

Subdivision 1. **TERMS.** Members of the charter commission shall hold office until a ~~final report has been made as provided in section 383A.554~~ December 31, 1990. Vacancies shall be filled by the appointing authority. Appointments shall be made by filing with the board of county commissioners. An appointee shall file acceptance of the appointment with the board of county commissioners within ten days or be considered to have declined the appointment. If a charter is adopted at the November 1990 election, the members shall continue to serve until a new commission is appointed or until the effective date of the charter in 1992, whichever occurs first.

Sec. 2. Minnesota Statutes 1988, section 383A.556, is amended to read:

383A.556 EFFECTIVE DATE.

~~If a majority of all the voters voting in the county at the election vote in favor of the proposed charter, it shall be adopted. If 51 percent of the votes cast on the proposition are in favor of the proposed charter, it shall be considered adopted.~~ The charter shall take effect two years after the election. At that time the courts shall take judicial notice of the new charter and upon the election or appointment of officers under the charter the former officials of Ramsey county shall deliver to them all records, money, and other public property under their control.

Sec. 3. LOCAL APPROVAL.

This act takes effect the day after the Ramsey county board complies with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor April 28, 1990

Signed by the governor May 3, 1990, 6:12 p.m.

CHAPTER 610—H.F.No. 2651

An act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; proposing an amendment to the Minnesota Constitution, article XI, section 14; clarifying legislative intent on certain matters; creating new funds and accounts; requiring a legislative study of capital needs; appropriating money; amending Minnesota Statutes 1988, sections 16A.641, subdivision 6; 16A.672, by adding a subdivision; 16B.16, by adding a subdivision; 16B.31, by adding a subdivision; 41A.03, subdivision 5; 116O.12; 116P.04, subdivision 3; 136.31, subdivision 1; 136.62, by adding a subdivision; 136A.28, subdivisions 3 and 7; 136A.35; 136C.04, subdivision 4; 136C.07, subdivision 5; Minnesota Statutes 1989 Supplement, sections 16A.631; 16A.641, subdivision 7; 16A.69, subdivision 1; 16B.335, subdivision 2; 136A.176; 136C.05, subdivision 5; 298.2211,

New language is indicated by underline, deletions by ~~strikeout~~.

subdivision 4; 349A.10, subdivision 5; Laws 1979, chapter 280, section 2, as amended; Laws 1989, chapter 329, article 5, section 21, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 16A; and 462A; repealing Minnesota Statutes 1988, sections 16A.651; 16A.661, subdivision 6; and 116P.04, subdivision 2.

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

ARTICLE 1

Section 1. CAPITAL IMPROVEMENTS APPROPRIATIONS.

The sums in the column marked "APPROPRIATIONS" are appropriated from the bond proceeds fund, or another named fund, to the state agencies indicated, to be spent to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this act.

SUMMARY

TECHNICAL COLLEGES	\$ 25,362,000
COMMUNITY COLLEGES	50,500,000
STATE UNIVERSITIES	44,408,000
UNIVERSITY OF MINNESOTA	71,480,000
EDUCATION	27,793,000
JOBS AND TRAINING	750,000
VETERANS HOMES BOARD	1,750,000
HEALTH	1,376,000
CORRECTIONS	13,121,000
HUMAN SERVICES	22,675,000
TRANSPORTATION	21,734,000
PUBLIC SAFETY	545,000
BOARD OF WATER AND SOIL RESOURCES	2,395,000
MINNESOTA HISTORICAL SOCIETY	3,475,000
INDIAN AFFAIRS COUNCIL	50,000
ADMINISTRATION	16,750,000
CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	300,000
NATURAL RESOURCES	17,950,000
PUBLIC FACILITIES AUTHORITY	30,954,000
POLLUTION CONTROL AGENCY	27,225,000
WASTE MANAGEMENT	7,000,000
TRADE AND ECONOMIC DEVELOPMENT	7,500,000
AMATEUR SPORTS COMMISSION	5,000,000
HOUSING FINANCE AGENCY	1,500,000
MILITARY AFFAIRS	200,000
BOND SALE EXPENSES	386,000
TOTAL	\$402,179,000

Bond Proceeds Fund	109,521,000
Infrastructure Development Fund	243,661,000
Maximum Effort School Loan Fund	23,000,000
Transportation Fund	11,200,000
Trunk Highway Fund	10,484,000
Airport Fund	50,000
General Fund	4,263,000

APPROPRIATIONS

Sec. 2. TECHNICAL COLLEGES

Subdivision 1. To the state board of vocational technical education for the purposes specified in this section

\$ 25,362,000

The appropriations in this section are from the infrastructure development fund.

Notwithstanding Minnesota Statutes, section 475.61, subdivision 4, the state board of vocational technical education may approve a request by a local school board to use any unobligated balance in the technical college debt redemption fund to pay the district's share of construction projects authorized in this section.

The state board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

Subd. 2. Statewide

During the biennium, as part of the planning process for a new or remodeled building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the building. The board shall report on its consideration process and its decision for each project proposed in future bonding requests.

Notwithstanding Minnesota Statutes, section 136C.44, during the biennium the state board of vocational technical edu-

cation must not make grants to school districts but shall directly supervise and control the preparation of plans and specifications to construct, alter, or enlarge the technical college buildings, structures, and improvements provided for in this section. The state board of vocational technical education may provide grants to school districts for land purchases authorized in this act. The school district must still finance 15 percent of the cost of each project, other than in a joint vocational technical district as defined in Minnesota Statutes, section 136C.60.

During the biennium, the state board of vocational technical education shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

During the biennium, the state board may delegate the authority provided in this section to the campus director for repair and replacement projects with a total cost of less than \$50,000, if the state board determines that the projects can be efficiently managed at the campus level.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement

made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this act.

The state board of vocational technical education may delegate responsibilities to technical college staff.

Subd. 3. Capital improvements

3,300,000

This appropriation is for capital improvement grants to school districts for roofs, parking lots, hazardous material abatement, fuel tank removal, electrical, mechanical, and other physical plant repairs and betterments at technical college campuses.

Subd. 4. Alexandria Technical College

870,000

This appropriation is for a truck mechanics instruction building. The total cost of the project must not exceed \$1,024,000, whether paid from state, local, or federal money.

Subd. 5. Anoka Technical College

3,500,000

This appropriation is to remodel and construct space for classrooms, parking, and other related purposes, and to acquire land. The total cost of the project must not exceed \$4,118,000, whether paid from state, local, or federal money.

Subd. 6. Dakota County Technical College

939,000

This appropriation is for a decision driving course and truck driving areas on land leased from the University of Minnesota, or currently owned land. No exchange of ownership of the property may occur. Any unspent balance remaining after completion of this project may be spent for classrooms. The total cost

of the project must not exceed \$1,200,000, whether paid from state, local, or federal money.

Subd. 7. Detroit Lakes Technical College

4,429,000

This appropriation is to remodel and construct space for classrooms, a telecommunications center, child care, laboratories, staff work areas, and parking/site improvements. The total cost of this project must not exceed \$5,211,000 whether paid from state, local, or federal money.

