, subdivision 3, is amended to read:

Subd. 3. The director of the pollution control agency is the state agent to apply for, receive, and disburse federal funds made available to the state by federal law or rules and regulations promulgated thereunder for any purpose related to the powers and duties of the pollution control agency or the director. He shall comply with any and all requirements of such federal law or such rules and regulations promulgated thereunder to enable him to apply for, receive, and disburse such funds. All such moneys received by the director shall be deposited in the state treasury and are hereby annually appropriated to him for the purposes for which they are received. None of such moneys in the state treasury shall cancel and they shall be available for expenditure in accordance with the requirements of federal law.

The provisions of section 3.3005 shall not apply to emergency response moneys available ~~without requirement of a state match~~ under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Sections 9601 to 9657, for which a state match is not required or for which a state match is available under the Environmental Response and Liability Act or from a political subdivision. The receipt of the moneys shall be reported to the legislative advisory commission.

Sec. 112. Minnesota Statutes 1982, section 116.07, subdivision 2a, is amended to read:

Subd. 2a. **EXEMPTIONS FROM STANDARDS.** No standards adopted by any state agency for limiting levels of noise in terms of sound pressure which may occur in the outdoor atmosphere shall apply to (1) segments of trunk highways constructed with federal interstate substitution money, provided that all reasonably available noise mitigation measures are employed to abate noise, (2) skeet, trap or shooting sports clubs, or (3) the holding of motor vehicle race events conducted at a facility specifically designed for that purpose that was in operation on or before July 1, 1983. Nothing herein shall prohibit a local unit of government or a public corporation with the power to make rules for the government of its real property from regulating the location and operation of skeet, trap or shooting sports clubs, or the holding of motor vehicle race events conducted at a facility specifically designed for that purpose that was in operation on or before July 1, 1983.

Sec. 113. Minnesota Statutes 1982, section 116.07, is amended by adding a subdivision to read:

Subd. 4d. **PERMIT FEES.** The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of reviewing and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

shall not include the costs of litigation. The agency shall adopt rules establishing the amounts and methods of collection of any permit fees collected under this subdivision. Any money collected under this subdivision shall be deposited in the general fund.

Sec. 114. Minnesota Statutes 1982, section 116.07, subdivision 9, is amended to read:

Subd. 9. **ORDERS; INVESTIGATIONS.** The agency shall have the following powers and duties for the enforcement of any provision of this chapter, relating to air contamination or waste:

(a) to adopt, issue, reissue, modify, deny, revoke, enter into or enforce reasonable orders, schedules of compliance and stipulation agreements;

(b) to require the owner or operator of any emission facility, air contaminant treatment facility, potential air contaminant storage facility, or any system or facility related to the storage, collection, transportation, processing, or disposal of waste to establish and maintain records; to make reports; to install, use, and maintain monitoring equipment or methods; and to make tests, including testing for odor where a nuisance may exist, in accordance with methods, at locations, at intervals, and in a manner as the agency shall prescribe; and to provide other information as the agency may reasonably require;

(c) to conduct investigations, issue notices, public and otherwise, and order hearings as it may deem necessary or advisable for the discharge of its duties under this chapter, including but not limited to the issuance of permits; and to authorize any member, employee, or agent appointed by it to conduct the investigations and issue the notices.

Sec. 115. Minnesota Statutes 1982, section 116.16, subdivision 10, is amended to read:

Subd. 10. **COSTS.** To the extent the agency administers or engages in activities necessary for administering any aspects of the federal water pollution control act as amended, 33 U.S.C. 1251 et seq., the agency may assess the costs of such administrative activities, in an amount not to exceed two percent of the federal grant that allowed by federal law, against the federal construction grant funds allotted to the state.

Sec. 116. Minnesota Statutes 1982, section 116.17, subdivision 2, is amended to read:

Subd. 2. **ISSUANCE OF BONDS.** Upon request by resolution of the agency and upon authorization as provided in subdivision 1 the commissioner of finance shall sell and issue Minnesota state water pollution control bonds in the aggregate amount requested, upon sealed bids and upon such notice, at such price, in such form and denominations, bearing interest at such a rate or rates, maturing in such amounts and on such dates, with or without option of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

prepayment ~~or subject to prepayment~~ upon such notice and at such specified times and prices, payable at such a bank or banks within or outside the state, with such provisions, if any, for registration, conversion, and exchange and for the issuance of temporary bonds or notes in anticipation of the sale or delivery of definitive bonds, and in accordance with such further regulations provisions, as the commissioner of finance shall determine, subject to the approval of the attorney general, but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any appurtenant interest coupons and their seals may be printed, lithographed, engraved, ~~or stamped~~, or otherwise reproduced thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer authorized representative of a bank designated by ~~them~~ the commissioner as registrar or other authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Sec. 117. Minnesota Statutes 1982, section 116.18, subdivision 1, is amended to read:

Subdivision 1. **APPROPRIATION FROM THE FUND.** The sum of \$155,000,000, or so much thereof as may be necessary, is appropriated from the Minnesota state water pollution control fund in the state treasury to the pollution control agency, for the period commencing on July 23, 1971 and ending June 30, ~~1983~~ 1985, to be granted and disbursed to municipalities and agencies of the state in aid of the construction of projects conforming to section ~~116.16~~, in accordance with the rules, priorities, and criteria therein described. Except as otherwise provided in this subdivision and in subdivision 2, these state funds shall be expended at 15 per centum of the eligible cost of construction and shall be expended only for projects tendered a grant of federal funds under section 201(g), section 202, section 203 or section 206(f) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314 et seq., at 75 per centum of the eligible cost for construction of the treatment works; provided, that not less than ten percent of the cost shall be paid by the municipality or agency constructing the project. In the event that a municipality is tendered federal and state grants in a percentage cumulatively exceeding 90 per centum of the eligible cost of construction, the state pollution control agency shall reduce the grant to the municipality under this chapter to the extent necessary to assure that not less than ten percent of the cost shall be paid by the municipality. It is the purpose of this appropriation that a grant of state funds for each project approved in each of the fiscal years ending June 30, 1971 through ~~1983~~ 1985, shall be made in an amount not less than that required in federal law and regulations as a condition for the grant of federal funds for the project and for all other water pollution control projects for

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

which federal grants are allocated in the same year, in the maximum amount permissible under law and regulations.

Notwithstanding any other provision, the agency may, in its discretion, and after consideration of the amount of state funds required to match federal funds, make a grant of state funds not exceeding 15 per centum to a municipality that would qualify for a grant of federal funds but desires to initiate construction of a project without a federal grant. The agency may limit the scope and eligible cost of the project.

If a municipality is tendered a grant of federal funds under section 201, paragraph (g), section 202, section 203 or section 206, paragraph (f) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314 et seq., at 85 percent of the eligible cost for construction of treatment works utilizing innovative or alternative wastewater treatment processes and techniques, state funds shall be expended at nine percent of the eligible cost of construction; provided, that not less than six percent of the eligible cost of construction shall be paid by the municipality or agency constructing the project. In the event that a municipality is tendered federal and state grants in a percentage cumulatively exceeding 94 percent of the eligible cost of construction, the state pollution control agency shall reduce the grant to the municipality under this chapter to the extent necessary to assure that the municipality receives no more than 94 percent of the eligible cost of construction.

Sec. 118. Minnesota Statutes 1982, section 116.41, subdivision 2, is amended to read:

Subd. 2. **TRAINING AND CERTIFICATION PROGRAMS.** The agency shall develop standards of competence for persons operating and inspecting various classes of disposal facilities. The agency shall conduct training programs for persons operating facilities for the disposal of waste and for inspectors of such facilities, and may charge such fees as are necessary to cover the actual costs of the training programs. All fees received shall be paid into the state treasury and credited to the account created in section 115.03, subdivision 1, clause (j), for training water pollution control personnel, and are appropriated to the agency to pay expenses relating to the training of disposal facility personnel.

The agency shall require operators and inspectors of such facilities to obtain from the agency a certificate of competence. The agency shall conduct examinations to test the competence of applicants for certification, and shall require that certificates be renewed at reasonable intervals. The agency may charge such fees as are necessary to cover the actual costs of receiving and processing applications, conducting examinations, and issuing and renewing certificates. Certificates shall not be required for a private individual for land-spreading and associated interim and temporary storage of sewage sludge on property owned or farmed by that individual.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 119. Minnesota Statutes 1982, section 116C.03, subdivision 2, is amended to read:

Subd. 2. The board shall include as permanent members the commissioner of the department of energy, planning and development, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the commissioner of health, the commissioner of transportation, and a representative of the governor's office designated by the governor. The governor shall appoint five members from the general public to the board, subject to the advice and consent of the senate. At least two of the five public members shall have knowledge of and be conversant in water management issues in the state.

Sec. 120. [116C.81] COORDINATION OF WATER RESOURCE MANAGEMENT AND PLANNING; DEFINITIONS.

Subdivision 1. APPLICATION. For the purposes of sections 120 and 121 the terms defined in this section have the meanings given them.

Subd. 2. BOARD. "Board" means the environmental quality board.

Subd. 3. SOUTHERN MINNESOTA RIVERS' BASIN. "Southern Minnesota rivers basin" means the area within the watersheds of rivers and streams tributary to the Minnesota river, and the areas within the watersheds of rivers tributary to the Mississippi river on the westerly side of the Mississippi south of its confluence with the Minnesota river.

Sec. 121. [116C.82] DUTIES OF BOARD.

Subdivision 1. WATER PLANNING. The board shall:

(1) coordinate public water resource management and regulation activities among the state agencies having jurisdiction in the area;

(2) initiate, coordinate, and continue to develop comprehensive long-range water resources planning in furtherance of the plan adopted by the water planning board entitled "A Framework for a Water and Related Land Resources Strategy for Minnesota, 1979";

(3) coordinate water planning activities of local, regional, and federal bodies with state water planning and integrate these plans with state strategies; and

(4) administer federal water resources planning with multiagency interests.

Subd. 2. SOUTHERN MINNESOTA RIVERS BASIN. The board shall guide the creation and implementation of a comprehensive environmental conservation and development plan for the southern Minnesota rivers basin. The board shall coordinate state and local interests with respect to the study in southwestern Minnesota under Public Law Number 87-639. The board shall

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

appoint an advisory council to advise the board concerning its responsibilities under this subdivision. The council shall consist of 11 members who are residents of the basin and appointed by the governor. The council is subject to the provisions of section 15.059, except that the council shall expire June 30, 1987. The council shall make recommendations to the board by June 30, 1985, concerning the establishment of a statewide advisory council to advise the board on water resources planning, regulation, and management.

Subd. 3. GOVERNOR'S REPRESENTATIVE. The board chairperson shall represent the governor on interstate water resources organizations.

Sec. 122. TRANSITIONAL PROVISION.

The members of the southern Minnesota rivers basin board as constituted before enactment of this act shall be the first members of the southern Minnesota rivers basin advisory council. The environmental quality board shall adjust the terms of the first members of the advisory council to conform to the requirements of Minnesota Statutes, section 15.059.

Sec. 123. METROPOLITAN WATERSHED MANAGEMENT.

Notwithstanding any contrary provisions of Minnesota Statutes 1982, section 473.878, subdivision 2, until July 1, 1984, no county shall petition for establishment of a watershed district or assume any authority under section 473.878, subdivision 2 for a minor watershed unit if the metropolitan council finds by December 31, 1983, that reasonable progress is being made to negotiate a joint powers agreement in order to form a watershed management organization for that watershed unit.

Sec. 124. Minnesota Statutes 1982, section 116J.24, is amended by adding a subdivision to read:

Subd. 6. OUTREACH FOR ENERGY AUDIT INTERPRETATION. The commissioner shall establish a program to assist school officials in the understanding of energy audits performed on their schools. The program will also provide suggestions and assistance in the application for any state or federal grants or loans relating to energy conservation for which the school may be eligible.

Sec. 125. Minnesota Statutes 1982, section 116J.27, subdivision 2, is amended to read:

Subd. 2. For the purposes of subdivisions 3 to 7, the following terms shall have the meanings given them.

(a) "Residence" means any dwelling for habitation either seasonally, meaning all or a portion of the months of ~~December~~ November through ~~March~~ April, or permanently by one or more persons. A residence ~~may be owned or rented and~~ may be part of a multidwelling or multipurpose building, but shall not

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

include buildings such as hotels, hospitals, motels, dormitories, sanitariums, nursing homes, schools and other buildings used for educational purposes, or correctional institutions. A manufactured home as defined in section 168.011, subdivision 8, shall be a residence for purposes of this section.

(b) "Time of sale" means the time when a written purchase agreement is executed by the buyer, or, in the absence of a purchase agreement, at the time of the execution of any document providing for the conveyance of a residence.

(c) "Energy disclosure report" means the written and signed evaluation by a person certified pursuant to subdivision 6 made on an approved form, representing to the actual buyer of the residence evaluated that the evaluator has used reasonable care and diligence. For purposes of subdivisions 5 and 7, a residential energy audit meeting the audit standards of 42 U.S.C. 8211 et seq. may be substituted for an energy disclosure report.

(d) "Applicable energy efficiency standards" means those standards established under subdivision 1 which are not shown to be economically infeasible for the building in question.

Sec. 126. Minnesota Statutes 1982, section 116J.27, subdivision 6, is amended to read:

Subd. 6. **BUILDING EVALUATORS.** The commissioner shall certify evaluators in each county of the state who are qualified to determine the compliance of a residence with applicable energy disclosure requirements efficiency standards. The commissioner shall, by rule pursuant to chapter 14, adopt standards for the certification and performance of evaluators and set a fee for the certification of evaluators which is sufficient to cover the ongoing costs of the program once it is established. The commissioner shall encourage the certification of existing groups of trained municipal personnel and qualified individuals from community-based organizations and public service organizations. Each certified evaluator shall, on request of the owner, inspect any residence and report the degree to which it complies with applicable energy disclosure requirements efficiency standards established pursuant to subdivision 1. The inspections shall be made within 30 days of the request. ~~After July 1, 1981, Evaluators for the home energy disclosure program shall be certified only if they also meet all requirements for conducting residential energy audits pursuant to 42 U.S.C. 8211 et seq. Any person certified as a building evaluator prior to July 1, 1981, shall, by January 1, 1982, meet the upgraded certification standards in effect after July 1, 1981.~~ The commissioner shall enter into an agreement with the department of education for the provision of evaluator training through the area vocational technical institutes. The commissioner may contract with the area vocational technical institutes to reduce the training costs to the students. The commissioner may eliminate the examination fee for persons seeking upgraded certificates.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The commissioner may also establish requirements for continuing education, periodic recertification, and revocation of certification for evaluators.

Sec. 127. Minnesota Statutes 1982, section 116J.31, is amended to read:

116J.31 ENERGY AUDITS.

The commissioner, in cooperation with the director of consumer services, shall develop ~~the and administer state plan for the program~~ programs of energy audits of residential and commercial buildings including those required by 42 United States Code, section 8211 et seq. and section 8281. The consumer services division and the attorney general are authorized to release information on consumer complaints about the operation of the program to the commissioner.

Sec. 128. [116J.315] ALTERNATIVE ENERGY ECONOMIC ANALYSIS.

The commissioner shall carry out the following energy economic analysis duties:

(a) provide continued analysis of alternative energy issues for the biennial report, certificates of need, and legislative requests;

(b) provide alternative energy information to consumers and business;

(c) assist in the maintenance and improvement of alternative energy input-output multipliers and market penetration models;

(d) provide analysis of alternative energy data.

Sec. 129. Minnesota Statutes 1982, section 116J.36, is amended by adding a subdivision to read:

Subd. 3a. GRANT ELIGIBILITY. The commissioner of energy, planning and development may provide planning grants to municipalities for planning related to the development of district heating systems. The municipality must demonstrate that a community heatload survey and map have been successfully completed, that potential district heating load is sufficiently large to justify further consideration, and that sufficient resources are available for the municipality to meet its financial requirements. Eligible planning grant costs include project definition, development of preliminary financing and distribution system plans, and obtaining commitment for detailed planning or design and preparation of a final report. The amount of the grant to a municipality is limited to 90 percent of eligible planning costs and shall not exceed \$70,000 as established by rule or temporary rule.

Sec. 130. SURVEY OF STEAM TRAPS.

The commissioner shall survey the steam traps in 100 state-owned buildings, to be selected by the commissioner of administration or a designee. The

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

purpose of the survey is to assess the energy efficiency of current steam traps and to recommend repair or replacement of faulty steam traps.

Sec. 131. ENERGY MANAGEMENT TRAINING.

The commissioner shall train state building operators in efficient energy management of state buildings, including the periodic review and maintenance of steam traps as a high priority. The commissioner shall document the energy savings from this training and make it available for use in other program areas, such as in local government buildings.