Subd. 8. Duluth Technical College

520,000

This appropriation is for exterior wall stabilization and repair. The total cost of this project must not exceed \$612,000 whether paid from state, local, or federal money.

Subd. 9. East Grand Forks Technical College

2,000,000

This appropriation is to remodel and construct space for classrooms, laboratories, offices, telecommunications, truck driving courses, parking, and other related purposes. The total cost of the project must not exceed \$2,353,000, whether paid from state, local, or federal money.

Subd. 10. Hennepin Technical College

Intermediate District 287, Hennepin Technical College, is authorized to construct classrooms, labs, staff areas, parking/site work, and make energy modifications. The total cost of the project must not be more than \$1,409,000, to be paid from the proceeds of the sale of land and from local money.

In funding this project, the district is

required to use the post-secondary share of the proceeds from the sale of the west campus land. The post-secondary share of the sale is the percent of the net sales proceeds that equals the state's percentage of the original investment.

To determine the amount of local funds available for this project, the state director, district superintendent, and commissioner of finance, or their designees, shall determine the post-secondary share of all district funds according to Minnesota Statutes, section 136C.05, subdivision 6.

If the project is not authorized by the board of District No. 287 by December 1, 1990, the state board shall recover the state's share of the post-secondary portion of the proceeds of the sale of the west campus land. The recovery may be a direct payment from Intermediate District No. 287 to the state board, or the state board may reduce the allotment for the operations budget.

Subd. 11. Hibbing Technical College

500,000

This appropriation is to prepare a site and a plan for a new campus. Before any land is purchased, the terms of the purchase and the site selected must be submitted to the chairs of the senate finance and house appropriations committees for their review. The total cost of the project must not exceed \$588,300, whether paid from state, local, or federal money.

Subd. 12. Southwestern Technical College

1,200,000

(a) Canby Campus

This appropriation is for connecting links to the main classroom building and the student services area.

(b) Granite Falls Campus

This appropriation is for construction of a library and resource study area, special needs, and student services area.

(c) Jackson Campus

This appropriation is for construction of an auto body and auto mechanic laboratory and remodeling for a library.

(d) Pipestone Campus

This appropriation is for remodeling for a library and resource study area, and student services space.

Subd. 13. Thief River Falls Technical College

2,338,000

This appropriation is to remodel and construct space for an airplane hangar, classrooms, staff work areas, storage, parking, and site work at the airport site. The total cost of the project must not exceed \$2,751,000, whether paid from state, local, or federal money.

Subd. 14. Willmar Technical College

700,000

This appropriation is to construct and remodel space for the auto body training program. The total cost of the project must not exceed \$824,000, whether paid from state, local, or federal money.

Subd. 15. Winona Technical College

4,666,000

This appropriation is to remodel and construct space for an aviation center, classrooms, laboratories, staff work areas, hangar space, storage and parking/site improvement. The total cost of this project must not exceed \$5,489,000 whether paid from state, local, or federal money.

Subd. 16. Land Acquisition

400,000

This appropriation is for the State Board of Vocational Technical Education to acquire land for a joint campus for Brain-

erd Technical College and Brainerd Community College.

The state board of vocational technical education, the state board for community colleges, Brainerd technical college, and Brainerd community college shall cooperatively undertake a plan for a joint campus for Brainerd technical college and Brainerd community college.

Sec. 3. COMMUNITY COLLEGES

Subdivision 1. To the commissioner of administration for the purposes specified in the following subdivisions

50,500,000

The appropriations in this section are from the infrastructure development fund.

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the state board for community colleges shall supervise and control the making of necessary repairs to all state community college buildings and structures during the biennium.

The state board shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

During the biennium, as part of the planning process for a new or remodeled building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the building. The board shall report on its consideration process and its decision for each project proposed in future bonding requests.

Subd. 2. Austin Community College

440,000

This appropriation is to prepare working drawings to renovate and construct

space for laboratories, a library, nursing, occupational therapy center, receiving and maintenance, dining, continuing education, theatre, campus center, offices, classrooms, bookstore, developmental learning, journalism, and other related purposes.

Subd. 3. Brainerd Community College

5,148,000

This appropriation is to renovate and construct space for drama, physical education, laboratories, a library, classrooms, a campus center, an art studio, offices, parking, storage areas, and other related purposes.

Subd. 4. Cambridge Center

400,000

This appropriation is to prepare working drawings for classrooms, laboratories, offices, and other necessary purposes. This appropriation is available only after receipt of a gift of land, including provision for sewer and water services, upon which the structures will be located. The site shall be submitted to the chairs of the senate finance and house appropriations committees for their review, before final acceptance.

Subd. 5. Fergus Falls Community College

3,429,000

This appropriation is to construct and remodel space for a campus center, laboratories, offices, administration and counseling, classrooms, continuing education, physical education, parking, and storage.

Subd. 6. Fond du Lac Center

6,990,000

This appropriation is to construct space for classrooms, laboratories, offices, and other necessary purposes. This appropriation is available only after receipt of a gift of land, including provision for sewer

and water services, upon which the structures will be located.

Subd. 7. Hibbing Community College 500,000

This appropriation is the state's share for construction of athletic facilities to be used jointly with the Hibbing school district. The facilities must be maintained by the school district.

Subd. 8. Lakewood Community College 3,500,000

This appropriation is to renovate and construct space for classrooms, parking, student services, administration, laboratories, campus center, faculty office areas, and other related purposes.

Subd. 9. Rainy River Community College 1,400,000

This appropriation is to renovate and construct space for classrooms, laboratories, student services areas, faculty offices, a bookstore, maintenance facilities, library, administration areas, and other related purposes.

Subd. 10. Vermilion Community College 1,050,000

This appropriation is to renovate and construct space for shops, classrooms, music, information processing, developmental learning, and other related purposes, and conceptual planning for space for administration, student services, offices, classrooms, laboratories, and connecting links. This project may not proceed beyond plans until the plans have been reviewed by the chairs of the senate finance and house appropriations committees and the chairs have made their recommendations on the plans.

Subd. 11. Willmar Community College 3,393,000

This appropriation is to renovate and construct space for laboratories, a library, offices, parking, heating, ventilating, and air conditioning systems, fine arts, classroom areas, and other related purposes.

Subd. 12. Worthington Community College

1,500,000

This appropriation is to renovate and construct space for laboratories, classrooms, administration, student services, offices, a television studio, and other related purposes.

Subd. 13. University Center at Rochester

17,000,000

This appropriation is to construct and renovate space for the center. For purposes of allocating responsibility for debt service for this project, the commissioner of finance, after consulting with the University of Minnesota, state universities, and community college systems, shall develop an equitable amount for each system to pay for its debt service share. The total amount from the three systems must equal the amount necessary to pay the systems' share of the debt service transfer.

Subd. 14. Systemwide capital improvements

5,000,000

This appropriation is for capital improvements at community colleges statewide, including roofs, hazardous material abatement, repair or construction of parking lots, electrical, mechanical, and other physical plant repairs and betterments.