Sec. 132. [116J.373] SUPERINSULATED HOME DEMONSTRATION PROJECT.

The superinsulated home demonstration project funded under Laws 1981, chapter 356, section 30, shall be continued under the direction of the commissioner and the center to monitor and document new projects and projects in progress. The project shall:

(a) work with the financial community to bring energy cost and savings into mortgage underwriting standards;

(b) develop a definition of superinsulation for use by financial institutions.

Sec. 133. [116J.38] BUILDING ENERGY RESEARCH CENTER.

Subdivision 1. ENERGY PARTNERSHIP. To improve the energy efficiency of buildings, the commissioner shall administer a building energy research center that shall be a cooperative effort among the commissioner, the University of Minnesota, area vocational-technical institutes, and certain associations and businesses from the private sector. The center's goal is to become a nationally recognized center for building research.

Subd. 2. PURPOSE. The purpose of the building energy research center is to:

(a) conduct studies of Minnesota building experience;

(b) disseminate information acquired relating to building energy efficiency;

(c) conduct continuing education courses;

(d) provide limited energy and design consultation services for innovative projects;

(e) coordinate and stimulate research efforts; and

(f) seek private sector pledges to match appropriations for this program.

Sec. 134. Minnesota Statutes 1982, section 116J.42, subdivision 8, is amended to read:

Changes or additions are indicated by underline, deletions by strikeout.

Subd. 8. The commissioner ~~may~~ shall charge a fee to each user of the Minnesota land management information system. Fees shall be deposited in the state treasury and credited to the land management information center revolving account. Money in the account is appropriated to the commissioner of energy, planning and development for operation of the land management information system, including the cost of all services, supplies, materials, labor, and equipment, as well as the portion of the general support costs and statewide indirect costs of the department that is attributable to the land management information system. The commissioner may require a state agency to make advance payments to the revolving account sufficient to cover the agency's estimated obligation for a period of 60 days or more. If the revolving account is abolished or liquidated, the total net profit from operations shall be distributed to the various funds from which purchases were made. The amount to be distributed to each fund shall bear to the net profit the same ratio as the total purchases from each fund bears to the total purchases from all the funds during a period of time that fairly reflects the amount of net profit each fund is entitled to receive under this distribution. Employees paid from this account are in the unclassified service.

Sec. 135. Minnesota Statutes 1982, section 124.46, subdivision 2, is amended to read:

Subd. 2. Upon receipt of each such certification, subject to authorization as provided in subdivision 4, the commissioner of finance shall from time to time as needed issue and sell state of Minnesota school loan bonds in the aggregate principal amount stated in the commissioner's certificate, for the prompt and full payment of which, with the interest thereon, the full faith, credit, and taxing powers of the state are hereby irrevocably pledged, and shall credit the net proceeds of their sale to the purposes for which they are appropriated by section 124.40, subdivision 1. Such bonds shall be issued and sold at ~~not less than their par value~~ such price, in such manner, in such number of series, at such times, and in such form and denominations, shall bear such dates of issue and of maturity, either without option of prior redemption or subject to prepayment upon such notice and at such times and prices, shall bear interest at such rate or rates and payable at such intervals, shall be payable at such bank or banks within or without the state, with such provisions for registration, conversion, and exchange, and for the issuance of notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further regulations provisions as the commissioner of finance shall determine subject to the limitations stated in this subdivision (but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62). The maturity date shall in no case be ~~less than ten~~ or more than 20 years after the date of issue of any bond and the principal amounts and due dates shall conform as near as may be with the commissioner's estimates of dates and amounts of payments to be received on debt service and capital loans. The bonds and any interest coupons appurtenant to them shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The ~~signature~~ signatures of one of these

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

officers on the face of any bond, and their seals, and the signatures of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved, or otherwise reproduced thereon. Each bond shall be authenticated by the manual signature on its face of one of the officers or a person authorized to sign on behalf of a bank or trust company designated by the commissioner to act as registrar or other authenticating agent. The commissioner of finance is authorized and directed to ascertain and certify to purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota in accordance with their terms.

Sec. 136. Minnesota Statutes 1982, section 136.40, subdivision 8, is amended to read:

Subd. 8. **BOND AUTHORIZATION AND APPROPRIATION.** For the purpose of providing money to be loaned to the Minnesota state university board for the acquisition and betterment of public land, buildings, and improvements of a capital nature, the state auditor is directed to sell and issue Minnesota state university bonds in the maximum amount of \$4,500,000 to be expended for dormitory, residence hall, and food service facilities at the state universities, in accordance with the recommendations of the legislative buildings commission to the 1969 session of the legislature, and in the maximum amount of \$7,500,000 to be expended for student union facilities at said universities, in the manner and upon the conditions provided in subdivisions 1 to 7, which total amounts are authorized to be expended for these purposes. No expenditures for the authorized purposes shall be made until the board has consulted the legislative buildings commission and the commission has made its recommendation chairmen of the senate finance committee and house of representatives appropriations committee and received their recommendations thereon. Such recommendation shall be advisory only. Failure or refusal of the ~~commission~~ to make a recommendation promptly shall be deemed a negative recommendation. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 7 and in article XI, section 7, of the Constitution. In order to reduce the amount of taxes otherwise required by the Constitution to be levied for the payment of interest and principal thereon, there is appropriated annually to the Minnesota state university bond account in the state bond fund from the general fund in the state treasury a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in said Minnesota state university bond account, to pay all principal and interest due and to become due on said bonds to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to this annual appropriation are available in the state bond fund prior to the levy of the tax in any year required by the Constitution and by subdivision 7 and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 137. Minnesota Statutes 1982, section 139.18, subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. The commissioner shall distribute the money provided by sections 139.16 to 139.18. Twice annually the commissioner shall make block grants which shall be distributed in equal amounts to public stations for operational costs. The commissioner shall allocate money appropriated for the purposes of sections 139.16 to 139.18 in such a manner that each eligible public station receives a block grant. In addition, the commissioner shall make matching grants to public stations. Matching grants shall be used for operational costs and shall be allocated using the procedure developed for distribution of state money under this section for grants made in fiscal year 1979. No station's matching grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in the previous fiscal year. Grants made pursuant to this subdivision may only be given to those federally licensed stations that are certified as eligible for community service grants through the corporation for public broadcasting.

Sec. 138. Minnesota Statutes 1982, section 156A.02, subdivision 6, is amended to read:

Subd. 6. For the purposes of sections 156A.02 to 156A.10 "groundwater thermal exchange device" means any ~~space~~ heating or cooling device, the operation of which is dependent upon extraction and reinjection of groundwaters from an independent aquifer. Thermal exchange devices licensed under this chapter shall be sealed against the introduction of any foreign substance into the system, but shall be so constructed as to permit periodic inspection of water quality and temperature.

Sec. 139. Minnesota Statutes 1982, section 156A.10, subdivision 1, is amended to read:

Subdivision 1. Notwithstanding any department or agency rule to the contrary, the department of health shall issue, upon request and submission of a \$50 fee, permits for the reinjection of water by a properly constructed well into the same aquifer from which the water was drawn ~~exclusively~~ for the operation of a groundwater thermal exchange device. Withdrawal and reinjection shall be accomplished by means of a closed system in which the waters drawn for thermal exchange shall have no contact or commingling with water from other sources or with any polluting material or substances and so constructed as to allow opening for inspection by the department. Wells that are part of a groundwater thermal exchange system shall serve no other function, except that water may be supplied to the domestic water system if the supply is taken off the thermal exchange system ahead of the heat exchange unit, and if the water discharges to a break tank through an air gap that is at least twice the effective diameter of the water outlet from the tank. A groundwater thermal exchange system may be used for domestic water heating only if the water heating device is an integral part of the heat exchange unit that is used for space heating and cooling. As a condition of the permit, an applicant shall agree to allow inspection by the department during

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

regular working hours for department inspectors. A maximum of 200 permits shall be issued for small systems having maximum capacities of 20 gallons per minute or less, which shall be subject to inspection twice annually. A maximum of ten permits shall be issued for larger systems having maximum capacities from 20 to 50 gallons per minute, which shall be subject to inspection four times per year. The department may by rule provide for administration of this section.

Sec. 140. Minnesota Statutes 1982, section 161.465, is amended to read:

161.465 REIMBURSEMENT FOR FIRE SERVICES.

Ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a grass fire within the right-of-way of a trunk highway must be reimbursed upon certification to the commissioner of public safety from the trunk highway fund. In addition, ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a fire outside the right-of-way of any trunk highway if the fire originated within the right-of-way, upon approval of a police officer or an officer or employee of the department of public safety shall must, upon certification to the commissioner of public safety by the proper official of the municipality or fire department within 60 days after the completion of the service, be reimbursed to the municipality or fire department from funds in the trunk highway fund. The commissioner of public safety shall take whatever action practicable to secure reimbursement to the trunk highway fund of moneys money expended pursuant to under this section from the person, firm, or corporation responsible for the fire or danger thereof of fire.

The provisions of this section shall not be construed to admit any state liability for damage or destruction to private property or for injury to persons resulting from a fire that originates originating within a trunk highway right-of-way.

Sec. 141. Minnesota Statutes 1982, section 167.50, subdivision 2, as amended by Laws 1983, chapter 17, section 4, is amended to read:

Subd. 2. The bonds shall be issued and sold upon sealed bids after ~~two~~ weeks' published notice. ~~They shall mature serially over a term not exceeding 20 years from their respective dates of issue and shall not be sold for less than par and accrued interest. Subject to the foregoing limitations, and subject to any other limitations stated in the acts authorizing the bonds and appropriating the proceeds thereof, but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62, The bonds shall be issued and sold in the number of series, at the times and prices (not less than par and accrued interest), in the form and denominations, bearing interest at the rate or rates, maturing on dates, either with or without option of prior redemption or subject to prepayment upon notice and at the specified times and prices, payable at the a bank or banks, within or without the state, with provisions for registration, conversion, and exchange and for the issuance of temporary bonds or~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further ~~regulations~~ provisions, as the commissioner of finance may determine. The bonds, subject to the approval of the attorney general (but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62). Each bond shall mature within 20 years from its date of issue and shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signature of one signatures of these officers on the face of and any interest coupons appurtenant to any bond, and their seals, and the signatures of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved, or otherwise reproduced thereon, provided that the signature of one of the officers, or of an authorized representative of a corporate registrar or other agent designated by the commissioner of finance to authenticate the bonds, shall be manually subscribed on the face of each bond.

Sec. 142. Minnesota Statutes 1982, section 169.123, subdivision 6, is amended to read:

Subd. 6. **HEARING.** A hearing under this section shall be before a municipal or county judge, in any county in the judicial district where the alleged offense occurred. The hearing shall be to the court and may be conducted at the same time and in the same manner as hearings upon pre-trial motions in the criminal prosecution under section 169.121, if any. The hearing shall be recorded. The commissioner of public safety ~~may~~ shall appear ~~through his own attorney or, by agreement with the jurisdiction involved, and be represented by the attorney general or through the prosecuting authority for that the jurisdiction involved.~~

The hearing shall be held at the earliest practicable date, and in any event no later than 60 days following the filing of the petition for review. The judicial district administrator shall establish procedures to ensure efficient compliance with the provisions of this subdivision. To accomplish this, the administrator may, whenever possible, consolidate and transfer review hearings among the county courts within the judicial district.

The scope of the hearing shall be limited to the issues of:

(1) whether the peace officer had reasonable and probable grounds to believe the person was driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance, and whether the person was lawfully placed under arrest for violation of section 169.121, or the person was involved in a motor vehicle accident or collision resulting in property damage, personal injury or death, or the person refused to take a screening test provided for by section 169.121, subdivision 6, or the screening test was administered and recorded an alcohol concentration of 0.10 or more; and

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(2) whether at the time of the request for the test the peace officer informed the person of his rights and the consequences of taking or refusing the test as required by subdivision 2; and

(3) either (a) whether the person refused to permit the test, or (b) whether a test was taken and the test results indicated an alcohol concentration of 0.10 or more at the time of testing, and whether the testing method used was valid and reliable, and whether the test results were accurately evaluated.

It shall be an affirmative defense for the petitioner to prove that, at the time of the refusal, his refusal to permit the test was based upon reasonable grounds.

Certified or otherwise authenticated copies of laboratory or medical personnel reports, records, documents, licenses and certificates shall be admissible as substantive evidence.

The court shall order either that the revocation be rescinded or sustained and forward the order to the commissioner of public safety. The court shall file its order within 14 days following the hearing. If the revocation is sustained, the court shall also forward the person's driver's license or permit to the commissioner of public safety for his further action if the license or permit is not already in the commissioner's possession.

Sec. 143. Minnesota Statutes 1982, section 174.51, subdivision 2, is amended to read:

Subd. 2. The bonds shall be sold upon sealed bids and upon notice, at a price, in form and denominations, bearing interest at a rate or rates, maturing in amounts and on dates, without option of prior redemption or subject to prepayment upon notice and at times and prices, payable at a bank or banks within or outside the state, with or without provisions for registration, conversion, exchange, and issuance of temporary bonds or notes in anticipation of the sale or delivery of definitive bonds, and in accordance with further regulations provisions, as the commissioner of finance shall determine subject to the approval of the attorney general, but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62. ~~The bonds~~ Each bond shall mature within 20 years from its date of issue and shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signatures on the bonds and on any interest coupons and the seals may be printed or otherwise reproduced, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of a person authorized to sign on behalf of a bank designated by them the commissioner of finance as registrar or other authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Sec. 144. Minnesota Statutes 1982, section 174.51, subdivision 3, is amended to read:

Subd. 3. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the Minnesota state transportation fund and the amounts necessary therefor are appropriated from that fund; ~~provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to appropriated.~~

Sec. 145. Minnesota Statutes 1982, section 175A.05, is amended to read:

175A.05 QUORUM.

A majority of the judges of the workers' compensation court of appeals shall constitute a quorum for the exercise of the powers conferred and the duties imposed on the workers' compensation court of appeals and except that all appeals shall be heard by at least no more than three of the five judges unless the appeal is determined to be of exceptional importance by a four-fifths vote of the judges. A vacancy shall not impair the ability of the remaining judges of the workers' compensation court of appeals to exercise all the powers and perform all of the duties of the workers' compensation court of appeals.

Sec. 146. Minnesota Statutes 1982, section 148.56, is amended to read:

148.56 OPTOMETRISTS.

Subdivision 1. **OPTOMETRY DEFINED.** Any person shall be deemed to be practicing optometry within the meaning of sections 148.52 to 148.62 who shall display a sign, such as an eye, a pair of eyes, a pair of glasses or spectacles, or who shall in any way advertise himself as an optometrist, or who shall employ any means for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof, or have in his possession testing appliances for the purpose of the measurement of the powers of vision, or diagnose any optical deficiency or deformity, visual or muscular anomaly of the human eye, or prescribe lenses, prisms, or ocular exercises for the correction or the relief of same, or who holds himself out as being able to do so.

Subd. 2. **UNLAWFUL PRACTICES.** It shall be unlawful for any person who is not licensed as an optometrist in this state to fit, sell, or dispose of, or to take, receive, or solicit any order for the fitting, sale, or disposition of, any spectacles, eye glasses, or lenses for the correction of vision in any place within the state other than an established place of business wherein such spectacles, eye glasses, or lenses are commonly sold and dealt in; and it shall be unlawful for

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

any person, not licensed as an optometrist thereunder, to sell or dispose of, at retail, any spectacles, eye glasses, or lenses for the correction of vision in any established place of business or elsewhere in this state except under the supervision, direction, and authority of a duly licensed optometrist holding a certificate under sections 148.52 to 148.62, who shall be in charge of and in personal attendance at the booth, counter, or place where such articles are sold or disposed of.

Subd. 3. UNREGULATED SALES. Nothing in sections 148.52 to 148.62 shall be construed to apply to the sale of toy glasses, goggles consisting of plano-white or plano-colored lenses or ordinary colored glasses or to the replacement of duplications of broken lenses, nor to sales upon prescription from persons legally authorized by the laws of this state to examine eyes and prescribe glasses therefor, nor shall it apply to regularly licensed physicians and surgeons. Sections 148.52 to 148.62 also do not apply to the sale of spectacles, used for reading or fishing, and containing only simple lenses having a plus power of up to and including 3.25, at an established place of business that sells prescription eyewear, without advertising other than price marking on the spectacles, if no attempt is made to test the eyes. The term "simple lenses" does not include bifocals.

Subd. 4. LICENSE REQUIRED. It shall be unlawful for any person to engage in the practice of optometry without first procuring and filing for record a certificate of registration as a licensed optometrist pursuant to this section.