Subd. 15. Land Acquisition

750,000

This appropriation is to the state board for community colleges to acquire land for Lakewood and North Hennepin community colleges.

Sec. 4. STATE UNIVERSITIES

Subdivision 1. To the state university board for the purposes specified in the following subdivisions

44,408,000

The appropriations in this section are from the infrastructure development fund.

Notwithstanding Minnesota Statutes, sections 16B.30 and 16B.31, during the biennium, the state university board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of the state university buildings, structures, and improvements provided for in this section. During the biennium, the board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this act.

The board shall report to the house appropriations and senate finance committees by January 15 of each year on the status

of the capital improvement projects in this section.

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the state university board shall supervise and control the making of necessary repairs to all state university buildings and structures during the biennium.

Notwithstanding other law, during the biennium, the state university board may purchase property adjacent to or in the vicinity of the campuses as necessary for the development of the universities. Before taking action, the board shall consult with the chairs of the senate finance committee and the house appropriations committee about the proposed action. The board shall explain the need to acquire property, specify the property to be acquired, and indicate the source and amount of money needed for the acquisition.

During the biennium, the state university board may pay relocation costs, at its discretion, when acquiring property.

During the biennium, as part of the planning process for a new or remodeled building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facilities in the building. The board shall report on its consideration process and its decision for each project proposed in future bonding requests.

Subd. 2. Bemidji Campus

(a) Heating plant rehabilitation	3,990,000
(b) Emergency generator	870,000

Subd. 3. Mankato Campus

(a) Heating plant rehabilitation	3,720,000
(b) Construct Phase I addition to Traf- ton Hall	7,000,000

Subd. 4. Metropolitan Campus

13,000,000

This appropriation is to construct a consolidated administrative and student center, convert the power plant to low pressure steam, and correct code deficiencies in existing structures.

Subd. 5. Moorhead Campus**(a) Construct a classroom building**

3,600,000

(b) Moorhead parking deck

\$2,560,000 appropriated by Laws 1987, chapter 400, section 19, subdivision 4, item (c), to plan and construct a vehicle parking deck at Moorhead State University, may be used to acquire land adjacent to or in the vicinity of the Moorhead campus as necessary to develop Moorhead State University, and may be used to construct parking spaces on university land. The state university board may pay relocation costs, at its discretion, when acquiring this property.

Subd. 6. Southwest Campus Recreational sports building

6,300,000

Notwithstanding Laws 1989, chapter 300, article 1, section 4, subdivision 7, the appropriation in Laws 1987, chapter 400, section 19, subdivision 6, item (e), no more than \$50,000 may be used for the purpose stated in the 1989 law. The balance of the appropriation shall be added to the appropriation for the recreational sports building in this subdivision.

Subd. 7. Systemwide Capital Improvements

2,515,000

This appropriation is for capital improvements on state university campuses statewide.

(a) Abate hazardous materials

1,300,000

(b) Roof replacements on the Bemidji, Moorhead, St. Cloud, Southwest, and Winona campuses

1,215,000

Subd. 8. Land Acquisition

1,750,000

This appropriation is to acquire land adjacent to or in the vicinity of the St. Cloud campus.

Subd. 9. Systemwide Library Planning

200,000

This appropriation is to develop schematic plans for a college campus library and its needs 15 years into the future. The plan must be suitable for construction of a library on any or all state university system campuses. The plans must account for anticipated changes in electronic and communications technology affecting publishing, storage, access, reference, administration, staffing, and related capabilities appropriate to a comprehensive library and efficient use of its resources, including cooperative collection building and storage with other state university campuses. The planning must be conducted with the full involvement and participation of St. Cloud, Bemidji, and Winona state universities and must be incorporated into plans for library improvements on those campuses. The board shall report to the chairs of the senate finance committee and the house of representatives appropriations committee by May 1, 1991, describing the model and its application to the needs of the libraries at the St. Cloud, Bemidji, and Winona campuses.

Subd. 10. Settlement of wood-fired boiler litigation

1,463,000

This appropriation is from the general fund.

Notwithstanding Laws 1987, chapter 401, section 5, subdivision 3, paragraphs 2 and 3; Laws 1989, chapter 300, article 1, section 4, subdivision 10; and Laws 1989, chapter 293, section 5, subdivision 4, this appropriation is for the full

and final payment of a settlement agreed to by the parties to the litigation among First Trust Company, Inc., M.E.S. Corporation, and the state of Minnesota to resolve disputes over energy services systems for the state universities at St. Cloud and Bemidji. This appropriation is not an admission of liability by the state but represents only the sum of a binding court judgment and post-judgment interest for payments due prior to the 1987 and 1989 legislative nonappropriations enumerated above; a payment for past use by the state of certain equipment; a payment for purchase by the state of certain equipment; and a payment in lieu of all other outstanding claims against the state. Laws 1987, chapter 401, section 5, subdivision 3, paragraphs 2 and 3; Laws 1989, chapter 300, article 1, section 4, subdivision 10; and Laws 1989, chapter 293, section 5, subdivision 4, remain permanently in effect except as specifically provided in this section.

Sec. 5. UNIVERSITY OF MINNESOTA

Subdivision 1. To the regents of the University of Minnesota for the purposes specified in the following subdivisions

71,480,000

The appropriations in this section are from the infrastructure development fund.

The regents shall report to the house appropriations and senate finance committees by January 15 of each year on the status of the capital improvement projects in this section.

During the biennium as part of the planning process for a new or remodeled building, consideration must be given to the child care needs of a campus and the feasibility of locating child care facil-

ities in the building. The board shall report on its consideration process and its decision for each project proposed in future bonding requests.

Subd. 2. Morris Campus	4,000,000
Remodel and construct addition to student center	

Subd. 3. Twin Cities Campus	
(a) Construct biological sciences addition	16,500,000
(b) Remodel Wilson Library	2,080,000
(c) Construct addition to and renovate veterinary diagnostic lab	7,900,000
(d) Construct music performance hall addition to Ferguson Hall	6,700,000

This amount must be matched by a minimum of \$2,000,000 from nonstate sources. The amount of money provided to match the state appropriation pursuant to Laws 1984, chapter 597, section 16, subdivision 2, clause (j), may be included in calculating the match amount required in this paragraph.

(e) Construct an Integrated Waste Management Facility	7,500,000
(f) Recreational sports and physical education building	6,000,000

This appropriation is to complete the university recreation center, the space under the bleachers in the aquatics center, repair the second and third floors of Cooke Hall, and may include moving gymnastics to Peik gym and relocating the Human Performance Laboratory. If all of the preceding items are completed, the handball and racquetball courts in St. Paul may also be constructed.

(g) The appropriations in Laws 1978, chapter 792, section 11, subdivision 2, item (e); and in Laws 1984, chapter 597, section 16, subdivision 2, item (f), to remodel Folwell Hall on the Twin Cities

campus of the University of Minnesota may be added to the appropriation in Laws 1987, chapter 400, section 20, subdivision 7, item (l), to remodel Folwell Hall, phase II.