Sec. 147. Minnesota Statutes 1982, section 176.183, subdivision 2, is amended to read:

Subd. 2. The commissioner of labor and industry, in accordance with the terms of the order awarding compensation, shall pay compensation to the employee or his dependent from the special compensation fund. The commissioner of labor and industry shall certify to the commissioner of finance and to the legislature annually the total amount of compensation paid from the special compensation fund under subdivisions 1 and 1a. The commissioner of finance shall upon proper certification reimburse the special compensation fund from the general fund the total amount certified as paid under this section appropriation provided for this purpose. The amount reimbursed shall be limited to the certified amount paid under this section or the appropriation made for this purpose, whichever is the lesser amount. Compensation paid under this section which is not reimbursed by the general fund shall remain a liability of the special compensation fund and shall be financed by the percentage assessed under section 176.131, subdivision 10.

Sec. 148. Minnesota Statutes 1982, section 176.421, subdivision 1, is amended to read:

Subdivision 1. **TIME FOR TAKING; GROUNDS.** When a petition has been heard before a compensation judge, within 30 days after a party in

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

interest has been served with notice of an award or disallowance of compensation, or other order affecting the merits of the case, he may appeal to the workers' compensation court of appeals on any of the following grounds:

- (1) the order does not conform with this chapter; or
- (2) the compensation judge committed an error of law; or
- (3) the findings of fact and order were unwarranted by the evidence unsupported by substantial evidence in view of the entire record as submitted; or
- (4) the findings of fact and order were procured by fraud, or coercion, or other improper conduct of a party in interest.

Sec. 149. Minnesota Statutes 1982, section 176.421, subdivision 3, is amended to read:

Subd. 3. **NOTICE OF APPEAL.** The appellant or his attorney shall prepare and sign a written notice of appeal specifying:

- (1) the order appealed from;
- (2) that appellant appeals from the order to the workers' compensation court of appeals;
- (3) the particular finding of fact or conclusion of law which he claims was unwarranted by the evidence unsupported by substantial evidence in view of the entire record as submitted or procured by fraud, coercion, or other improper conduct;
- (4) the testimony or other part of the record of the hearing necessary to be transcribed in order for the court of appeals to consider the appeal; and,
- (5) any other ground upon which the appeal is taken.

Sec. 150. Minnesota Statutes 1982, section 176.421, subdivision 6, is amended to read:

Subd. 6. **POWERS OF WORKERS' COMPENSATION COURT OF APPEALS ON APPEAL.** On an appeal taken under this section, the workers' compensation court of appeals may:

- (1) ~~disregard the findings of fact which the compensation judge has made;~~
- (2) (1) examine the record;
- (3) (2) substitute for the findings of fact made by the compensation judge such findings as the total evidence requires; and,
- (4) (3) make an award or disallowance of compensation or other order as the facts and findings require.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 151. Minnesota Statutes 1982, section 176.441, subdivision 1, is amended to read:

Subdivision 1. **DISPOSITION BY WORKERS' COMPENSATION COURT OF APPEALS.** Where an appeal has been taken to the workers' compensation court of appeals under this chapter, on either the ground that the findings or order or both were unwarranted by the evidence unsupported by substantial evidence in view of the entire record as submitted, or were procured by fraud, coercion, or other improper conduct of a party, the workers' compensation court of appeals may:

- (1) grant a hearing based on the record before the compensation judge; or,
- (2) remand the petition for a de novo hearing or a rehearing and notify the chief hearing examiner, who shall assign the de novo hearing or the rehearing before a compensation judge; or,
- (3) sustain, reverse, or modify the order appealed from.

Sec. 152. Minnesota Statutes 1982, section 176.471, subdivision 1, is amended to read:

Subdivision 1. **TIME FOR SEEKING REVIEW; GROUNDS.** Where the workers' compensation court of appeals has made an award or disallowance of compensation or other order, if a party in interest acts within 30 days from the date he was served with notice of the order, he may have the order reviewed by the supreme court on certiorari upon one of the following grounds:

- (1) the order does not conform with this chapter; or,
- (2) the workers' compensation court of appeals committed any other error of law; or,
- (3) the findings of fact and order were unwarranted by the evidence unsupported by substantial evidence in view of the entire record as submitted.

Sec. 153. Minnesota Statutes 1982, section 179.7411, is amended to read:

179.7411 LIMITATION ON THE CONTRACTING-OUT OF SERVICES PROVIDED BY MEMBERS OF A STATE OF MINNESOTA OR UNIVERSITY OF MINNESOTA BARGAINING UNIT.

Any contract entered into after March 23, 1982 by the state of Minnesota or the University of Minnesota involving services, any part of which, in the absence of the contract, would be performed by members of a unit provided in section 179.741, subdivision 1 or 3, shall be subject to section 16.07 and shall provide for the preferential employment by such a party of members of that unit whose employment with the state of Minnesota or the University of Minnesota is terminated as a result of that contract.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Contracts entered into by the state of Minnesota for the purpose of providing court reporter services or transcription of the record of a hearing which was recorded by means of an audio magnetic recording device shall be subject to section 16.098 and the preferential employment provisions enumerated in this section. Any court reporter seeking a contract pursuant to the preferential employment provisions of this section shall be given preference when the services are needed only if that court reporter's charges for the services requested are no greater than the average of the charges made for the identical services by other court reporters in the same locality who are also under contract with the state for those services.

Sec. 154. Minnesota Statutes 1982, section 181A.12, subdivision 1, is amended to read:

Subdivision 1. **FINES; PENALTY.** Any employer who hinders or delays the department or its authorized representative in the performance of its duties under sections 181A.01 to 181A.12 or refuses to admit the commissioner or his authorized representative to any place of employment or refuses to make certificates or lists available as required by sections 181A.01 to 181A.12, or otherwise violates any provisions of sections 181A.01 to 181A.12 or any regulations rules issued pursuant thereto shall, ~~upon conviction therefor, be guilty of a gross misdemeanor~~ be assessed a fine to be paid to the commissioner for deposit in the general fund. The fine may be recovered in a civil action in the name of the department brought in the district court of the county where the violation is alleged to have occurred or the district court where the commissioner has an office. Fines are in the amounts as follows:

| | |
|--|--------------|
| (a) <u>employment of minors under the age of 14</u> | <u>\$ 50</u> |
| (b) <u>employment of minors under the age of 16 during school hours while school is in session</u> | <u>50</u> |
| (c) <u>employment of minors under the age of 16 before 7:00 a.m.</u> | <u>50</u> |
| (d) <u>employment of minors under the age of 16 after 9:30 p.m.</u> | <u>50</u> |
| (e) <u>employment of minors under the age of 16 over eight hours a day</u> | <u>50</u> |
| (f) <u>employment of minors under the age of 16 over 40 hours a week</u> | <u>50</u> |
| (g) <u>employment of minors under the age of 18 in hazardous occupations</u> | <u>100</u> |
| (h) <u>employment of minors under the age of 16 in hazardous occupations</u> | <u>100</u> |
| (i) <u>minors under the age of 18 injured in hazardous employment</u> | <u>500</u> |
| (j) <u>minors employed without proof of age (each employee)</u> | <u>5</u> |

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

An employer who engages in a consistent and repeated pattern of violations of sections 181A.01 to 181A.12 is guilty of a gross misdemeanor.

Sec. 155. Minnesota Statutes 1982, section 183.375, subdivision 5, is amended to read:

Subd. 5. **FEES.** All fees collected by the division of boiler inspection shall be paid into the state treasury in the manner provided by law for fees received by other state departments and credited to the general fund. When fees are to be set by the commissioner, they shall be set pursuant to section 16A.128.

Sec. 156. Minnesota Statutes 1982, section 183.411, subdivision 3, is amended to read:

Subd. 3. **LICENSES.** A license to operate steam farm traction engines, portable and stationary show engines and portable and stationary show boilers shall be issued to an applicant who:

- (a) is 18 years of age or older;
- (b) has two licensed second class, grade A engineers or steam traction engineers, or any combination thereof, cosign his application; attesting to his competence in operating said devices;
- (c) passes a written test for competence in operating said devices; and
- (d) pays the required fee.

A license shall be valid for the lifetime of the licensee. A one time fee of \$20 set by the commissioner pursuant to section 16A.128, shall be charged for the license.

Sec. 157. Minnesota Statutes 1982, section 183.545, is amended to read:

183.545 FEES FOR INSPECTION.

Subdivision 1. **FEE AMOUNT; VESSELS.** The fees for the inspection of the hull, boiler, machinery, and equipments of vessels are to be set by the commissioner pursuant to section 16A.128, for vessels of 50 tons burden or over, \$30, and vessels of less than 50 tons burden, \$15.

Subd. 2. **FEE AMOUNTS; MASTERS AND PILOTS.** The commissioner shall, pursuant to section 16A.128, set the fee for an examination of an applicant for a master's or pilot's license is \$10. The fee, for an annual renewal of a master's or a pilot's license is \$6 or \$8, and for an annual renewal if paid later than 10 ten days after expiration.

Subd. 3. **INSPECTION FEES.** The fees for the annual inspection of boilers and biennial inspection of pressure vessels are to be set by the commissioner pursuant to section 16A.128, for:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

- (a) boiler inaccessible for internal inspection, \$15;
- (b) boiler accessible for internal inspection, \$20;
- (c) boiler internal inspection over 2,000 square feet heating surface, \$30;
- (d) boiler internal inspection over 4,000 square feet heating surface, \$40;
- (e) boiler internal inspection over 10,000 square feet heating surface, \$60;
- (f) boiler accessible for internal inspection requiring one-half day or more of inspection time shall be billed at the established shop inspection fee rate;
- (g) pressure vessel for internal inspection via manhole, \$15; and
- (h) pressure vessel inaccessible for internal inspection, \$10.

An additional fee based on the scale of fees applicable to an inspection shall be charged when it is necessary to make a special trip for a hydrostatic test of a boiler or pressure vessel.

The commissioner shall, pursuant to section 16A.128, set shop inspection fees shall be charged as follows for full day \$190 plus \$35 per hour over eight hours, one-half day \$100, two hours or less \$50, plus mileage and reasonable expenses. Inspection time includes all time related to the shop inspection.

Subd. 4. **APPLICANTS FEES.** The commissioner shall, pursuant to section 16A.128, set the fee for an examination of an applicant for an engineer's license is the following licenses:

- (a) chief engineer's license, \$20;
- (b) first class engineer's license, \$15;
- (c) second class engineer's license, \$13; and
- (d) special engineer's license, \$ 8.

If an applicant, after an examination, is entitled to receive a license, it shall be issued without the payment of any additional charge. Any license so issued expires one year after the date of its issuance. An engineer's license may be renewed upon application therefor and the payment of an annual renewal fee as follows: set by the commissioner pursuant to section 16A.128.

- Chief engineer's license renewal \$10
- First class engineer's license renewal \$10
- Second class engineer's license renewal \$ 8
- Special engineer's license renewal \$ 6

The fee is payable at the time of application, which shall be made not later than ten days after the date of expiration of such license. If application is made

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

more than ten days after the date of expiration of such license, an expired fee shall be paid instead of the renewal fee ~~prescribed above~~; the expired fees ~~are~~ shall be set by the commissioner pursuant to section 16A.128.

| | |
|-----------------------------|------|
| Chief engineer | \$15 |
| First class engineer | \$12 |
| Second class engineer | \$10 |
| Special engineer | \$ 8 |

Subd. 5. **FEE FORFEITURE.** Where an applicant for an engineer's license has paid the fees provided by subdivision 4, and thereafter fails to take an examination or furnish a proper affidavit, within a period of one year, said application fee shall be forfeited to the state of Minnesota.

Subd. 6. **NATIONAL BOARD INSPECTORS.** The fee for an examination of an applicant for a national board of boiler and pressure vessels inspectors commission is ~~\$25~~ shall be set by the commissioner pursuant to section 16A.128.

Subd. 7. **NUCLEAR ENDORSEMENT.** The fee for each examination of an applicant for a national board of boiler and pressure vessels commissioned inspectors nuclear endorsement is ~~\$10~~ shall be set by the commissioner pursuant to section 16A.128.

Subd. 8. **CERTIFICATE OF COMPETENCY.** The fee for issuance of the original state of Minnesota certificate of competency for inspectors is \$10 shall be set by the commissioner pursuant to section 16A.128. This fee is waived for inspectors who paid the examination fee of \$25. The fee for an annual renewal of the state of Minnesota certificate of competency is \$5 shall be set by the commissioner pursuant to section 16A.128, and is due January 1 of each year.

Sec. 158. Minnesota Statutes 1982, section 183.57, subdivision 2, is amended to read:

Subd. 2. Every boiler or pressure vessel as to which any insurance company authorized to do business in this state has issued a policy of insurance, after the inspection thereof, is exempt from inspection made under sections 183.375 to 183.62, while the same continues to be insured and the person, firm, or corporation owning or operating the same has an unexpired certificate of exemption from inspection, issued by the chief boiler inspector. The fee of ~~\$10~~ set by the commissioner pursuant to section 16A.128, on the first object inspected and \$5 on each object thereafter shall apply to each exempt object. A certificate of exemption expires one year from date of issue. The certificate of exemption shall be posted in a conspicuous place near the boiler or pressure vessel or in the plant office or boiler room described therein and to which it relates. Every insurance company shall give written notice to the chief boiler inspector of the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

cancellation or expiration of every policy of insurance issued by it with reference to policies in this state, and the cause or reason for the cancellation or expiration. These notices of cancellation or expiration shall show the date of the policy and the date when the cancellation has or will become effective.

Sec. 159. Minnesota Statutes 1982, section 190.05, subdivision 5, as amended by 1983 H.F. No. 859, section 3, is amended to read:

Subd. 5. **ACTIVE SERVICE.** "Active service" means either state active service, federally funded state active service, or federal active service.

Sec. 160. Minnesota Statutes 1982, section 190.05, subdivision 5a, as amended by 1983 H.F. No. 859, section 4, is amended to read:

Subd. 5a. **STATE ACTIVE SERVICE.** "State active service" excludes federal active service and federally funded state active service and includes service or duty:

(1) on behalf of the state in case of actual or threatened public disaster, war, riot, tumult, breach of the peace, resistance of process, or whenever called upon in aid of state civil authority;

(2) at encampments ordered by state authority;

(3) otherwise ordered or requested by state authority and requiring the time of the organization or person; or

(4) travel to or from service or duty under clause (1), (2), or (3).

Sec. 161. Minnesota Statutes 1982, section 190.05, subdivision 5b, as amended by 1983 H.F. No. 859, section 5, is amended to read:

Subd. 5b. **FEDERALLY FUNDED STATE ACTIVE SERVICE.** "Federally funded state active service" means service or duty under United States Code, title 32, as amended through December 31, 1983, and travel to or from that service or duty.

Subd. 5c. **FEDERAL ACTIVE SERVICE.** "Federal active service" excludes federally funded state active service and means service or duty under United States Code, title 10 ~~or 32~~, as amended through December 31, 1983, other service or duty as may be required by the law, regulation, or order of the United States government, and travel to or from that service or duty.

Sec. 162. Minnesota Statutes 1982, section 204B.32, is amended to read:
204B.32 ELECTION EXPENSES; PAYMENT.

The secretary of state shall pay the compensation for presidential electors, the cost of printing the white ballots, ~~special federal white ballots~~, and the pink paper ballots, and all necessary expenses incurred by the secretary of state in connection with elections. The counties shall pay the compensation prescribed in

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

section 204B.31, clauses (b) and (c), the cost of printing the canary ballots, the white ballots, the pink ballots when machines are used, the state partisan primary ballots, and the state and county nonpartisan primary ballots, all necessary expenses incurred by county auditors in connection with elections, and the expenses of special county elections. The municipalities shall pay the compensation prescribed for election judges and sergeants at arms, the cost of printing the municipal ballots, providing ballot boxes, providing and equipping polling places and all necessary expenses of the municipal clerks in connection with elections, except special county elections. All disbursements under this section shall be presented, audited, and paid as in the case of other public expenses.

Sec. 163. Minnesota Statutes 1982, section 204D.11, subdivision 1, is amended to read:

Subdivision 1. **WHITE BALLOT; RULES; REIMBURSEMENT.** The names of the candidates for all partisan offices voted on at the state general election and candidates for the office of justice and chief justice of the supreme court shall be placed on a single ballot printed on white paper which shall be known as the "white ballot." This ballot shall be prepared by the county auditor subject to the rules of the secretary of state. The state shall ~~reimburse the counties for~~ contribute to the cost of preparing the white ballot and the envelopes required for the returns of that ballot. The secretary of state shall adopt rules for preparation and time of delivery of the white ballot and for ~~reimbursement of the counties' costs~~ establishing a basis for distributing to the counties the money appropriated by the state for white ballot costs.