Subd. 4. Crookston Campus

(a) Construct agricultural operations management center

4,410,000

(b) Plan Agricultural Utilization Research Institute offices and labs and remodel current space

590,000

Subd. 5. Duluth Campus

(a) Expand and renovate Natural Resources Research Institute

2,500,000

(b) Construct college campus center

10,000,000

Subd. 6. North Central Experiment Station

The appropriation in Laws 1989, chapter 335, article 1, section 21, subdivision 4, for hybrid aspen and hybrid larch research and development at the North Central Experiment Station at Grand Rapids may also be spent to construct a greenhouse.

Subd. 7. Systemwide Health and safety

1,500,000

This appropriation is to continue the program for upgrading university facilities to eliminate fire and life safety deficiencies and to continue the ongoing university-wide program of rendering facilities accessible to the physically disabled.

Subd. 8. Minnesota Agricultural Experiment Stations

1,800,000

This appropriation is for capital improvements at the Horticulture Research Center; the North Central Experiment Station; the Southwest Experiment Station; the West Central Experiment Station; the Northwest Experiment Station; and the Cloquet Forestry Center. Any funds

remaining after completion of the first five projects may be used to fund other experiment station projects in accordance with the priorities established by the board of regents.

The board of regents may execute a contract for deed for purchase of unique farm land at Lamberton.

Sec. 6. HIGHER EDUCATION SYSTEMS

Subdivision 1. Debt Service Plans

Each public higher education system is requested to include in the 1991 biennial budget document a plan for incorporating debt service retirement into its operating budget. The plan should include, but not be limited to, the amount of debt service, the types of projects, a ten-year plan for anticipated projects, and the method for financing the plan.

Subd. 2. Parking Fees

Each public higher education system shall develop a parking plan. The plan shall include consideration of establishing parking fees for each campus at a level that will provide adequate revenue to construct, repair, and maintain the parking lots. The plan must be submitted to the legislature in the 1991 biennial budget document.

Sec. 7. EDUCATION

Subdivision 1. To the commissioner of administration, except as otherwise specified, for the purposes specified in this section

27,793,000

Subd. 2. Minnesota State Academy for the Blind and Deaf - Faribault

343,000

(a) Upgrade mechanical systems and make health and life safety improvements in Activities Building

128,000

(b) Retrofit science classrooms to meet safety standards	50,000
(c) Replace windows	165,000

Subd. 3. Minnesota Center for Arts Education Purchase and rehabilitate Golden Valley site	4,250,000
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Notwithstanding any other law to the contrary, the commissioner of administration may purchase the Golden Valley site for a sum not more than \$4,250,000.

Subd. 4. Minnesota Center for Science, Mathematics, and International Studies Purchase facilities at Winona	200,000
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This appropriation is to purchase facilities on the campus of the former College of Saint Teresa in Winona, to be used to establish a state center for science, mathematics, and international studies. This appropriation may be spent only if the Hiawatha Foundation exercises its option to buy the buildings. The Foundation must maintain the facilities through June 30, 1991.

Subd. 5. Maximum Effort School Loans	23,000,000
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This appropriation is from the maximum effort school loan fund and must be spent under the direction of the commissioner of education to make debt service loans and capital loans to school districts as provided in sections 124.36 to 124.47.

This appropriation is to the commissioner of education, who shall rank capital loan applications that were recommended by the state board of education and approved by voters of the school district before April 15, 1990. Ranking shall be based on the criteria in Minnesota Statutes 1989 Supplement, section 124.43, subdivision 1, paragraph (b), clauses (2)(A) to (D), and the amount of the appropriation in this subdivision.

The commissioner shall review the proposed plan and budgets of a project to be funded and may reduce the amount of the loan to ensure that the project will be economical. The commissioner may recover the cost incurred by the commissioner for any professional services associated with the final review by reducing the proceeds of the loan paid to the district.

The commissioner shall allot the amount available for capital loans to the top-ranked districts in rank order. The commissioner shall not prorate a capital loan. If the available money will not fully fund a project, the commissioner shall allot the money to the next lower project that can be fully funded. Capital loans are approved for the districts funded by the commissioner. The amount, terms, and forgiveness of a capital loan are governed by this subdivision and 1990 H.F. No. 2200, article 11.

Except for emergency requests, these school district applications shall be the top priority for funding capital loans until July 1, 1995, if:

(1) the districts continue to meet the criteria in Minnesota Statutes 1989 Supplement, section 124.43, subdivision 1, paragraph (b), clauses (2)(A) to (D);

(2) the amount of the loan is within the limit established by 1990 H.F. No. 2200, article 11, section 5, subdivision 8, as modified by 1990 H.F. No. 2200, article 11, section 10; and

(3) the districts levy according to 1990 H.F. No. 2200, article 11, section 2, and section 5, subdivision 11.

A district application may change priority or rank order when the conditions under which the state board of educa-

tion approved the loan application or the voters approved borrowing the money change sufficiently to disqualify it for a capital loan, raise or lower its rank, or eliminate its status as top priority, according to 1990 H.F. No. 2200, article 11.

Sec. 8. JOBS AND TRAINING

To the commissioner of administration for the purposes specified in this section

750,000

This appropriation is to construct and renovate a regional job service office in south Minneapolis. The office must be located at the southwest corner of the intersection of Chicago and Lake streets.

Sec. 9. VETERANS HOMES BOARD

Subdivision 1. To the commissioner of administration for the purposes specified in this section

1,750,000

The appropriations in this section represent 35 percent of the estimated cost of each project.

The Minnesota Veterans Homes Board must apply for the federal money needed to complete these projects. The commissioner of administration shall receive the federal money and make the money available to the Veterans Homes Board to spend for completion of the projects. Any part of the total appropriation in this section may be spent for any of the projects in this section before the federal money for that project is received, provided that the project must not be started until enough federal or other money has been committed to complete it.

Subd. 2. Minnesota Veterans Home - Minneapolis

(a) Expand feeding and lounge areas in building 17

187,000

(b) Restore bridge and utilities	367,000
(c) Demolish building 12B and remove boiler from building 14A	34,000
Subd. 3. Minnesota Veterans Home - Hastings	
(a) Upgrade heating and air conditioning system	56,000
(b) Replace windows	26,000
(c) Repair roofs	28,000
(d) Reconfigure domiciliary rooms to comply with standards	1,052,000
Sec. 10. HEALTH	
To the commissioner of administration to renovate laboratories at the present health building and remodel the heating, ventilating, and air conditioning systems	1,376,000
Sec. 11. CORRECTIONS	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	13,121,000
Subd. 2. Minnesota Correctional Facility - Faribault	
(a) Complete phase II conversion to medium security and electrical upgrade of facility	2,706,000
(b) Reconfigure roads, walks, and lots in coordination with the department of human services	537,000
Subd. 3. Minnesota Correctional Facility - Lino Lakes	
(a) Expand "Q" Building	500,000
(b) Construct two new medium security cottages	6,000,000
(c) Connect to city water and sewer system	955,000
(d) Replace the emergency power generator	318,000
Subd. 4. Minnesota Correctional Facility - Stillwater	
Replace locks in cell hall B	594,000