Sec. 164. Minnesota Statutes 1982, section 206.09, is amended to read:

206.09 BALLOT LABELS; DIAGRAMS FOR VOTING MACHINES.

The same authorities as are charged with providing paper ballots when such are used shall be required to provide all ballots, ballot labels and ballot cards, diagrams, sample ballots, return sheets and all other necessary supplies needed for the voting machines or electronic voting systems.

In state and county general elections the county auditor of each county in which voting machines or electronic voting systems are used shall provide all ballots, ballot labels, ballot cards, and other necessary printed forms and supplies needed for the voting machines, including all such forms needed for placing on such voting machines, all officers, candidates and constitutional amendments and other questions and propositions, ~~the ballots for which are required by the election laws to be provided by the state when paper ballots are used~~ placed on the white, pink, and canary ballots. The total cost of printing and providing all such forms shall be prorated by each county auditor so that the state and county will pay each its proportionate share based on the total number of candidates and questions under the jurisdiction of each. The state shall pay to the county its

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

proportionate share of such cost as herein provided, all provisions of the statutes of this state notwithstanding.

Except as herein provided all ballots (or ballot labels) shall be printed in black ink on clear white material of such size as will fit the ballot frame of the voting machine or as will conform to the requirements of electronic voting systems where used, and in as plain clear type as the space will reasonably permit. In primaries where electronic voting systems are used, the ballot pages for the partisan primary ballots may be different colors or may be otherwise distinctively differentiated as between parties and all pages of the partisan primary ballot of a single party shall be consecutive without the intervention of any pages of any other party. In a prominent place on such ballots there shall be conspicuously printed a notice stating in substance the effect of attempting to vote in more than one partisan primary. Preparation of separate ballots for use on separate marking devices, each ballot containing the partisan primary ballot of only one party, shall also be permitted. Candidates' names may be set in as large type as the length of the majority of such names of all candidates on the ballot permits and the remaining candidates' names may be set in such smaller sizes or styles of type as the length of each such name requires based upon the available space in the frame of the voting machine or upon the space available on any card, paper, booklet, or pages. Ballots (or ballot labels) for constitutional amendments or that portion of the ballot containing constitutional amendments shall be printed on material tinted pink. In a prominent place on such ballots, there shall be conspicuously printed a notice stating in substance that if a voter fails to vote on a constitutional amendment he votes, in effect, in the negative. Ballots (or ballot labels) for other questions shall be printed on material so tinted as to conform with the laws relating to paper ballots.

The authorities charged with the duty of providing ballots for any polling place where voting machines are used shall provide therefor at least two sample ballots which shall be arranged in the form of a diagram showing such part of the face of the voting machine as shall be in use at that election for voting for all candidates whose names are entitled to be placed on the ballot at such election and shall also show such part of the face of the voting machine as shall be in use for voting for all referendum questions, constitutional amendments, or other propositions; the proper authorities shall provide at least two sample ballots, ballot cards, or ballot labels which shall be arranged in the form of a diagram showing the ballot label containing the names of all candidates and propositions to be voted upon at that election in each polling place. Candidates' names shall not be rotated on such sample ballots but shall be arranged in alphabetical order for all offices where rotation of names on the official ballots on the voting machines is required by law. Such sample ballots shall be either in full or reduced size and shall contain suitable illustrated directions for voting on the voting machine, or for operating a marking device, or such illustrated instructions shall be provided on a separate poster, to be posted adjacent to each sample ballot. Not less than two such sample ballots shall be posted in a prominent

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

place in the polling place and shall remain open to inspection by the voters throughout the election day.

The county auditor may use a one inch or more space between partisan and nonpartisan ballots, but in all cases a canary yellow color shall be used as background color on the nonpartisan ballots.

Sec. 165. Minnesota Statutes 1982, section 214.06, subdivision 1, is amended to read:

Subdivision 1. Notwithstanding any law to the contrary, the commissioner of health as authorized by section 214.13, all health related licensing boards and all nonhealth related licensing boards shall by rule, with the approval of the commissioner of finance, adjust any fee which the board is empowered to assess a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures during the fiscal biennium, including the portion of the general support costs and statewide indirect costs of the department providing administrative support services to the board that is attributable to the board. Examination fees, if any, shall be set by rule so that the total amount of annual examination fee income approximately meets the anticipated cost of administering the examinations during the fiscal biennium. Fee adjustments authorized under this subdivision may be made without a public hearing when the total fees estimated to be received during the biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements to the board for the biennium as provided in section 16A.128. All fees received shall be deposited with the state treasurer and credited to the general fund.

Sec. 166. Minnesota Statutes 1982, section 216B.164, subdivision 2, is amended to read:

Subd. 2. **APPLICABILITY.** This section as well as any rules promulgated by the commission ~~pursuant to implement this section or~~ the public utility regulatory policies act of 1978, Pub.L. 95-617, 92 Stat. 3117, and the federal energy regulatory commission regulations thereunder, 18 C.F.R. Code of Federal Regulations, title 18, part 292, shall apply to all Minnesota electric utilities, including cooperative electric associations and municipal electric utilities, ~~that~~ become interconnected with any qualifying facility as defined in 18 C.F.R. Section 292.101(b)(1).

Sec. 167. Minnesota Statutes 1982, section 216B.164, subdivision 3, is amended to read:

Subd. 3. **PURCHASES; SMALL FACILITIES.** (a) For a qualifying facilities facility having less than 40 kilowatt capacity, the customer shall be billed for the net energy supplied by the utility according to the applicable rate schedule for sales to that class of customer. In the case of net input into the utility system by the a qualifying facility having less than 40 kilowatt capacity, compensation to

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

the customer shall be at a per kilowatt hour rate set by the commission determined under paragraph (b) or (c) of this subdivision.

(b) In setting these rates, the commission shall consider the fixed distribution costs to the utility not otherwise accounted for in the basic monthly charge and shall ensure that the costs charged to the qualifying facility are not discriminatory in relation to the costs charged to other customers of the utility. ~~Notwithstanding any other language to the contrary in this section,~~ The commission shall set the rates for net input into the utility system based on avoided costs as defined in ~~48 C.F.R.~~ the Code of Federal Regulations, title 18, section 292.101(b)(6), the factors listed in 48 C.F.R. Code of Federal Regulations, title 18, section 292.304, and all other relevant factors.

(c) Notwithstanding any provision in this chapter to the contrary, a qualifying facility having less than 40 kilowatt capacity may elect that the compensation for net input by the qualifying facility into the utility system shall be at the average retail utility energy rate. "Average retail utility energy rate" is defined as the average of the retail energy rates, exclusive of special rates based on income, age, or energy conservation, according to the applicable rate schedule of the utility for sales to that class of customer.

(d) If the qualifying facility is interconnected with a nongenerating utility which has a sole source contract with a municipal power agency or a generation and transmission utility, the nongenerating utility may elect to treat its purchase of any net input under this subdivision as being made on behalf of its supplier and shall be reimbursed by its supplier for any additional costs incurred in making the purchase. Qualifying facilities having less than 40 kilowatt capacity may, at the customer's option, elect to be governed by the provisions of subdivision 4.

Sec. 168. Minnesota Statutes 1982, section 216B.164, subdivision 5, is amended to read:

Subd. 5. **DISPUTES.** In the event of disputes between an electric utility and a qualifying facility, either party may request a determination of the issue by the commission. In any such determination, the burden of proof shall be on the utility. The commission in its order resolving each such dispute shall require payments to the prevailing party of the prevailing party's costs, disbursements, and reasonable attorneys' fees, except that the qualifying facility will be required to pay the costs, disbursements, and attorneys' fees of the utility only if the commission finds that the claims of the qualifying facility in the dispute have been made in bad faith, or are a sham, or frivolous.

Sec. 169. Minnesota Statutes 1982, section 216B.164, subdivision 6, is amended to read:

Subd. 6. **RULES AND UNIFORM CONTRACT.** (a) The commission shall promulgate rules to implement the provisions of this section. The commis-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

sion shall also establish a uniform statewide form of contract for use between utilities and a qualifying facility having less than 40 kilowatt capacity.

(b) The commission shall require the qualifying facility to provide the utility with reasonable access to the premises and equipment of the qualifying facility if the particular configuration of the qualifying facility precludes disconnection or testing of the qualifying facility from the utility side of the interconnection with the utility remaining responsible for its personnel.

(c) The uniform statewide form of contract shall be applied to all new and existing interconnections established between a utility and a qualifying facility having less than 40 kilowatt capacity, except that existing contracts may remain in force until written notice of election that the uniform statewide contract form applies is given by either party to the other, with the notice being of the shortest time period permitted under the existing contract for termination of the existing contract by either party, but not less than ten nor longer than 30 days.

(d) The commission may promulgate temporary rules for the purpose of implementing this section. The temporary rules are subject to sections 14.29 to 14.36.

Sec. 170. Minnesota Statutes 1982, section 216B.164, subdivision 8, is amended to read:

Subd. 8. **CUSTOMER, INTERCONNECTION AND WHEELING CHARGES.** (a) Utilities shall be required to interconnect with a qualifying facility that offers to provide available energy or capacity and that satisfies the requirements of this section.

(b) Nothing contained in this section shall be construed to excuse the qualifying facility from any obligation for costs of interconnection and wheeling in excess of those normally incurred by the utility for customers with similar load characteristics who are not cogenerators or small power producers, or from any fixed charges normally assessed such nongenerating customers.

Sec. 171. Minnesota Statutes 1982, section 216B.164, is amended by adding a subdivision to read:

Subd. 9. **MUNICIPAL ELECTRIC UTILITIES.** For purposes of this section only, except subdivisions 5 and 7, and with respect to municipal electric utilities only, the term "commission" means the governing body of each municipal electric utility that adopts and has in effect rules implementing this section which are consistent with the rules adopted by the Minnesota public utilities commission under subdivision 6. As used in this subdivision, the governing body of a municipal electric utility means the city council of that municipality; except that, if another board, commission, or body is empowered by law or resolution of the city council or by its charter to establish and regulate rates and days for the distribution of electric energy within the service area of the city, that board,

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

commission, or body shall be considered the governing body of the municipal electric utility.

Sec. 172.. [216B.242] **INVERTED RATES.**

The commission may initiate a program designed to demonstrate the effect of inverted rates on promoting conservation by the residential customers of natural gas utilities. Any inverted rates ordered by the commission shall present customers with a tailblock price that, to the maximum extent practicable, reflects the replacement cost of gas. Total revenues collected from customers involved in this pilot program may not exceed those that would be collected under a flat rate. The commission may order one public gas utility to implement a pilot program of inverted rates for residential customers and to monitor the effects of these rates on gas consumption, and on costs to residential customers. The program shall include a sufficient number of residential customers to provide statistically significant conclusions regarding the effects and costs of inverted rates. The inverted rate schedules and monitoring plans shall be prepared in consultation with the commissioner of energy, planning and development.

Sec. 173. Minnesota Statutes 1982, section 216B.44, is amended to read:

216B.44 MUNICIPAL SERVICE TERRITORY EXTENSIONS IN ANNEXED AREAS; MUNICIPAL PURCHASE.

Notwithstanding the provisions of sections 216B.38 to 216B.42, whenever a municipality which owns and operates an electric utility (a) extends its corporate boundaries through annexation or consolidation, or (b) determines to extend its service territory within its existing corporate boundaries, the municipality shall thereafter furnish electric service to the ~~annexed area~~ these areas unless the area is already receiving electric service from an electric utility, in which event, the ~~annexing~~ municipality may purchase the facilities of the electric utility serving the ~~annexed~~ area. The municipality acquiring the facilities shall pay to the electric utility formerly serving the ~~annexed~~ area the appropriate value of its properties within the area which payment may be by exchange of other electric utility property outside the municipality on an appropriate basis giving due consideration to revenue from and value of the respective properties. In the event the municipality and the electric utility involved are unable to agree as to the terms of the payment or exchange, the municipality or the electric utility may file an application with the commission requesting that the commission determine the appropriate terms for the exchange or sale. After notice and hearing, the commission shall determine appropriate terms for an exchange, or in the event no appropriate properties can be exchanged, the commission shall fix and determine the appropriate value of the property within the annexed area, and the transfer shall be made as directed by the commission. In making that determination the commission shall consider the original cost of the property, less depreciation, loss of revenue to the utility formerly serving the area, expenses resulting from integration of facilities, and other appropriate factors. Until the determination

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

by the commission, the facilities shall remain in place and service to the public shall be maintained by the owner. However, the electric utility being displaced, serving the annexed area, shall not extend service to any additional points of delivery within the annexed area if the commission, after notice and hearing, with due consideration of any unnecessary duplication of facilities, shall determine that the extension is not in the public interest.

When property of a ~~public~~ an electric utility located within an area annexed to a municipality which owns and operates a ~~public~~ an electric utility is proposed to be acquired by the municipality, ratification by the electors is not required.

When property of an electric utility located within the existing corporate boundaries of a municipality that currently operates a municipal electric utility is proposed to be included within the service territory of the municipal electric utility, ratification by the electors is not required.

Sec. 174. [216B.465] VOTER RATIFICATION OF MUNICIPAL PURCHASE, LIMITED APPLICATION.

The provisions of sections 216B.45 and 216B.46 apply only to the purchase of public utility property by a municipality that, prior to the time of the purchase, did not operate a municipal utility providing the type of utility service delivered by the utility property being purchased.

In cases where the municipality operates, prior to the purchase of public utility property, a municipal utility providing the type of utility service delivered by the utility property being purchased, the provisions of section 216B.44 apply and voter ratification is not required.

Sec. 175. Minnesota Statutes 1982, section 239.10, is amended to read:
239.10 ANNUAL INSPECTION.

The department shall charge a fee to the owner for the costs of the regular inspection of scales, weights, measures, and weighing or measuring devices. The cost of any other inspection shall be paid by the owner if the inspection is performed at his request or if the inspection is made at the request of some other person and the scale, weight, measure, or weighing or measuring device is found to be incorrect. The department may fix the fees and expenses for all regular inspections and special services by rule pursuant to section 16A.128. All moneys collected by the department for its regular inspections, special services, fees, and penalties shall be paid into the state treasury and credited to the state general fund.

Sec. 176. [270.067] TAX EXPENDITURE BUDGET.

Subdivision 1. STATEMENT OF PURPOSE. State governmental policy objectives are sought to be achieved both by direct expenditure of governmen-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

tal funds and by the granting of special and selective tax relief or tax expenditures. Both direct expenditures of governmental funds and tax expenditures have an effect on the ability of the state and local governments to lower tax rates or to increase expenditures. As a result, tax expenditures should receive a regular and comprehensive review by the legislature as to (a) their total cost, (b) their effectiveness in achieving their objectives, (c) their effect on the fairness and equity of the distribution of the tax burden, and (d) the public and private cost of administering tax expenditure financed programs. This section is intended to facilitate a regular review of the state and local tax expenditure budget by the legislature by providing for the preparation of a regular biennial tax expenditure budget.

Subd. 2. PREPARATION; SUBMISSION. The commissioner of revenue shall prepare a tax expenditure budget for the state. The tax expenditure budget report shall be submitted to the legislature as a supplement to the governor's budget and at the same time as provided for submission of the budget pursuant to section 16A.11, subdivision 1.

Subd. 3. PERIOD COVERED. The report shall include estimates of annual tax expenditures for, at a minimum, a three-year period including the two-year period covered in the governor's budget submitted in the preceding January pursuant to section 16A.11.

Subd. 4. CONTENTS. The report shall detail for each tax expenditure item the amount of tax revenue foregone, a citation of the statutory or other legal authority for the expenditure, and the year in which it was enacted or the tax year in which it became effective. The report may contain additional information which the commissioner considers relevant to the legislature's consideration and review of individual tax expenditure items. This may include, but is not limited to, statements of the intended purpose of the tax expenditure, analysis of whether the expenditure is achieving that objective, and the effect of the expenditure device on the distribution of the tax burden and administration of the tax system.

Subd. 5. REVENUE ESTIMATES; LEGISLATIVE BILLS. Upon reasonable notice from the chairman of the house or senate tax committee that a bill is scheduled for hearing, the commissioner of revenue shall prepare an estimate of the effect on the state's tax revenues which would result from the passage of a legislative bill establishing, extending, or restricting a tax expenditure. These revenue estimates shall contain the same information as provided in subdivision 4 for expenditure items contained in the tax expenditure budget, as appropriate.

Subd. 6. DEFINITIONS. For purposes of this section, the following terms have the meanings given:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(1) "Tax expenditure" means a tax provision which provides a gross income definition, deduction, exemption, credit, or rate for certain persons, types of income, transactions, or property that results in reduced tax revenue.

(2) "Tax" means any tax of statewide application or any tax authorized by state law to be levied by local governments generally. It does not include a special local tax levied pursuant to special law or to a special local tax levied pursuant to general authority that is no longer applicable to local governments generally.

Sec. 177. [273.118] TAX PAID IN RECOGNITION OF CONGRESSIONAL MEDAL OF HONOR.

An owner of property classified under section 273.13, subdivision 6, 6a, 7, 7d, or 14a, who submits to the commissioner of revenue his property tax statement and reasonable proof that the owner of the property:

(a) is a veteran as defined in section 197.447;

(b) was a resident of this state for at least six months before entering military service, or has been a resident of this state for five consecutive years before submitting the statement and proof; and

(c) has been awarded the congressional medal of honor;

shall be paid by the commissioner of revenue within 30 days after the commissioner receives the statement and proof the amount of the owner's property tax liability as shown on the statement, up to \$2,000. The surviving spouse of a property owner who has received a payment under this section may receive payment of property taxes under this section as long as the spouse continues to own and occupy the property for which the taxes were paid under this section and the property continues to have an eligible classification. Property taxes paid under this section reduce property taxes payable for purposes of chapter 290A, the Property Tax Refund Act.

Sec. 178. Minnesota Statutes 1982, section 290.06, subdivision 13, is amended to read:

Subd. 13. **GASOLINE AND SPECIAL FUEL TAX REFUND.** Subject to the provisions of section 296.18, a credit equal to the amount paid by the taxpayer during the taxable year as excise tax on gasoline bought and used for any purpose other than use in motor vehicles or snowmobiles, or motorboats, or on special fuel bought and used for any purpose other than use in licensed motor vehicles may be deducted from any tax due under this chapter. Any amount by which the credit exceeds the tax due shall be refunded.

Sec. 179. Minnesota Statutes 1982, section 290.37, subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. **PERSONS MAKING RETURNS.** (a) The commissioner of revenue shall annually determine the gross income levels at which individuals and estates shall be required to file a return for each taxable year.

In the case of a decedent who has gross income in excess of the minimum amount at which an individual is required to file a return, The decedent's final income tax return, and all other income tax returns for prior years where the decedent had gross income in excess of the minimum amount at which an individual is required to file and did not file, shall be filed by his or her personal representative, if any. If there is no personal representative, the return or returns shall be filed by the successors (transferees as defined in section ~~524.1-201~~ 290.29, subdivision 3, who receive any property of the decedent.

The trustee or other fiduciary of property held in trust shall file a return with respect to the taxable net income of such trust if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed, or if the gross income of such trust exceeds \$750, if in either case such trust belongs to the class of taxable persons.

Every corporation shall file a return. The return in this case shall be signed by an officer of the corporation.

The receivers, trustees in bankruptcy, or assignees operating the business or property of a taxpayer shall file a return with respect to the taxable net income of such taxpayer if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed.

(b) Such return shall (1) be verified or contain a written declaration that it is made under the penalties of criminal liability for willfully making a false return, and (2) shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

(c) For purposes of this subdivision the term "gross income" shall mean gross income as defined in section 61 of the Internal Revenue Code of 1954, as amended through December 31, 1981, modified and adjusted in accordance with the provisions of sections 290.01, subdivision 20b, clauses (1), (6) and (11), 290.08, and 290.17.

Sec. 180. Minnesota Statutes 1982, section 290.44, is amended to read:

290.44 PAYMENT OF TAX, WHO MUST PAY.

The taxes imposed by this chapter, and interest and penalties imposed with respect thereto, shall be paid by the taxpayer upon whom imposed, except in the following cases:

(1) The tax due from a decedent for that part of the taxable year in which he died during which he was alive and the taxes, interest, and penalty due for any and all prior years shall be paid by his personal representative, if any. If there is

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

no personal representative, the ~~tax~~ taxes, interest, and penalty shall be paid by the ~~successors~~ (transferees, as defined in section 524.1-201) 290.29, subdivision 3, to the extent they receive property from the decedent.

(2) The tax due from an infant or other incompetent person shall be paid by his guardian or other person authorized or permitted by law to act for him;

(3) The tax due from the estate of a decedent shall be paid by the personal representative thereof;

(4) The tax due from a trust, including those within the definition of corporation, shall be paid by the trustee or trustees;

(5) The tax due from a taxpayer whose business or property is in charge of a receiver, trustee in bankruptcy, assignee, or other conservator, shall be paid by the person in charge of such business or property so far as the tax is due to the income from such business or property.

Sec. 181. Minnesota Statutes 1982, section 296.18, subdivision 1, is amended to read:

Subdivision 1. **GASOLINE OR SPECIAL FUEL USED IN OTHER THAN MOTOR VEHICLES.** Any person who shall buy and use gasoline for any purpose other than use in motor vehicles ~~or~~, snowmobiles, or motorboats, or special fuel for any purpose other than use in licensed motor vehicles, and who shall have paid the excise tax directly or indirectly through the amount of the tax being included in the price of the gasoline or special fuel, or otherwise, shall be eligible to receive the credit provided in section 290.06, subdivision 13, in the amount of the tax paid by him. The taxpayer claiming this credit shall include with his income tax return information including the total amount of the gasoline so purchased and used by him other than in motor vehicles, or special fuel so purchased and used by him other than in licensed motor vehicles, and shall state when and for what purpose it was used. The words "gasoline" or "special fuel" as used in this subdivision do not include aviation gasoline or special fuel for aircraft.

Sec. 182. Minnesota Statutes 1982, section 296.421, subdivision 5, is amended to read:

Subd. 5. **COMPUTATION OF UNREFUNDED TAX.** The amount of unrefunded tax shall be a sum equal to three-fourths of one percent of all revenues derived from the excise taxes on gasoline, except on gasoline used for aviation purposes, together with interest thereon and penalties for delinquency in payment, paid or collected pursuant to the provisions of sections 296.02 to 296.17, ~~from which shall be subtracted the total amount of money refunded for motor boat use pursuant to section 296.18.~~ The amount of such tax shall be computed for each six-month period commencing January 1, 1961, and shall be paid into the state treasury on November 1 and June 1 following each six-month period.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 183. Minnesota Statutes 1982, section 298.22, subdivision 1, is amended to read:

Subdivision 1. (1) The office of commissioner of iron range resources and rehabilitation is created. The commissioner shall be appointed by the governor under the provisions of section 15.06.

(2) The commissioner may hold such other positions or appointments as are not incompatible with his duties as commissioner of iron range resources and rehabilitation. The commissioner may appoint a deputy commissioner. All expenses of the commissioner, including the payment of such assistance as may be necessary, shall be paid out of the amounts appropriated by section 298.28, subdivision 1. The compensation of the commissioner shall be set by the governor.

(3) When the commissioner shall determine that distress and unemployment exists or may exist in the future in any county by reason of the removal of natural resources or a possibly limited use thereof in the future and the decrease in employment resulting therefrom, now or hereafter, he may use such amounts of the appropriation made to him in section 298.28, subdivision 1 as he may determine to be necessary and proper in the development of the remaining resources of said county and in the vocational training and rehabilitation of its residents. For the purposes of this section, "development of remaining resources" includes, but is not limited to, the promotion of tourism.

Sec. 184. Minnesota Statutes 1982, section 309.53, subdivision 2, is amended to read:

Subd. 2. Such annual report shall include a financial statement covering the immediately preceding 12 months period of operation, and shall be executed by any two duly constituted officers of the charitable organization, who shall acknowledge that it was executed pursuant to resolution of the board of directors or trustees, or if there be no such board, then by its managing group which has approved the content of the annual report. This annual report shall also include a copy of any tax return, including amendments, submitted by the charitable organization to the Internal Revenue Service for the period covered by the annual report.

A charitable organization which files the annual report required under this subdivision with the securities and real estate division is not required to file the tax return with the commissioner of revenue. An organization which fails to file the tax return required under this section is subject to the penalties imposed by the commissioner of revenue as set forth in section 290.05, subdivisions 4 and 5.

Sec. 185. Minnesota Statutes 1982, section 309.53, is amended by adding a subdivision to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 3a. The federal tax return may be filed in lieu of other financial statements if it is prepared in accordance with generally accepted accounting principles and meets the requirements for financial statements set forth in subdivisions 2, 3, and 4.

Sec. 186. Minnesota Statutes 1982, section 317.67, is amended by adding a subdivision to read:

Subd. 3. FILING FEE. The secretary of state shall collect a fee of \$25 from each new nonprofit corporation at the time of incorporation.

Sec. 187. Minnesota Statutes 1982, section 322A.16, is amended to read:

322A.16 FILING IN OFFICE OF SECRETARY OF STATE.

(a) A signed copy of the certificate of limited partnership, of any certificates of amendment or cancellation or of any judicial decree of amendment or cancellation shall be delivered to the secretary of state. A person who executes a certificate as an agent or fiduciary need not exhibit evidence of his authority as a prerequisite to filing. Unless the secretary of state finds that any certificate does not conform to law, upon receipt of a \$10 filing fee ~~he~~ and, in the case of a certificate of limited partnership, a \$50 initial fee, the secretary shall:

(1) endorse on the original the word "Filed" and the day, month and year of the filing; and

(2) return the original to the person who filed it or his representative.

(b) Upon the filing of a certificate of amendment or judicial decree of amendment in the office of the secretary of state, the certificate of limited partnership shall be amended as set forth in the amendment, and upon the effective date of a certificate of cancellation or a judicial decree of it, the certificate of limited partnership is canceled.

Sec. 188. Minnesota Statutes 1982, section 322A.71, is amended to read:

322A.71 ISSUANCE OF REGISTRATION.

(a) If the secretary of state finds that an application for registration conforms to law and a \$10 filing fee and a \$50 initial registration fee has been paid, ~~he~~ the secretary shall:

(1) endorse on the application the word "Filed," and the month, day and year of the filing thereof;

(2) file in his office a duplicate original of the application; and

(3) issue a certificate of registration to transact business in this state.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(b) The certificate of registration, together with a duplicate original of the application, shall be returned to the person who filed the application or his representative.

Sec. 189. Minnesota Statutes 1982, section 331.02, is amended by adding a subdivision to read:

Subd. 1a. FEE. Every newspaper submitting the statement required by subdivision 1, clause (8) shall remit a \$25 filing fee to the secretary of state at the time of that submission.

Sec. 190. Minnesota Statutes 1982, section 333.055, subdivision 3, is amended to read:

Subd. 3. The secretary of state shall charge and collect:

(a) For the filing of each certificate or amended certificate of an assumed name - ~~\$12~~ \$15

(b) Certificate renewal fee - \$6

Sec. 191. Minnesota Statutes 1982, section 333.20, subdivision 4, is amended to read:

Subd. 4. The application for registration shall be accompanied by a filing fee of ~~\$18~~ \$25, payable to the secretary of state; provided, however, that a single credit of \$10 shall be given each applicant applying for re-registration of a mark hereunder for each \$10 filing fee paid by applicant for registration of the same trademark prior to the effective date of sections 333.18 to 333.31.

Sec. 192. Minnesota Statutes 1982, section 345.31, is amended by adding a subdivision to read:

Subd. 3a. COMMISSIONER. "Commissioner" means the commissioner of commerce.

Sec. 193. Minnesota Statutes 1982, section 345.41, is amended to read:

345.41 REPORT OF ABANDONED PROPERTY.

(a) Every person holding funds or other property, tangible or intangible, presumed abandoned under sections 345.31 to 345.60 shall report annually to the state treasurer commissioner with respect to the property as hereinafter provided.

(b) The report shall be verified and shall include:

(1) except with respect to traveler's checks and money orders, the name, if known, and last known address, if any, of each person appearing from the records of the holder to be the owner of any property of the value of \$10 or more presumed abandoned under sections 345.31 to 345.60;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(2) in case of unclaimed funds of life insurance corporations, the full name of the policyholder, insured or annuitant and his last known address according to the life insurance corporation's records;

(3) the nature and identifying number, if any, or description of the property and the amount appearing from the records to be due, except that items of value under \$10 each may be reported in aggregate;

(4) the date when the property became payable, demandable or returnable, and the date of the last transaction with the owner with respect to the property; and

(5) other information which the ~~state treasurer~~ commissioner prescribes by rule as necessary for the administration of sections 345.31 to 345.60.

(c) If the person holding property presumed abandoned is a successor to other persons who previously held the property for the owner, or if the holder has changed his name while holding the property, he shall file with his report all prior known names and addresses of each holder of the property.

(d) The report shall be filed before November 1 of each year as of June 30 next preceding, but the report of life insurance corporations shall be filed before May 1 of each year as of December 31 next preceding. The ~~state treasurer~~ commissioner may postpone the reporting date upon written request by any person required to file a report.

(e) If the holder of property presumed abandoned under sections 345.31 to 345.60 knows the whereabouts of the owner and if the owner's claim has not been barred by the statute of limitations, the holder shall, before filing the annual report, inform the owner of the steps necessary to prevent abandonment from being presumed.

(f) Verification, if made by a partnership, shall be executed by a partner; if made by an unincorporated association or private corporation, by an officer, and if made by a public corporation, by its chief fiscal officer.

(g) Holders of property described in section 345.32 shall not impose any charges against property which is described in section 345.32, clauses (a), (b) or (c).

(h) Any person who has possession of property which he has reason to believe will be reportable in the future as unclaimed property may, with the permission of the ~~state treasurer~~ commissioner, report and deliver such property prior to the date required for reporting in accordance with this section.

Sec. 194. Minnesota Statutes 1982, section 357.08, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

357.08 PAID BY APPELLANT IN APPEAL TO SUPREME COURT.

In lieu of all charges now provided by law as fees of the clerk of the supreme court, There shall be paid by the appellant, or moving party or person requiring the service, in all cases of appeal, certiorari, habeas corpus, mandamus, injunction, prohibition, or other original proceeding, when initially filed with the clerk of the appellate courts, the sum of \$20 \$50 to the clerk of the appellate courts. In addition, there shall be paid by the appellant or moving party or person the sum of \$10 to the court or agency whose decision is sought to be reviewed. No additional filing fee shall be required for a petition for accelerated review by the supreme court. A filing fee of \$50 shall be paid to the clerk of the appellate courts upon the filing of a petition for review from a decision of the court of appeals.

The clerk shall not file any paper, issue any writ or certificate, or perform any service enumerated herein, until the payment therefor shall have been made, and when made he shall pay such sum into the state treasury as provided for by section 15A.01.

The charges provided for herein shall not apply to disbarment proceedings, nor to an action or proceeding by the state taken solely in the public interest, where the state is the appellant or moving party, nor to copies of the opinions of the court furnished by the clerk to the parties before judgment, or so furnished to the district judge whose decision is under review, or to such law library associations in counties having a population exceeding 50,000, as the court may direct.

Sec. 195. Minnesota Statutes 1982, section 360.302, subdivision 1, is amended to read:

Subdivision 1. To provide moneys appropriated from time to time by the legislature for aeronautics purposes in accordance with the Constitution, article 10, sections 4 and 5, and article XI, section 5, clause (g), upon request of the commissioner of transportation, the state auditor commissioner of finance is directed to issue and sell bonds of the state of Minnesota, not exceeding the amount required from time to time to meet the appropriations so made, for the prompt and full payment of which, with the interest thereon, the full faith, credit, and taxing powers of the state are hereby irrevocably pledged. Such bonds shall be known as "Minnesota aeronautics bonds." The principal amount thereof shall be credited to the state airports fund created by sections 360.017 and 270.077, together with any interest received by the state upon investment of such bond proceeds, but the accrued interest and any premium received upon sale of the bonds shall be credited to the state bond fund and except that the principal amount of any bonds authorized to refund existing obligations shall be credited to the fund or funds from which those obligations are payable.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 196. Minnesota Statutes 1982, section 360.302, subdivision 2, is amended to read:

Subd. 2. Such bonds shall be issued and sold at ~~not less than par~~ upon sealed bids after ~~two weeks~~ published notice, unless sold to the state board of investment. They shall be issued and sold in ~~such number of series~~ the manner, at such times, in such form and denominations, bearing interest at such a rate or rates, maturing on such dates and in amounts, ~~either with or without option of prior redemption or subject to prepayment upon such notice and at such specified times and prices, payable at such a bank or banks, within or without the state, with such provisions, if any, for registration, conversion, and exchange and for the issuance of temporary bonds or notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further regulations as the state auditor commissioner of finance may determine, subject to any limitations stated in the acts authorizing such bonds and appropriating the proceeds thereof (but not subject to the provisions of sections 14.02, 14.04 to 14.36, 14.38, 14.44 to 14.45, and 14.57 to 14.62).~~ The bonds shall be executed by the state auditor commissioner of finance and attested by the state treasurer under their official seals. ~~The signature of one signatures of these officers on the face of and the interest coupons appertaining to any bond, and their seals, and the signatures of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved, or otherwise reproduced thereon, provided that the signature of one of the officers, or of an authorized representative of a corporate registrar or other agent designated by the commissioner of finance to authenticate the bonds, shall be manually subscribed on the face of each bond.~~

Sec. 197. Minnesota Statutes 1982, section 360.302, subdivision 3, is amended to read:

Subd. 3. The auditor commissioner of finance is authorized and directed to ascertain and certify to purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota in accordance with their terms. Any act authorizing the issuance of bonds pursuant to this section shall, together with this section, constitute complete authority for such issue, and such bonds shall not be subject to the restrictions or limitations contained in any other law.