Subd. 5. Minnesota Correctional Facility - Willow River/Moose Lake Expand and improve the wastewater treatment system	85,000
Subd. 6. Minnesota Correctional Facility - Shakopee Plan and design for expansion	300,000
Subd. 7. Minnesota Correctional Facility - St. Cloud Complete the replacement of steam/condensate lines	224,000
Subd. 8. Minnesota Correctional Facility - Red Wing Replace hot water lines from the industrial building throughout the tunnel system of the facility and remove asbestos	402,000
Subd. 9. Systemwide Repair roofs, structures, and utilities at various state correctional facilities	500,000
Sec. 12. HUMAN SERVICES	
Subdivision 1. To the commissioner of administration for the purposes specified in this section	22,675,000
Subd. 2. Systemwide	
(a) Upgrade heating and air conditioning system in residential and program buildings	500,000
(b) Remodel resident living and program areas to meet licensure and accreditation requirements	450,000
(c) Repair roofs, structures, and utilities	426,000
Subd. 3. Construct ten additional state-operated community services facilities for people with developmental disabilities	2,590,000
Subd. 4. State-operated community-based residences	1,000,000
This appropriation is to plan, design, renovate or construct two state-operated community-based residences for people with	

mental illness. Each facility must be located in conformance with deconcentration requirements. One facility must be located in the Twin Cities metropolitan area, must have no more than 16 beds, and must serve adults. One facility must be located outside the Twin Cities metropolitan area, must have 10 beds, and must serve adolescents. Before beginning construction, the commissioner shall consult with the chairs of the Health and Human Services Division of the House Appropriations Committee and the Health and Human Services Division of the Senate Finance Committee.

Subd. 5. Construct water line to Cambridge Regional Treatment Center

400,000

This appropriation is to repair or replace water and sewer mains at the Cambridge regional human services center in cooperation with the city of Cambridge. Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of administration may transfer to the city of Cambridge any property at the Cambridge regional human services center that relates to the provision of water or sewer services or other utilities. The department and the city may attach to the transfer the conditions that they agree are appropriate, including conditions that relate to water and sewer service at the center and in the city. If the transfer requires the conveyance of any interest in real estate, the attorney general shall prepare appropriate instruments of conveyance. The deed to convey the property must contain a clause that the property will revert to the state if the property ceases to be used for a public purpose. This appropriation expires upon the accomplishment or abandonment of its purpose.

Subd. 6. Remodel, upgrade, and re-

equip dietary and kitchen facilities at Ah-Gwah-Ching, Brainerd Human Services Center, and St. Peter Regional Treatment Center

774,000

Subd. 7. Regional Treatment Centers

7,235,000

This appropriation is to prepare working drawings to remodel or reconstruct the Anoka, Moose Lake, and Fergus Falls mental health units. Plans must be ready for construction bid by June 1, 1991, with a total construction cost not to exceed \$97,000,000. Construction funds must be available after review of the plans by the 1991 legislature. Schematics shall be submitted to the chair of the health and human services division of the senate finance committee and the chair of the health and human services division of the house appropriations committee for their review.

Of this appropriation, \$2,800,000 is for Anoka Metro Regional Treatment Center to complete schematics and working drawings for construction of a 300-bed facility for treatment of individuals with mental illness. The new facility must include space for ancillary and support functions for all disability groups to be served by the regional center.

Of this appropriation, \$1,435,000 is for Fergus Falls Regional Treatment Center to develop schematics and working drawings for a new 100-bed freestanding facility for persons with mental illness. The new facility must include space for ancillary and support functions for all disability groups to be served by the regional center. The plan and working drawings must be drafted in a manner that will allow for all construction to be completed in totality or in phases. The first phase must provide for completion of all ancillary and support functions. Upon

completion of construction, custodial control of the existing Kirkbride Complex shall be transferred to the commissioner of administration after a public meeting in Fergus Falls to receive recommendations for its disposition.

Of this appropriation, \$1,500,000 is for Moose Lake Regional Treatment Center to develop schematics and working drawings for construction of a new 150-bed freestanding facility for the treatment of individuals with mental illness. The new facility must include space for ancillary and support functions for all disability groups to be served by the regional center. The site for the new facility shall be located, if feasible, on property presently under the custodial control of the Moose Lake Regional Treatment Center. If a building site on regional center property is not feasible, the commissioners of human services and natural resources shall cooperatively explore the feasibility of an alternative site location on state land adjacent to the regional center which at the present time is under the custodial control of the department of natural resources. The commissioner of human services may also accept a gift of real property as an alternative site for the new regional facility. Upon completion of construction, custodial control of the existing regional center complex shall be transferred to the commissioner of corrections for the purpose of establishing a correctional facility.

Of this appropriation, \$1,500,000 is for remodeling the Brainerd Regional Treatment Center for 35 mental health security beds.

The department of administration, in cooperation with the department of human services, shall coordinate the planning for the reconstruction of the region-

al treatment centers. The proposals for schematics and working drawings for the psychiatric facilities at Anoka, Fergus Falls, and Moose Lake must be let in a single bid. The department of finance may reduce the authorization if the department estimates the amount needed is less than the authorized amount.

Subd. 8. Remodel residential buildings at regional treatment centers to meet standards for skilled nursing facilities

9,300,000

This appropriation is to complete remodeling of buildings for 105 beds at Brainerd, 70 beds at Cambridge, and 85 beds at Fergus Falls.

Sec. 13. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section

21,734,000

Subd. 2. Buildings

The appropriations in this subdivision are from the trunk highway fund.

(a) Bemidji rest area

250,000

The commissioner of transportation may not spend more than \$400,000 from an appropriation for trunk highway development to develop the site and design a facility for a trunk highway rest area and tourist information center at Bemidji. State money may not be spent to operate the facility.

(b) Brainerd District Headquarters

6,525,000

This appropriation is to construct a new headquarters on a site already owned by the department of transportation.

(c) Detroit Lakes Laboratory addition

344,000

(d) Marshall Area Maintenance Building

600,000

This appropriation is added to the appro-

priation in Laws 1989, chapter 269, section 2, subdivision 11, item (e).

(e) Mahnommen Truck Station 420,000

This appropriation is to construct a new truck station.

(f) St. James Truck Station 420,000

(g) Statewide

(1) Asbestos removal and re-insulation in Minnesota department of transportation facilities statewide 250,000

(2) Underground storage tank replacement at Minnesota department of transportation facilities statewide 750,000

(3) Construct or repair chemical storage sheds at department facilities 405,000

(4) Acquire land 145,000

This appropriation is to acquire land for truck station sites at Roseau, Pine City, Northfield, and Pipestone.

(5) Construct pole-type storage sheds at Minnesota department of transportation facilities statewide 375,000

Subd. 3. Planning for airport hangar at St. Paul downtown airport 50,000

This appropriation is from the state airports fund.

Subd. 4. Federal Aid Demonstration Program 5,600,000

This appropriation is from the state transportation fund.

Subd. 5. Local Bridge Replacement and Rehabilitation 5,600,000

This appropriation is from the state transportation fund.

(a) This appropriation shall be distributed by the commissioner of transportation as grants to political subdivisions for the construction and reconstruction of key bridges on highways and

streets under their jurisdiction. The grants shall not exceed the following aggregate amounts:

- | | |
|---|-------------|
| (1) To counties | \$3,304,000 |
| (2) To home rule charter and statutory cities | \$ 784,000 |
| (3) To towns | \$1,512,000 |

(b) The grants may be used by a political subdivision to:

- (1) Construct and reconstruct key bridges under their jurisdiction;
- (2) Match federal-aid grants for construction and reconstruction of the bridges;
- (3) Pay the costs of preliminary engineering and environmental studies for the bridges;
- (4) Pay the costs of abandoning an existing bridge that is deficient and is in need of replacement, but where no replacement is made; and
- (5) Pay the cost of constructing a road or street that would facilitate the abandonment of an existing deficient bridge. The construction of the road or street must be judged by the commissioner to be more cost-efficient than the reconstruction or replacement of the existing bridge.

Sec. 14. PUBLIC SAFETY

Remodel Bureau of Criminal Apprehension Building to comply with building code

545,000

Sec. 15. BOARD OF WATER AND SOIL RESOURCES

To the board of water and soil resources for the Reinvest in Minnesota resources program

2,395,000

This appropriation is from the infrastructure development fund.

This appropriation is to acquire conser-

vation easements under Minnesota Statutes, section 40.43, subdivision 3. The board shall give priority to acquiring easements on cropland in sensitive groundwater areas.

Administrative costs for one position of the board are to be paid from this appropriation.

\$1,645,000 of this appropriation is to construct the Wellner-Hageman dam.

Sec. 16. MINNESOTA HISTORICAL SOCIETY

Subdivision 1. To the Minnesota historical society for the purposes specified in this section

3,475,000

Subd. 2. Specific Projects

(a) Complete State History Center

2,300,000

This appropriation is added to the appropriation in Laws 1987, chapter 400, section 15, subdivision 2.

\$100,000 of this appropriation is to construct exhibits at the State History Center.

(b) Restore and repair deterioration of Split Rock Lighthouse

125,000

(c) Restore and reconstruct Meighen store complex

100,000

(d) Red Lake Tribal Information Center

300,000

This appropriation is for the Minnesota historical society to make a grant to independent school district No. 38, Red Lake, to finalize construction documents and operating agreements before project bidding.

Subd. 3. For heritage zone grant-in-aid

100,000

This appropriation is for grant-in-aid purposes of the St. Anthony Falls Heritage Preservation Zone. Grants may be made

for public improvements of a capital nature according to the St. Anthony Falls interpretive plan for preservation of interpretive components. The matching requirements for the grants may be established by the St. Anthony Falls Heritage Board.

Subd. 4. For the labor history center

550,000

This appropriation is to plan and design the Labor History Center. The society shall develop a facility program document that defines the space and programming needs of the center including operating expenses. The society shall determine, through a site location assessment study, the location of the center on a site adjacent to the history center and prepare working drawings for the project. Cost estimates for all elements necessary to complete the project must be submitted to the chairs of the agriculture, transportation, and semi-states divisions of the senate finance and house appropriations committees for their recommendations. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation. The total cost of the project must not exceed \$12,500,000. The project cost may include exhibits and audio-visual devices and systems.

Subd. 5. For site improvements

Notwithstanding any other law to the contrary, unencumbered balances from appropriations in Laws 1981, chapter 4, section 11, are reappropriated to the Minnesota Historical Society for site contamination clean-up and access requirements. The Minnesota Historical Society shall report to the chair of the senate committee on finance and the chair of the house of representatives com-

mittee on appropriations on expenditures made under this subdivision. The purpose of the reappropriation is to pay for existing projects and not to pay for new projects.

Sec. 17. INDIAN AFFAIRS COUNCIL

Battle Point Historic Site

50,000

This appropriation is to prepare preliminary plans for an interpretive center at the Battle Point historic site in Cass county on the Leech Lake Indian Reservation. The plans must provide for the center to be constructed on land leased to the Indian affairs council by the Leech Lake Band of Chippewa Indians under a ground lease having an initial term of at least 20 years and a total term of at least 40 years, including renewal options. During the term of the ground lease the facilities constructed on the land will be owned by the council, but when the ground lease expires the facilities constructed on the land will belong to the Leech Lake Band. The plans must provide for the council to contract with the Leech Lake Band to operate the center on behalf of the council. Through the center, the council shall carry out a program of public education on the history of the Battle Point site, with primary emphasis on the historical role of the Leech Lake Band. The center and all classes and programs run by or through the center must be open to the public.

Sec. 18. ADMINISTRATION

To the commissioner of administration for the purposes specified in this section

16,750,000

(a) Capital asset preservation and replacement account

2,500,000

This appropriation is from the capital asset preservation and replacement account created in new Minnesota Statutes, section 16A.632.

Unencumbered balances from appropriations in Laws 1985, First Special Session chapter 15, section 3, subdivision 2, item (a), and Laws 1987, chapter 400, section 3, item (a), may be used by the commissioner of administration to remove or encapsulate asbestos-containing materials when identified by a survey conducted by a recognized and licensed asbestos testing consultant as being the most hazardous to building occupants.

(b) Centennial Building 8,000,000

This appropriation is to complete renovation of the interior of the building.

(c) To repair the ventilation system in the Ford building 150,000

(d) For the Itasca Center Project 100,000

This appropriation is for a grant to Itasca county to plan for construction of the Itasca Center.

(e) Judicial Center 2,900,000

This appropriation is to complete phase I of the center and phase II planning.

(f) Plan to remodel State Capitol 300,000

(g) Agency Relocation 2,800,000

This appropriation is to the commissioner of administration from the general fund and is to provide for moving costs and estimated increased rental costs associated with agency relocations and shall not be used for the purchase of furniture related to agency relocations.

Notwithstanding any other law to the contrary, during the biennium in selecting sites for relocations, the commissioner shall place a priority on housing agencies in state-owned buildings whenever possible.

(h) Agriculture Department Building

The unobligated balance of the appropriation in Laws 1989, chapter 300, article 1, section 14, item (h), to select a

site and plan for a new department of agriculture building, is canceled to the state bond fund.

(i) Public School Building Survey

The commissioner of administration, in cooperation with the commissioner of education, may conduct a survey of all public school buildings built after 1945 and before 1980 to determine the degree of physical accessibility for people with disabilities; may train school maintenance personnel to conduct on-site surveys to identify accessibility deficiencies in school buildings; and may prepare a report and workplan including schedules and cost estimates concerning necessary accessibility improvements. In preparing the report and workplan, the commissioner shall consult with and receive recommendations and priorities from the council on disability.