Sec. 198. Minnesota Statutes 1982, section 363.02, subdivision 1, is amended to read:

Subdivision 1. **EMPLOYMENT.** The provisions of section 363.03, subdivision 1, shall not apply to:

- (1) The employment of any individual
 - (a) by his parent, grandparent, spouse, child, or grandchild, or
 - (b) in the domestic service of any person;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(2) A religious or fraternal corporation, association, or society, with respect to qualifications based on religion, when religion shall be a bona fide occupational qualification for employment;

(3) The employment of one person in place of another, standing by itself, shall not be evidence of an unfair discriminatory practice;

(4) An age restriction applied uniformly and without exception to all individuals established by a bona fide apprenticeship program established pursuant to chapter 178, which limits participation to persons who enter the program prior to some specified age and the trade involved in the program predominantly involves heavy physical labor or work on high structures. After January 1, 1984, these age restrictions are exempt from the provisions of section 363.03, subdivision 1 only to the extent that they are declared exempt in rules adopted by the commissioner according to chapter 14. The commissioner must adopt rules governing this subject before January 1, 1984, and is authorized to adopt temporary, as well as permanent rules for this purpose. Neither shall the operation of a bona fide seniority system which mandates differences in such things as wages, hiring priorities, lay-off priorities, vacation credit, and job assignments based on seniority, be a violation of the age discrimination provisions of section 363.03, subdivision 1, so long as the operation of such system is not a subterfuge to evade the provisions of chapter 363;

(5) With respect to age discrimination, a practice whereby a labor organization or employer offers or supplies varying insurance benefits or other fringe benefits to members or employees of differing ages, so long as the cost to the labor organization or employer for such benefits is reasonably equivalent for all members or employees;

(6) A restriction imposed by state statute, home rule charter, ordinance, or civil service rule, and applied uniformly and without exception to all individuals, which establishes a maximum age for entry into employment as a peace officer or firefighter.

(7) Nothing in this chapter concerning age discrimination shall be construed to validate or permit age requirements which have a disproportionate impact on persons of any class otherwise protected by section 363.03, subdivision 1 or 5.

It is not an unfair employment practice for an employer, employment agency or labor organization:

(i) to require a person to undergo physical examination for purpose of determining the person's capability to perform available employment; or

(ii) to conduct an investigation as to the person's medical history for the purpose of determining the person's capability to perform available employment; or

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(iii) to limit receipt of benefits payable under a fringe benefit plan for disabilities to that period of time which a licensed physician reasonably determines a person is unable to work; or

(iv) to provide special safety considerations for pregnant women involved in tasks which are potentially hazardous to the health of the unborn child, as determined by medical criteria.

Sec. 199. Minnesota Statutes 1982, section 363.06, subdivision 4, is amended to read:

Subd. 4. **INQUIRY INTO CHARGE.** (1) Consistent with clause (7), ~~when a charge has been filed,~~ the commissioner shall promptly inquire into the truth of the allegations of the charge. The commissioner shall make an immediate inquiry when necessary to prevent a charging party from suffering irreparable loss in the absence of immediate action. The commissioner shall also make an immediate inquiry when it appears that a charge is frivolous or without merit and shall dismiss those charges. On ~~all other charges~~ the commissioner shall make a determination within 12 months after the charge was filed as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and

(2) If the commissioner determines after investigation that no probable cause exists to credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of the determination, serve upon the charging party and respondent written notice of the determination. Within ten days after receipt of notice, the charging party may request in writing on forms prepared by the department that the commissioner reconsider his determination. The request shall contain a brief statement of the reasons for and new evidence in support of the request for reconsideration. At the time of submission of the request to the commissioner, the charging party shall deliver or mail to the respondent a copy of the request for reconsideration. The commissioner shall either reaffirm or reverse his determination of no probable cause within 20 days after receipt of the request for reconsideration, and he shall within ten days notify in writing the charging party and respondent of his decision to reaffirm or reverse.

A decision by the commissioner that no probable cause exists to credit the allegations of an unfair discriminatory practice shall not be appealed to district court pursuant to section 363.072 or sections 14.63 to 14.68.

(3) If the commissioner determines after investigation that probable cause exists to credit the allegations of unfair discriminatory practices, the commissioner shall serve on the respondent and his attorney if he is represented by counsel, by first class mail, a notice setting forth a short plain written statement of the alleged facts which support the finding of probable cause and an enumeration of the provisions of law allegedly violated. If the commissioner determines that attempts to eliminate the alleged unfair practices through conciliation pursuant to

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

subdivision 5 have been or would be unsuccessful or unproductive, the commissioner shall issue a complaint and serve on the respondent, by registered or certified mail, a written notice of hearing together with a copy of the complaint, requiring the respondent to answer the allegations of the complaint at a hearing before a hearing examiner at a time and place specified in the notice, not less than ten days after service of said complaint. A copy of the notice shall be furnished to the charging party and the attorney general.

(4) If, at any time after the filing of a charge, the commissioner has reason to believe that a respondent has engaged in any unfair discriminatory practice, the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining him from doing or procuring an act tending to render ineffectual an order the commissioner may enter with respect to the complaint. The court shall have power to grant temporary relief or a restraining order as it deems just and proper, but no relief or order extending beyond ten days shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. Except as modified by this section, the Minnesota rules of civil procedure shall apply to an application, and the district court shall have authority to grant or deny the relief sought on conditions as it deems just and equitable. All hearings under this section shall be given precedence as nearly as practicable over all other pending civil actions.

(5) If a lessor, after he has engaged in a discriminatory practice defined in section 363.03, subdivision 2, clause (1), (a), leases or rents a dwelling unit to a person who has no knowledge of the practice or of the existence of a charge with respect to the practice, the lessor shall be liable for actual damages sustained by a person by reason of a final order as provided in this section requiring the person to be evicted from the dwelling unit.

(6) In any complaint issued under this section, the commissioner may seek relief for a class of individuals affected by an unfair discriminatory practice occurring on or after a date six months prior to the filing of the charge from which the complaint originates.

(7) The commissioner may adopt policies to determine which charges are processed and the order in which charges are processed based on their particular social or legal significance, administrative convenience, difficulty of resolution, or other standard consistent with the provisions of this chapter.

Sec. 200. Minnesota Statutes 1982, section 363.06, is amended by adding a subdivision to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4a. TEMPORARY RULES. The commissioner may adopt temporary rules pursuant to chapter 14 to carry out the purposes of this section. Temporary and permanent rules adopted pursuant to this subdivision apply to cases pending before the commissioner on the date of adoption.

Sec. 201. Minnesota Statutes 1982, section 363.071, subdivision 2, is amended to read:

Subd. 2. DETERMINATION OF DISCRIMINATORY PRACTICE. The hearing examiner shall make findings of fact and conclusions of law, and if the hearing examiner finds that the respondent has engaged in an unfair discriminatory practice, the hearing examiner shall issue an order directing the respondent to cease and desist from the unfair discriminatory practice found to exist and to take such affirmative action as in the judgment of the examiner will effectuate the purposes of this chapter. Such order shall be a final decision of the department. The examiner shall order any respondent found to be in violation of any provision of section 363.03 to pay a civil penalty to the state. This penalty is in addition to compensatory and punitive damages to be paid to an aggrieved party. The hearing examiner shall determine the amount of the civil penalty to be paid, taking into account the seriousness and extent of the violation, the public harm occasioned by the violation, whether the violation was intentional, and the financial resources of the respondent. Any penalties imposed under this provision shall be paid into the general fund of the state. In all cases the examiner may order the respondent to pay an aggrieved party, who has suffered discrimination, compensatory damages, including damages for mental anguish or suffering, and, in all cases, may also order the respondent to pay an aggrieved party, who has suffered discrimination, punitive damages in an amount not more than \$6,000. Punitive damages shall be awarded pursuant to section 549.20. In any case where a political subdivision is a respondent the total of punitive damages awarded an aggrieved party may not exceed \$6,000 and in that case if there are two or more respondents the punitive damages may be apportioned among them. Punitive damages may only be assessed against a political subdivision in its capacity as a corporate entity and no regular or ex officio member of a governing body of a political subdivision shall be personally liable for payment of punitive damages pursuant to this subdivision. In addition to the aforesaid remedies, in a case involving discrimination in

(a) employment, the examiner may order the hiring, reinstatement or upgrading of an aggrieved party, who has suffered discrimination, with or without back pay, admission or restoration to membership in a labor organization, or his admission to or participation in an apprenticeship training program, on-the-job-training program, or other retraining program, or any other relief the examiner deems just and equitable.

(b) housing, the examiner may order the sale, lease, or rental of the housing accommodation or other real property to an aggrieved party, who has

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

suffered discrimination, or the sale, lease or rental of a like accommodation or other real property owned by or under the control of the person against whom the complaint was filed, according to terms as listed with a real estate broker, or if no such listing has been made, as otherwise advertised or offered by the vendor or lessor, or any other relief the examiner deems just and equitable.

The examiner shall cause the findings of fact, conclusions of law, and order to be served on the respondent personally, the charging party by registered or certified mail, and shall furnish copies to the attorney general and the commissioner.

Sec. 202. Minnesota Statutes 1982, section 453.54, is amended by adding a subdivision to read:

Subd. 7a. It may invest in various technologies to minimize long-run costs of providing electrical services to consumers. These investments include energy conservation measures and renewable resources.

Sec. 203. Minnesota Statutes 1982, section 462A.02, subdivision 10, is amended to read:

Subd. 10. It is further declared that supplies of conventional energy resources are rapidly depleting in quantity and rising in price and that the burden of these occurrences falls heavily upon the citizens of Minnesota generally and persons of low and moderate income in particular. These conditions are adverse to the health, welfare, and safety of all of the citizens of this state. It is further declared that it is a public purpose to ensure the availability of financing to be used by low and moderate income people all citizens of the state, while giving preference to low and moderate income people, to install assist in the installation in their dwellings of reasonably priced energy conserving systems using including the use of alternative energy resources and equipment so that by the improvement of the energy efficiency of all housing, the adequacy of the total energy supply may be preserved for the benefit of all citizens.

Sec. 204. Minnesota Statutes 1982, section 462A.05, is amended by adding a subdivision to read:

Subd. 14b. It may agree to purchase, make, or otherwise participate in the making, and may enter into commitments for the purchase, making, or participating in the making, of loans to persons and families, without limitations relating to the maximum incomes of the borrowers, to assist in energy conservation rehabilitation measures for existing housing owned by those persons or families including, but not limited to: weatherstripping and caulking, chimney construction or improvement, furnace or space heater repair, cleaning or replacement, insulation, storm windows and doors, and structural or other directly related repairs essential for energy conservation. Loans shall be made only when the agency determines that financing is not otherwise available, in whole or in part, from private lenders upon equivalent terms and conditions.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 205. Minnesota Statutes 1982, section 462A.05, is amended by adding a subdivision to read:

Subd. 18a. The agency may make loans, with or without interest, and with security for repayment, if any, the agency determines reasonably necessary and practicable, for the financing of innovative housing as described in this section.

(a) The housing shall be cooperative or rental multifamily housing which is designed to provide long-term affordability and which is either owned and operated on a nonprofit cooperative basis by the residents, or owned by a limited-dividend entity and operated by a residents association.

(b) Occupancy shall be restricted to persons and families of low and moderate income as defined in section 462A.03, subdivision 10; provided that the agency shall give priority to proposals that will provide housing to persons and families whose income is 50 percent or less of the statewide median family income, as estimated by the United States department of housing and urban development.

(c) A democratic residents association shall have substantial control over the operation and management of the housing and over the filling of housing unit vacancies.

(d) A training and education program shall be developed by the loan recipient and made available to residents to help them organize and operate the residents association, understand their legal rights and financial interests regarding the property, and manage and maintain the property. The agency shall ensure that a training and education program has been developed prior to approving any loan under this section.

Sec. 206. Minnesota Statutes 1982, section 462A.05, is amended by adding a subdivision to read:

Subd. 23. The agency may participate in loans or establish a fund to insure loans, or portions of loans, that are made by any banking institution, savings and loan association, or other lender approved by the agency, organized under the laws of this or any other state or of the United States having an office in this state, to owners of renter occupied homes or apartments that do not comply with standards set forth in section 116J.27, subdivision 3, without limitations relating to the maximum incomes of the owners or tenants. The proceeds of the insured portion of the loan must be used to pay the costs of improvements, including all related structural and other improvements, that will reduce energy consumption.

Sec. 207. **[462A.072] PROVISION OF FINANCIAL EXPERTISE TO OTHER AGENCIES.**

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Upon request of the commissioner of energy, planning and development, the director shall provide financial management assistance to the small business finance agency. Reimbursement for these services shall be at a reasonable rate established by negotiation between the director and the commissioner of energy, planning and development.

Sec. 208. Minnesota Statutes 1982, section 462A.21, is amended by adding a subdivision to read:

Subd. 4j. It may expend money for the purposes of section 462A.05, subdivision 23, and may pay the costs and expenses for the development and operation of the program.

Sec. 209. Minnesota Statutes 1982, section 462A.21, is amended by adding a subdivision to read:

Subd. 9a. It may create a revolving fund to be used to make loans to encourage innovative multifamily housing pursuant to section 462A.05, subdivision 18a.

Sec. 210. [462A.27] RULES.

The agency may adopt temporary and permanent rules for the efficient administration of sections 204, 205, and 206. The temporary rules need not be adopted in compliance with chapter 14 and are effective for 360 days or until the permanent rules are adopted, whichever occurs first. The temporary rules are effective upon adoption by the agency and shall be published in the state register as soon thereafter as possible.

Sec. 211. Minnesota Statutes 1982, section 471.345, is amended by adding a subdivision to read:

Subd. 9. ENERGY EFFICIENCY SERVICE CONTRACTS. Notwithstanding any law to the contrary, a municipality may enter into a contract to purchase by installment payments capital or other equipment or services intended to improve the energy efficiency of buildings or facilities owned by the municipality provided that:

(a) the term of the contract does not exceed ten years;

(b) the entire cost of the contract is a percentage of the resultant savings in energy costs;

(c) the contract for purchase is based on a competitive basis; and

(d) the municipality may unilaterally cancel the agreement if the governing board of the municipality fails to appropriate money to continue the contract.

Sec. 212. [471.365] LOCAL GOVERNMENT PURCHASES.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

A bid received by a local unit of government on a contract for purchase of goods shall not be considered as the lowest bid if it is a product of a prison industry other than one located in Minnesota.

Sec. 213. Minnesota Statutes 1982, section 473.833, subdivision 3, is amended to read:

Subd. 3. **COUNTY SITE SELECTION AUTHORITIES.** Each metropolitan county shall establish a site selection authority. By June 1, 1983, each site selection authority shall select specific sites within the county from the council's disposal site inventory, in accordance with the procedures established by the council under section 473.149, subdivision 2e, and in a number equal to that required by the council to be acquired by the county. Each site selection authority shall be composed of the county board, plus one member appointed by the governing body of each city or town within the county containing a site in the council's disposal site inventory or the majority of the land contained within such a site. If the number of members on the site selection authority who reside in a city or town containing all or part of a site or buffer area is equal to or greater than the number of members who do not, the chairman of the county board shall appoint to the authority an additional member or members, residing within the county but not within a city or town containing all or part of a site or buffer area, sufficient to assure a majority of one on the authority of members residing in cities and towns not containing all or any part of a site or buffer area. The chairman of the county board shall be the chairman of the site selection authority. If a site selection authority has not selected the requisite number of sites in accordance with the council's standards, criteria, and procedures by June 1, 1983, the council shall make the selection. A county is not required to develop a solid waste disposal facility in any municipality in which a mixed municipal solid waste resource recovery facility having a capacity greater than 400 tons per day is located if the council finds that the capacity and number of disposal facilities required by the development schedule in that county can be provided in that county without development of the solid waste disposal facility.