These activities shall be conducted in conjunction with the access survey being conducted for state-owned buildings, and the appropriation in Laws 1989, chapter 300, article 1, section 14, item (a), may be used for this purpose.

Sec. 19. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

Roy Wilkins Memorial

300,000

The capitol area architectural and planning board shall establish a Roy Wilkins memorial in the capitol area. The board shall select an appropriate site for the memorial, establish design requirements, choose the design, and oversee construction of the memorial. In establishing the memorial, the board may accept money from nonstate sources and contract with other private or public agencies.

Sec. 20. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources, except as otherwise specified, for the purposes specified in this section	17,950,000
Subd. 2. State Forests, Parks, and Trails	
(a) To acquire state forest lands in the Richard J. Dorer Memorial Hardwood Forest	500,000
(b) For betterment of state parks according to the management plans required in Minnesota Statutes, chapter 86A	3,000,000
This appropriation is from the infrastructure development fund.	
(c) To acquire and to better state trails	3,500,000
This appropriation is from the infrastructure development fund.	
This appropriation is to acquire and to develop the Barnum to Carlton segment of the Willard Munger Trail, the Soo Line Trail, and the Paul Bunyan Trail.	
Subd. 3. For the reinvest in Minnesota program under Minnesota Statutes, sections 40.40 to 40.45	3,000,000
This appropriation is from the infrastructure development fund.	
Of this appropriation, \$600,000 is for acquisition of scientific and natural areas.	
Of this appropriation, \$500,000 is for transfer to the critical habitat private sector matching account under Minnesota Statutes, section 84.943.	
Subd. 4. To acquire and to better public water access sites under Minnesota Statutes, section 97A.141	700,000
Subd. 5. For flood plain management for grants under Minnesota Statutes, section 104.11	3,200,000

The commissioner of natural resources must give priority to projects with federal matching money and to projects currently under construction. Where practical, the commissioner shall encourage phased construction to maximize the number of projects started.

In the case of a grant for the Good Lake project in the Red Lake watershed district, the impoundment structure must be constructed on land leased to the Red Lake watershed district by the Red Lake Band of Chippewa Indians under a ground lease having an initial term of at least 20 years and a total term of at least 40 years, including renewal options. During the term of the ground lease the facilities constructed on the land will be owned by the watershed district.

Subd. 6. For the waterbank program under Minnesota Statutes, section 105.392

1,200,000

Subd. 7. Environmental Learning Centers

The commissioner in cooperation with other affected agencies and residential and nonresidential learning center directors shall develop a long-range plan for the development and program coordination of environmental learning centers statewide. The plan must focus on identifying programming needs, geographic areas to locate facilities, capital cost estimates for development and creation of a phased-in implementation strategy. The plan must be completed for presentation to the legislature by January 1, 1992.

Subd. 8. Repair Lake Bronson dam

300,000

Subd. 9. Buildings

The appropriations in this subdivision are to the commissioner of administration.

(a) Consolidate and renovate field offices statewide	1,000,000
(b) Replace underground storage tanks	250,000
(c) For phase 1 construction of the International Wolf Center	1,200,000

This appropriation is to the commissioner of administration to construct phase I of the International Wolf Center. The state board for community colleges and Vermilion community college shall assist in planning and constructing the facility. Vermilion community college shall serve as the administrative and fiscal agent for the International Wolf Center. Except for money specifically appropriated to the state board for community colleges for instructional programs affiliated with the International Wolf Center, operating or administrative costs for the International Wolf Center may not be provided from money appropriated to the state board for community colleges.

(d) Lac Qui Parle Visitor's Center	100,000
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This appropriation is for planning and working drawings and archaeological excavation for a visitor center at Lac Qui Parle Wildlife Management Area.

The commissioner, in cooperation with the Minnesota Historical Society and the Chippewa Area Soil and Water Conservation District, shall develop a plan for a visitor center at Lac Qui Parle Wildlife Management Area to be located at the historic mission site, more specifically described as a parcel of land lying northeast of County Road 32 in the northeast quarter of the southwest quarter of Section 13, township 118 north, range 42 west. This center must include sufficient facilities to accommodate the needs of the Minnesota Historical Society to provide displays and interpretive facilities for the Native American culture and history of the area. The plan must allow

for the development of the site in accordance with Minnesota Statutes, chapter 138 and be completed for presentation to the legislature by January 1, 1991.

Sec. 21. PUBLIC FACILITIES AUTHORITY

To the public facilities authority for the purposes specified in this section 30,954,000

(a) State Independent Grants Program under Minnesota Statutes, section 116.18, subdivision 3a 15,354,000

This appropriation is from the infrastructure development fund

\$8,854,000 is for grants for reimbursement projects authorized prior to January 1, 1989, under Minnesota Statutes, section 116.18, subdivision 3a, paragraph (c), for fiscal year 1991 to be distributed pro rata among the communities in amounts not to exceed their eligible grants. This appropriation is not available to communities that are eligible for federal grants.

\$5,500,000 is for continuation grants under Minnesota Statutes, section 116.18, subdivision 3a, paragraphs (a) and (b), for fiscal year 1991.

The legislative water commission shall study the financing of wastewater treatment projects. The study must include a review of the state independent grant program and recommendations on how the grant program should be modified to better complement the state revolving loan program. The department of trade and economic development and the pollution control agency shall cooperate in the study. The legislative water commission shall report its findings to the house and senate environment and natural resources committees, house appropriations committee, and the senate finance committee by January 1, 1991.

(b) State match to the federal grants to capitalize the state water pollution control revolving fund under Minnesota Statutes, section 446A.07

15,600,000

\$8,900,000 is for fiscal year 1991

\$6,700,000 is for fiscal year 1992

This appropriation is from the infrastructure development fund.

Any money in excess of the amount needed for the 20 percent state match to the federal grant may be used for grants under Minnesota Statutes, section 116.18, subdivisions 2a and 3a. Any money in excess of the amount needed to fund projects under paragraph (a), may be used for grants under Minnesota Statutes, section 116.18, subdivision 2a.

Sec. 22. POLLUTION CONTROL AGENCY

To the commissioner of the pollution control agency for the purposes specified in this section

27,225,000

(a) Combined sewer overflow grants under Minnesota Statutes, section 116.162

23,700,000

This appropriation is for the state's share of the cost of combined sewer overflow projects begun during fiscal years 1991 and 1992. The allocation to a city for projects begun in fiscal year 1991 or 1992 may be used, by choice of the city, to cover the shortfall in federal funding of projects begun by the city during fiscal year 1990, but the legislature does not intend to appropriate any more money for projects begun in fiscal year 1991 or 1992 because a city has chosen to use part of this appropriation for projects begun in fiscal year 1990.

Notwithstanding any law to the contrary, the city of St. Paul shall use all revenues derived from its clawback fund-

ing of sewer financing only for sewer separation projects that directly result in the elimination of combined sewer overflow.

(b) Litigation Settlements

250,000

This appropriation is from the infrastructure development fund.