Sec. 214. Minnesota Statutes 1982, section 480.09, subdivision 5, is amended to read:

Subd. 5. All moneys collected shall be paid into the state treasury and ~~shall be added to the current biennial appropriation~~ are appropriated to the state law librarian for the library purposes. Separate accounts shall be maintained for book sales receipts, the book purchasing service, and computer-assisted legal research.

Sec. 215. Minnesota Statutes 1982, section 480.241, subdivision 2, is amended to read:

Subd. 2. **TRANSMITTAL OF SURCHARGE TO SUPREME COURT.** Notwithstanding any other law or rule to the contrary, all surcharges

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

collected pursuant to subdivision 1 shall be transmitted monthly by the district, county and conciliation court clerks and municipal court administrators to the supreme court for deposit in a legal services account in the general special revenue fund.

Sec. 216. Minnesota Statutes 1982, section 480A.01, subdivision 2, is amended to read:

Subd. 2. **TEMPORARY NUMBER OF JUDGES.** On July 1, 1983 November 1, 1983, the court of appeals shall consist of six judges. On January 1, 1984 April 1, 1984, an additional six judges shall be added.

Sec. 217. Minnesota Statutes 1982, section 514.19, is amended to read:

514.19 **RIGHT OF DETAINER.**

Such A lien and right of detainer ~~shall exist~~ exists for:

(1) Transporting property from one place to another but not as a carrier under article 7 of the Uniform Commercial Code;

(2) Keeping or storing property as a bailee but not as a warehouseman under article 7 of the Uniform Commercial Code;

(3) Keeping, feeding, pasturing, or otherwise caring for domestic animals or other beasts, including medical or surgical treatment ~~thereof~~ and shoeing ~~the same~~;

(4) The use and storage of molds and patterns in the possession of the fabricator belonging to the customer for the balance due from the customer for fabrication work;

(5) Making, altering or repairing any article, or expending any labor, skill or material ~~thereon~~ on it.

Such The liens ~~shall~~ embrace all lawful charges against ~~such~~ the property paid to any other person by the person claiming ~~such~~ the lien, and the price or value of ~~such~~ the care, storage or contribution and all reasonable disbursements occasioned by the detention or sale of the property.

Sec. 218. Minnesota Statutes 1982, section 514.92, subdivision 1, is amended to read:

Subdivision 1. Every duly licensed and registered veterinarian shall have a lien for all veterinary services over \$25 rendered upon any animal or animals at the request of the owner or lawful possessor of same, including but not limited to surgical procedures, vaccines, antisera, virus, antibiotics, or other veterinary treatment, from the date of filing ~~such~~ the lien. Within ~~60~~ 180 days from the day on which ~~said~~ the treatment was completed, the claimant of ~~such~~ the lien shall file in the appropriate filing office under the Uniform Commercial Code, Minnesota Statutes, section 336.9-401, a verified lien statement setting forth the kind

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

and number of animals treated, the ~~price agreed upon~~ reasonable value for ~~such the treatment, which shall not exceed the reasonable value of such treatment or services rendered, or the price contracted between the parties,~~ the name of the person for whom such the treatment was done, the description reasonable identification of the animal or group of animals treated, and if branded, the brand thereon, dates when the treatment was commenced and was completed, the name of the owner, or reputed owner, of ~~such the~~ animals, the name and address of the veterinarian claiming the lien. Within one year after the date the last service was rendered, but not thereafter, the lien claimant may foreclose his lien in the manner prescribed for security interests under article 9 of the Uniform Commercial Code.

Sec. 219. Minnesota Statutes 1982, section 546.27, subdivision 2, is amended to read:

Subd. 2. At least annually, the board on judicial standards shall ~~annual-~~ly review the compliance of each district, county, municipal, or probate judge with the provisions of subdivision 1. To facilitate this review, the director of the state judicial information system shall notify the executive secretary of the state board on judicial standards when a matter exceeds 90 days without a disposition. The board shall notify the commissioner of finance of each judge not in compliance. If the board finds that a judge has compelling reasons for noncompliance, it may decide not to issue the notice. Upon notification that a judge is not in compliance, the commissioner of finance shall not pay the salary of that judge. The board may cancel a notice of noncompliance upon finding that a judge is in compliance, but in no event shall a judge be paid a salary for the period in which the notification of noncompliance was in effect.

Sec. 220. Minnesota Statutes 1982, section 648.39, subdivision 5, is amended to read:

Subd. 5. **SALE PRICE.** The sale price for each edition of Minnesota Statutes is the actual cost of composition, printing, binding, and distribution of all books ordered, but not less than \$75. The sale prices of each edition of the Laws of Minnesota and supplement to the Minnesota Statutes are not less than the actual cost of composition, printing, binding and distribution of all books ordered, but not less than ~~\$25~~ \$10. ~~The revisor of statutes shall fix the sale prices of paper back editions of each of the publications or pamphlets published pursuant to section 648.43.~~ Receipts from the sale of the Minnesota Statutes, supplement to the Minnesota Statutes, and Laws of Minnesota, ~~and any pamphlets~~ shall be deposited in the general fund.

Sec. 221. Laws 1976, chapter 314, section 3, is amended to read:

Sec. 3. This act is effective upon final enactment. ~~The board shall expire on June 30, 1983.~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 222. Laws 1980, chapter 564, article XII, section 1, subdivision 3, is amended to read:

Subd. 3. **WASTE MANAGEMENT BOARD.** 15,718,000

This appropriation is available for the following purposes: (a) General Operations and Management. Approved Complement - 14. These positions are in the unclassified service and their continuation is dependent upon the availability of money from appropriations in this subdivision. When these appropriations have been expended the positions shall be cancelled and the approved complement reduced accordingly. The annual salary of the full-time chairperson of the board shall be \$45,000.

(b) Acquisition of Sites and Buffer Areas for Hazardous Waste

Facilities 6,200,000

This appropriation is from the state waste management fund, to be spent pursuant to article II, section 3, subdivision 4. Up to ~~\$1,200,000~~ \$3,200,000 is available for expenditure before June 30, 1984 for costs of staff and independent professional services needed for the selection and acquisition of sites.

(c) Waste Processing Facility

Demonstration Program 8,800,000

This appropriation is from the state waste management fund, to be spent pursuant to article VI, sections 4 and 6. Up to 5 percent is available for administration and technical and professional services.

Sec. 223. Laws 1980, chapter 614, section 192, is amended to read:

Sec. 192. **EFFECTIVE DATE.**

Except as otherwise provided in this act, this act is effective the day following final enactment. Section 55 is effective retroactive to April 1, 1980. Sections 87 and 88 are effective for any notice of the objects of the petition served after the day following final enactment. Sections 85 and 86 are effective for each district named in section 86 upon approval by a majority of the board of managers of the respective districts, and upon compliance with the provisions of

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Minnesota Statutes, section 645.021. Sections 168 to 180 are effective upon approval by resolution of the St. Paul city council. The resolution shall be adopted after published notice to the public and public hearing. Sections 37 to 39, 49, 51, 57, 60 to 68, 70 to 74, 79, 81 to 83, 89, 101 to 123, 126, 128, 135 to 145, 148, 152, and 155, are effective July 1, 1980. Section 187 is effective July 1, 1980 and expires June 30, 1983. Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (b), section 155 is effective without local approval July 1, 1980. Section 157 is effective March 1, 1981 and applies to causes of action accruing on or after that date. Section 191, subdivision 2 is effective July 1, 1981.

Sec. 224. Laws 1982, Third Special Session chapter 1, article II, section 2, subdivision 1, is amended to read:

Subdivision 1. **STATE DEPARTMENTS.**

The general fund appropriations in Laws 1981, chapters 306, 346; and 356; as amended by Laws 1981, First Special Session chapter 4, article 4, are reduced by the listed amounts:

(a) Legislature (119,800)

The amounts that are reduced from each appropriation are as follows:

(1) Revisor of Statutes

1983
(49,800)

(2) Legislative Auditor

(70,000)

| | |
|---------------------------|-------------|
| (b) Supreme Court | (35,000) |
| (c) Contingent Accounts - | |
| General | (200,000) |
| Fuel and Utilities | (1,000,000) |
| (d) Attorney General | (50,000) |
| (e) Executive Council | (1,000,000) |
| (f) Investment Board | (67,000) |
| (g) Administration | (166,000) |
| (h) Finance | (145,000) |
| (i) Employee Relations | (50,000) |
| (j) Revenue | (315,000) |
| (k) Agriculture | (88,500) |

\$62,000 of this reduction is in the appropriation for flood plain management grants in the southern Minnesota river basin study area two, administered by the soil and water conservation board.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

| | |
|-----------------------------|-------------|
| (l) Animal Health, Board of | (100,000) |
| (m) Natural Resources | (1,273,000) |

The amounts that are reduced from each program are as follows:

- (1) Field Services Support
(133,000)
- (2) Water Resources Management
(471,000)

Notwithstanding the provisions of Minnesota Statutes, section 105.392, subdivision 2, during the period ending July 1, 1983, the commissioner shall enter into agreements for the conservation of wetlands for a period of ten years, but the commissioner may obligate funds for payment at one year intervals for fiscal year 1983, subject to the availability of appropriated funds, if this condition is included in the agreement.

- (3) Mineral Resources Management
(115,000)
- (4) Forest Management
(198,000)
- (5) Parks and Recreation Management
(100,000)
- (6) Enforcement
(7,000)
- (7) Planning and Research
(13,000)
- (8) Trails and Waterways Management
(236,000)

In addition to the above reductions, it is estimated that \$350,000 of the open appropriation for payments in lieu of taxes on natural resources land pursuant to Minnesota Statutes, section 477A.12, will be cancelled.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

It is also estimated that, if the department of natural resources deficiencies for workers' compensation and unemployment compensation are fully funded according to the November 17, 1982 estimate, the sum of \$541,000 will cancel to the general fund.

(n) Zoological Board (35,000)

Admission fees shall be raised to the limits provided in Laws 1981, chapter 356, section 26. It is estimated that this fee increase will generate \$115,000 in non-dedicated revenue for the general fund.

(o) Pollution Control Agency (650,000)

(p) Energy, Planning and Development (358,000)

(q) Natural Resources Acceleration (LCMR) (1,399,600)

The legislative commission on Minnesota resources shall apportion this appropriation reduction, and previous reductions, among the several programs and activities in Laws 1981, chapter 356, section 31; and also among the programs in Laws 1977, chapter 421, sections 12 and 13; Laws 1979, chapter 301, sections 3 and 6; and Laws 1981, chapter 304, section 4, to the extent that the reductions will result in reductions in expenditures from the general fund by June 30, 1983. Appropriation reductions apportioned by the legislative commission on Minnesota resources during the 1981-83 biennium shall not be treated as cancellations available for expenditure in subsequent bienniums.

(r) Labor and Industry (50,000)

(s) Military Affairs (127,000)

(t) Veterans Affairs (445,000)

The non-dedicated receipt limitation in Laws 1981, chapter 356, section 36, for fiscal year 1983 is removed.

(u) Human Rights (10,000)

(v) Retirement Contributions (42,213,600)

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The amounts that are reduced from the various appropriations are as follows:

(1) State Agencies

(9,781,600)

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before July 1, 1983, employer retirement contributions for the following employees are reduced by four percent of salary: legislators, judges, and constitutional officers, pursuant to Laws 1981, chapter 356, section 48; state employees, pursuant to sections 352.04, subdivision 3; and 352D.04, subdivision 2; correctional employees, pursuant to section 352.92, subdivision 2; highway patrol employees, pursuant to section 352B.02, subdivision 1; and members of the teachers retirement association employed by state agencies, pursuant to section 354.42, subdivisions 3 and 5. The commissioner of finance shall apportion this reduction among the appropriations made to the several state agencies.

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before ~~January 1, 1984~~ July 1, 1983, the employee retirement contributions for the following employees are increased by two percent of salary: legislators, pursuant to section 3A.03, subdivision 1; judges, pursuant to sections 490.102, subdivision 8, and 490.123, subdivision 1, except that this clause relating to judges and the companion provision relating to appropriations for employer contributions for judges are expressly declared to be severable from the remaining provisions of this item (1); constitutional officers, pursuant to section 352C.09, subdivision 1; state employees, pursuant to sections 352.04, subdivision 2; and 352D.04, subdivision 2; correctional employees, pursuant to section 352.92, subdivision 1; highway patrol employees, pursuant to section 352B.02, subdivision 1; and members of the teachers retirement association employed by state agencies, pursuant to section 354.42, subdivision 2. These in-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

creased employee contributions shall be posted to each individual employee's retirement account.

In addition to the appropriation reduction in this item (1), the commissioner of finance shall reduce allotments for grants-in-aid or other payments from the general fund to state and semi-state agencies that employ members of the Minnesota state retirement system but are not on the state payroll system including, but not limited to, the Minnesota historical society, state horticultural society, Minnesota crop improvement association, and the state agricultural society, to reflect the savings to those agencies as a result of the reduced employer contributions provided in this item (1).

(2) University of Minnesota

(1,512,000)

This reduction is attributable to the decrease in employer retirement contributions required by item (1) for university employees who are members of the Minnesota state retirement system.

This reduction is in the appropriations made to the University of Minnesota in Laws 1981, chapter 359, sections 7 to 10, allocated among the various appropriation accounts by the commissioner of finance.

(3) Metropolitan Agencies

(1,080,000)

This reduction is in the appropriations for public transit made to the metropolitan transit commission in Laws 1981, chapter 363, section 55, subdivision 1, allocated among the various appropriation accounts by the commissioner of finance.

In addition to the appropriation reduction in this item (3), the commissioner of finance shall reduce allotments for homestead credits or other payments from the general fund to the metropolitan council, metropolitan waste control commission, metropolitan sports facilities commission and other met-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

ropolitan agencies that employ members of the Minnesota state retirement system to reflect the savings to those agencies as a result of the reduced employer contributions provided in item (1).

(4) Public Employees Retirement Association

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before ~~January 1, 1984~~ July 1, 1983, the employee retirement contributions for the following employees are increased by two percent of salary: public employees, pursuant to section 353.27, subdivision 2; and police and firefighters, pursuant to section 353.65, subdivision 2. These increased employee contributions shall be posted to each individual employee's retirement account. ~~It is estimated that these increased contributions will amount to \$24,440,800 by January 1, 1984.~~

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before July 1, 1983, upon each credit of employer contributions to the public employees retirement fund and the public employees police and fire fund, a portion of the employer contribution equal to four percent of salary shall be paid from the public employees retirement fund and the public employees police and fire fund to the state treasury and credited to the general fund. It is estimated that these payments will amount to \$24,440,800 by July 1, 1983.

(5) Municipal Employees Retirement Fund

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before ~~January 1, 1984~~ July 1, 1983, the employee retirement contribution for Minneapolis employees, pursuant to section 422A.10, is increased by two percent of salary. These increased employee contributions shall be posted to each individual employee's retirement account. ~~It is estimated that these increased contributions~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

will amount to \$1,800,000 by ~~January 1,~~ 1984.

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before July 1, 1983, upon each credit of employer contributions to the municipal employees retirement fund, a portion of the employer contribution equal to four percent of salary shall be paid from the municipal employees retirement fund to the state treasury and credited to the general fund. It is estimated that these payments will amount to \$1,800,000 by July 1, 1983.

(6) Local Police and Salaried Firefighters Relief Associations

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before ~~January 1, 1984~~ July 1, 1983, the employee retirement contributions for members of local police and salaried firefighters relief associations that receive amortization state aid pursuant to section 423A.02 are increased by two percent of salary. These increased employee contributions shall be posted to each individual employee's retirement account. It is estimated that these increased contributions will amount to \$1,790,400 by ~~January 1,~~ 1984.

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before July 1, 1983, upon each credit of employer contributions to the local police and salaried firefighters relief association retirements funds, a portion of the employer contribution equal to four percent of salary shall be paid from the retirement funds to the state treasury and credited to the general fund. It is estimated that these payments will amount to \$1,790,400 by July 1, 1983.

(7) Teachers Statewide

(26,400,000)

Beginning with the first full pay period after December 28, 1982 and ending with the last

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

full pay period before July 1, 1983, the employer retirement contribution for teachers employed by political subdivisions, pursuant to section 354.42, subdivisions 3 and 5, shall be reduced by four percent of salary.

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before ~~January 1, 1984~~ July 1, 1983, the employee retirement contribution for teachers employed by political subdivisions, pursuant to section 354.42, subdivision 2, shall be increased by two percent of salary. These increased contributions shall be posted to each individual employee's retirement account.

School district teachers on extended leave of absence pursuant to section 125.60 and receiving employer contributions pursuant to section 354.094 and school district teachers teaching part-time pursuant to section 354.66, shall not have their employer contributions reduced or employee contributions increased as provided in this item (7).

(8) Teachers in First Class Cities

(3,440,000)

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before July 1, 1983, the employer retirement contributions for teachers in Duluth, Minneapolis, and St. Paul, pursuant to section 354A.12, subdivision 2, shall be reduced by four percent of salary. The commissioner of finance shall apportion this reduction among the appropriations to the teachers retirement associations in cities of the first class.

Beginning with the first full pay period after December 28, 1982 and ending with the last full pay period before ~~January 1, 1984~~ July 1, 1983, the employee retirement contribution for teachers in Duluth, Minneapolis, and St. Paul, pursuant to section 354A.12, subdivision 1, shall be increased by two percent of salary. These increased contributions shall be posted to each individual employee's retirement account.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Teachers on extended leave pursuant to section 125.60 and receiving employer contributions pursuant to section 354A.091 and teachers teaching part-time pursuant to section 354A.094, shall not have their employer contributions reduced or employee contributions increased as provided in this item (8).

(9) Pension Fund Reimbursements

The sum of \$8,480,000 is appropriated from the general fund to the commissioner of finance for apportionment to the several pension funds for the following purposes: \$5,840,000 to reimburse the funds for any amount by which the increased employee contributions received by ~~January 1, 1984~~ July 1, 1983 are less than the reduced employer contributions received by July 1, 1983; \$2,000,000 to reimburse the funds for the loss of investment income they suffer, as determined by the commissioner of finance, because the reduced employer contributions received by July 1, 1983 are not matched by increased employee contributions ~~until January 1, 1984~~; and \$640,000 to fund increased contribution refunds due to the increased employee contributions required by this section. This appropriation is available until June 30, 1984.

(10) Notwithstanding Laws 1982, chapter 641, article I, section 2, subdivision 1, paragraph (i), item (1), the increase in contribution rates required by that item shall be adjusted to reflect the changes in contribution rates required by this section.

Sec. 225. REIMBURSEMENT OF EXCESS PENSION CONTRIBUTIONS.

Subdivision 1. REIMBURSEMENT REQUIRED. Any public employee or official who retires from January 1, 1983 to June 30, 1985, and whose pension contributions were increased by Laws 1982, Third Special Session chapter 1, article 2, section 2, subdivision 1, paragraph (v), must be reimbursed for the amount of increased contributions paid by the official or employee because of that law. Reimbursement must be in a lump sum to the employee or official, or his or her survivor, at the same time as the first annuity payment. The amount of the reimbursement is the amount that the employee's or official's

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

contributions increased because of Laws 1982, Third Special Session chapter 1, article 2, section 2, subdivision 1, paragraph (v) plus interest at the then current rate paid on refunds by the relief or retirement association. Reimbursement shall be paid by the retirement or relief association to which the employee belongs.

Subd. 2. STATE PAYMENTS TO RETIREMENT ASSOCIATIONS. In the first month of each fiscal year, each retirement or relief association shall submit to the commissioner of finance a statement of the amount of reimbursements that the retirement or relief association paid under subdivision 1 in the prior January 1 to December 31 calendar year. The commissioner of finance shall then pay to the retirement or relief association the amount indicated in the statement.

Sec. 226. REIMBURSEMENT OF EXCESS PENSION CONTRIBUTIONS; STATE UNCLASSIFIED EMPLOYEES RETIREMENT PROGRAM.

Subdivision 1. REIMBURSEMENT REQUIRED. From January 1, 1983 to June 30, 1985, any participant in the state unclassified employees retirement program whose pension contributions were increased by Laws 1982, Third Special Session chapter 1, article 2, section 2, subdivision 1, paragraph (v), must be reimbursed for the amount of increased contributions paid by the participant because of that law. Reimbursement must be in a lump sum to the participant at the time of withdrawal, or to the participant, or his or her survivor, at the same time as the first annuity payment. The amount of the reimbursement is the amount that the participant's contributions increased because of Laws 1982, Third Special Session chapter 1, article 2, section 2, subdivision 1, paragraph (v) plus interest at the average rate of return on fixed return investments for the immediately preceding five-year period. Reimbursement shall be paid by the Minnesota state retirement system.

Subd. 2. STATE PAYMENTS TO RETIREMENT SYSTEM. In the first month of each fiscal year, the Minnesota state retirement system shall submit to the commissioner of finance a statement of the amount of reimbursements that the Minnesota state retirement system paid under subdivision 1 in the prior January 1 to December 31 calendar year. The commissioner of finance shall then pay to the Minnesota state retirement system the amount indicated in the statement.

Sec. 227. FUTURE REVIEW.

The legislature at the session in 1984 will review any adverse consequences of the repeal of increased employee pension contribution rates provided for in this act.

Sec. 228. CAPITAL IMPROVEMENTS PLANNING.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. CAPITAL IMPROVEMENT PROGRAMS; REVIEW AND RECOMMENDATIONS. The commissioner of energy, planning and development shall have the following responsibilities under this section:

(a) The commissioner shall review the process used by each state agency for each program whereby the state agency carries out state capital improvement projects, provides state financial assistance to capital improvement projects of political subdivisions or private persons, or reviews requests for federal financial assistance to capital improvement projects of political subdivisions or private persons.

For purposes of this subdivision, financial assistance includes tax exemptions, tax credits, loan guarantees, cash payments and any other form of direct or indirect financial assistance provided by or through the state.

(b) The commissioner shall review existing inventories of capital improvements developed by state agencies, regional or local governmental entities for capital improvement programs in order to determine whether existing inventories provide adequate information on current capital facilities and the present and projected condition of capital projects in the state.

The commissioner shall consider both the adequacy of the inventory for each program and the adequacy of inventories of all programs within a given region or political subdivision.

(c) The commissioner shall determine the impact state agency projects are likely to have on the economic development of the state, the region, and the locality in which the projects are located. Included in the analysis shall be the relationship of the cost of each project to the economic development benefit of the project and to the goals of the project.

(d) The commissioner shall recommend any changes in procedures or evaluation criteria used by a state agency providing financial assistance for a capital improvement program which would be necessary to ensure that the criteria set out in subdivision 2 are adequately addressed. The commissioner shall determine what changes in procedures used by the agency would be necessary to improve the accuracy and reliability of capital improvement project list for each agency, region and political subdivision.

(e) The commissioner shall determine any changes in procedures or evaluation criteria used by the commissioner of finance in the biennial budget process which may be necessary to address the criteria set out in subdivision 2.

Subd. 2. CONSIDERATIONS. In making these determinations, the commissioner of energy, planning and development shall consider geographic differences and local capabilities, including the needs of both rural and urban areas and large and small cities. The objective of the commissioner shall be to

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

recommend a system to better identify capital improvement projects and programs for state agencies that:

- (a) create or improve the economic development capabilities of the state;
- (b) are consistent with regional capital improvement plans;
- (c) protect and promote public health and safety; and
- (d) tend to achieve other state, regional and local goals.

The commissioner shall encourage each region and political subdivision to consider the state agency criteria when developing local capital improvement project lists.

Subd. 3. PROGRAMS AFFECTED. The capital improvement programs governed by this section are those for roads, bridges, parks and recreation facilities, transit facilities/rolling stock, railways, waterways, airports, water systems, sewers, waste water treatment plants, waste disposal facilities, dams, energy facilities, higher education facilities, and other public buildings and equipment.

Subd. 4. RECOMMENDATIONS. By January 1, 1984, the commissioner of energy, planning and development shall report to the legislature recommendations for changes in capital improvement programs of each state agency and the biennial budget process needed to give greater weight to projects and programs that would do more to promote economic development in this state. The commissioner shall report on the progress of capital improvement program processes in the regional development commissions provided by subdivision 7.

Subd. 5. CAPITAL BUDGET. The report in subdivision 4 may include a recommendation that the budget prepared by the commissioner of finance should include a capital expenditure budget for a five-year period including not only state projects but also regional, local, and private projects that receive financial assistance from the federal government subject to state review.

Subd. 6. FINANCING STUDY. The commissioner of energy, planning and development shall report to the legislature by January 1, 1984, recommendations concerning various methods of financing capital improvements in this state. The recommendations shall include:

- (a) proposed shifts in responsibility for particular programs or projects from one level of government to another;
- (b) proposed changes in the revenue source ultimately used to pay for particular programs and projects, whether general taxes, special taxes, or user fees;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(c) proposed combination or coordination of federal programs of grants or loans to political subdivisions with similar state programs;

(d) proposed changes in the method of financing particular programs or projects, whether from current revenue or from borrowing;

(e) changes in borrowing procedures, including:

(1) use of federal money granted to the state to make loans to political subdivisions;

(2) conversion of state programs of assistance to political subdivisions from grants to loans;

(3) pooled borrowing by the state on behalf of its political subdivisions;

(4) use of sale and lease-back arrangements; and

(5) creation of a state or semistate infrastructure bank.

Subd. 7. REGIONAL CAPITAL IMPROVEMENT PLANS. The commissioner of energy, planning and development shall review the capital improvement plans of each regional development commission. Plans found by the commissioner to be consistent with state goals and policies shall be followed by the commissioner in preparing his recommendations pursuant to subdivision 4.

Subd. 8. ASSISTANCE. The commissioner may receive money from other sources, public and private, to assist in carrying out the duties imposed by this section.

Sec. 229. PAYMENTS RESTORED.

Any amounts reduced from allotments pursuant to section 5 of House File No. 1308, as enacted at the 1983 regular session, are appropriated and shall be paid pursuant to new allotments for the fiscal year ending June 30, 1984.

Sec. 230. LAKE BEMIDJI STATE PARK.

Pursuant to Minnesota Statutes, section 471.59, the city of Bemidji may enter into a joint powers agreement with the commissioner of natural resources to manage for the purposes of outdoor recreation as defined in Minnesota Statutes, section 86A.03, subdivision 3, the following described land within Lake Bemidji state park:

All of government lot 1 and that part of government lot 2 lying west of C.S.A.H. 12; the northeast quarter of the northwest quarter of section 11 lying west of C.S.A.H. 12; all in township 146, range 33.

Sec. 231. CITY OF DULUTH; GROUP WORKER'S COMPENSATION SELF-INSURANCE POOLS.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. FORMATION OF POOLS WITH PRIVATE EMPLOYERS. Notwithstanding any contrary provision of other law, ordinance, or charter, the city of Duluth may enter into a self-insurance pool with private employers to self-insure worker's compensation liability of pool members. Any pool formed pursuant to this section shall be operated under bylaws established by members of the pool. The initial bylaws and amendments to them shall not be effective unless approved by the city of Duluth and the commissioner of insurance. The bylaws shall address the following subjects:

(a) Qualifications for group self-insurer membership, including underwriting standards.

(b) The method of selecting the board of directors, including the directors' terms of office.

(c) The procedure for amending the bylaws or plan of operation.

(d) Investment of assets of the fund.

(e) Frequency and extent of loss control or safety engineering services provided to members.

(f) A schedule for payment and collection of premiums.

(g) Expulsion procedures, including expulsion for nonpayment of premiums and expulsion for excessive losses.

(h) Delineation of authority granted to the administrator.

(i) Delineation of authority granted to the service company.

(j) Basis for determining premium contributions by members including any experience rating program.

(k) Procedures for resolving disputes between members of the group, which shall not include submitting them to the commissioner.

(l) Basis for determining distribution of any surplus to the members, or assessing the membership to make up any deficit.

(m) Provisions for security to be furnished by private employers to insure assessments are paid in case of private employer insolvency.

The members participating in the pool may establish a joint board with appropriate powers to manage the pool. Each member of the pool shall pay to the pool the amounts assessed against it pursuant to the bylaws. A member may withdraw only after it has reimbursed the pool for the amounts for which it is obligated under the terms of the agreement.

Subd. 2. APPROVAL OF COMMISSIONER. A pool formed pursuant to this section shall not be effective or begin operation until it has been approved

Changes or additions are indicated by underline, deletions by strikeout.

by the commissioner of insurance in the manner provided in Minnesota Statutes, section 471.982. Section 471.982 and any applicable rules adopted pursuant to it shall apply to any pool formed pursuant to this section. A pool formed pursuant to this section shall be a member of the workers' compensation reinsurance association and shall be bound by its plan of operation.

Sec. 232. [473.653] RESTRICTIONS ON CERTAIN AIRPORTS.

The metropolitan airports commission shall not take any action with respect to an airport owned by it that would result in a permanent net reduction in useable runway length at the airport. Retention of existing useable runway length at an airport owned by the metropolitan airports commission shall not cause the airport to be reclassified from a minor use to an intermediate use airport.

Sec. 233. COMPENSATION COUNCIL.

The salary increases recommended by the compensation council created by 1983 regular session S. F. No. 415, section 8, shall be paid only from appropriations enacted after January 1, 1984.

Sec. 234. INSTRUCTION TO REVISOR.

The revisor of statutes shall change the words "state treasurer" wherever they appear in Minnesota Statutes 1982, sections 345.31 to 345.60 to "commissioner" in Minnesota Statutes 1984.

Sec. 235. REPEALER.

Minnesota Statutes 1982, sections 3.472; 3.86; 4.073; 8.31, subdivision 4; 114A.01; 114A.02; 114A.03; 114A.04; 114A.05; 114A.06; 114A.07; 114A.08; 114A.09; 116J.27, subdivisions 5 and 7; 193.35; and 297A.05, are repealed. Laws 1965, chapters 66 and 312, are repealed.

Sec. 236. EFFECTIVE DATE.

Section 140 is effective retroactively to January 1, 1982. However, claims made for grass fires in highway rights-of-way occurring between January 1, 1982 and May 31, 1983 must be postmarked and sent via certified mail no later than June 30, 1983, in order to qualify for reimbursement consideration. Section 225, subdivision 1, and section 226, subdivision 1 are effective retroactively to December 29, 1982. Sections 178, 181, and 182 are effective for gasoline sold for motorboats after December 31, 1982. Section 108 is effective for reporting years 1983 and following. Sections 111 to 118, 172, 221, 223, and 228 are effective the day following final enactment. Section 66 is effective July 1, 1983, but only if no other law setting the salary of judges of the court of appeals is enacted at the 1983 regular session. Sections 146 and 148 to 152 are procedural changes and are effective for all cases pending on July 1, 1983, regardless of the date of injury, date of hearing, or date of appeal and all decisions of workers' compensation

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

judges and the workers' compensation court of appeals issued on or after July 1, 1983, shall apply the provisions of those sections. Section 225, subdivision 2, and section 226, subdivision 2, are effective July 1, 1984. Sections 155 to 158 are effective July 1, 1985.

Approved June 8, 1983

CHAPTER 302 — H.F.No. 445

An act relating to the city of St. Paul; setting the maximum amounts of and other conditions for the issuance of capital improvement bonds; amending Laws 1971, chapter 773, sections 1, as amended, and 2, as amended.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1971, chapter 773, section 1, as amended by Laws 1974, chapter 351, section 5, subdivision 1, Laws 1976, chapter 234, section 1, Laws 1978, chapter 788, section 1, and Laws 1981, chapter 369, section 1, is amended to read:

Section 1. ST. PAUL, CITY OF; CAPITAL IMPROVEMENT PROGRAM.

Subdivision 1. Notwithstanding any provision of the charter of the city of St. Paul, the council of said city shall have power by a resolution adopted by five affirmative votes of all its members to authorize the issuance and sale of general obligation bonds of the city in an amount of \$6,500,000 for each calendar year for a four year period commencing with the year 1976, the years stated and in the aggregate annual amounts not to exceed the limits prescribed in subdivision 2 of this section, ~~for a five year period commencing in 1980,~~ for the payment of which the full faith and credit of the city is irrevocably pledged.

Subd. 2. For the year 1980 the city of St. Paul is authorized to issue bonds in the aggregate principal amount of \$6,500,000 and. For each of the years ~~1981 and 1982~~ 1983, 1984, 1985, 1986, 1987, and 1988 the city of St. Paul is authorized to issue bonds in the aggregate principal amount of \$8,000,000 for each year; or for the year 1981 and subsequent years the city of St. Paul may issue bonds in an amount equal to one-fourth of one percent of the assessors estimated market value of taxable property in St. Paul, whichever is greater, provided further that no more than \$8,000,000 of bonds is authorized to be issued in any such year, unless St. Paul's local general obligation debt as defined in this section is less than six percent of such market value calculated as of December 31 of the preceding year; but at no time shall the aggregate principal amount of bonds authorized exceed ~~\$8,500,000 in 1982,~~ \$9,000,000 in 1983 and , \$9,500,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.