This appropriation is for payment to municipalities to assist in settling claims made against the municipalities in litigation to which the state and the municipality are parties involving the construction of municipal wastewater treatment facilities funded partly by state matching wastewater treatment grant funds. No payment may be made to settle litigation with a municipality eligible for funding under the corrective action grant program, Minnesota Statutes, section 116.181. No funds shall be used to pay litigation costs. Payment shall be subject to an agreement to which the state and the municipality are parties. Any funds not obligated by December 31, 1990, may be used for grants under Minnesota Statutes, section 116.18, subdivision 2a, or transferred to the public facilities authority for grants under Minnesota Statutes, section 116.18, subdivision 3a.

(c) Administrative costs under the wastewater construction grants program, Minnesota Statutes, section 116.18, subdivisions 2a and 3a

925,000

This appropriation is from the infrastructure development fund.

Effective July 1, 1991, bond proceeds may not be used to pay the salaries and other administrative expenses of state employees in the pollution control agency. The governor's budget request to the 1991 legislature should include a request for the amounts necessary to pay these

expenses from the general fund or other funds that do not consist of bond proceeds.

(d) For supplemental grant adjustments to those municipalities identified in Minnesota Statutes, section 116.18, subdivision 3d

2,350,000

This appropriation is from the infrastructure development fund.

A supplemental grant must not exceed 2.5 percent of the total eligible construction costs.

Sec. 23. WASTE MANAGEMENT

To the director of the office of waste management for capital assistance program grants under Minnesota Statutes, section 115A.54

7,000,000

Sec. 24. TRADE AND ECONOMIC DEVELOPMENT

To the commissioner of trade and economic development for the purposes specified in this section

7,500,000

(a) Convention Center Facilities

500,000

This appropriation is for a grant to the city of Minneapolis to construct a convention center parking facility. The city of Minneapolis shall transfer to the Greater Minneapolis Convention and Visitors Association an annual amount equal to the projected debt service as a supplement to the association's budget.

(b) Local Recreation Grants

2,000,000

This appropriation is from the infrastructure development fund.

This appropriation is to acquire and to better recreation open space projects upon application by local units of government and Indian tribes and bands recognized by the federal government. Projects that receive federal grants must be given pri-

ority. A grant under this paragraph is not contingent upon the receipt of federal grants. A project may receive grant assistance of up to 50 percent of the total capital cost of the project or, if federal money is used, 50 percent of the local share. A project must not receive grant assistance of more than \$400,000. A local unit of government must not receive more than one grant during each fiscal biennium.

\$625,000 is granted for projects outside the metropolitan area that is defined in Minnesota Statutes, section 473.121, subdivision 2.

Up to ten percent of the appropriation for local recreation grants may be used for acquisition of park land that is currently used as a park and is being leased by a local unit of government. This portion of the appropriation is not subject to the 50 percent local match. A local unit of government receiving a grant under this provision must agree to operate and maintain the park.

(c) Metropolitan Open Space

5,000,000

This appropriation is from the infrastructure development fund.

This appropriation is for payment by the commissioner of energy and economic development to the metropolitan council established under Minnesota Statutes, section 473.123. The commissioner shall transfer the amount to the metropolitan council upon receipt of a certified copy of a council resolution requesting payment. The appropriation must be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of regional recreational open space lands in accordance with the council's policy plan as provided in Minnesota Statutes,

sections 473.315 and 473.341, including relocation costs and tax equivalents required to be paid by Minnesota Statutes, sections 473.315 and 473.341.

Using the authority granted in Minnesota Statutes, section 473.325, the metropolitan council may authorize the issuance of general obligation bonds of the council for the acquisition and betterment of regional recreational open space. The bonds must be issued as provided in and subject to the dollar limitation of Minnesota Statutes, section 473.325.

None of the proceeds from the sale of bonds authorized by this appropriation or by the sale of metropolitan council bonds may be used to reimburse a development agency of a city of the first class for land acquisition or development costs incurred prior to 1988.

(d) Duluth Zoo

The amount appropriated for a grant to the Duluth zoo in Laws 1989, chapter 335, article 1, section 25, subdivision 6, may be granted in more than one disbursement. Each disbursement is available after the commissioner of finance has determined that the portion of the grant to be disbursed has been matched by an equal amount from nonstate sources.

The appropriation in Laws 1989, chapter 335, article 1, section 25, subdivision 6, of \$500,000 in the first year for the Duluth Zoo does not cancel at the end of the first year and is available for the second year of the biennium.

Sec. 25. MINNESOTA AMATEUR SPORTS COMMISSION

To the Minnesota amateur sports commission
for the purposes specified in this section

5,000,000

(a) Construct Holmenkollen ski jump
in Bloomington

2,500,000

This appropriation is for a grant to the city of Bloomington and is available only after the commissioner of finance has determined that the city of Bloomington has committed \$2,500,000 and private contributors have committed \$2,500,000 to complete the project.

(b) Construct indoor national shooting sports center at Giant's Ridge in Biwabik

2,500,000

This appropriation is for a grant to the iron range resources and rehabilitation board to construct a national shooting sports center for the Olympic sports of shooting and archery.

(c) Expand seating capacity of National Sports Center in Blaine

\$8,500,000 is appropriated from the proceeds of sports facility revenue bonds.

This appropriation is not available until the commission has executed a contract with the United States Soccer Federation naming the National Sports Center in Blaine a site for the 1994 World Cup of Soccer and the commissioner of finance has determined that the sports commission has secured revenue from local and private sources that will be sufficient to retire the bonds sold to finance this appropriation. The bonds sold for this appropriation shall be revenue bonds. The legislature intends not to appropriate money from the general fund to pay for these bonds.

Sec. 26. HOUSING FINANCE AGENCY

Transitional Housing

1,500,000

This appropriation is for transfer to the local government unit housing account

created by new Minnesota Statutes, section 462A.202, in the housing development fund.

Sec. 27. MILITARY AFFAIRS

To the adjutant general to prepare plans for an education center at Camp Ripley 200,000

The adjutant general shall use the unencumbered balance from the appropriation in Laws 1984, chapter 597, section 9, paragraph (d), for the planning of a new armory and military affairs building. The department of military affairs shall continue to occupy the veterans service building until the department has secured the federal funds and the legislature has acted on a governor's recommendation for funding of a new armory/military affairs building.

Sec. 28. BOND SALE EXPENSES

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8 386,000

Sec. 29. DEBT SERVICE

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 1991, no more than \$369,000,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds, other than general obligation special tax bonds or infrastructure development bonds. Before each sale of state general obligation bonds, the commissioner of finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold. The

commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

Sec. 30. BOND SALE.

Subdivision 1. BOND PROCEEDS FUND. To provide the money appropriated in this act from the state bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$109,525,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. INFRASTRUCTURE DEVELOPMENT FUND. To provide the money appropriated in this act from the infrastructure development fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$243,665,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 3. TRANSPORTATION FUND. To provide the money appropriated in this act from the state transportation fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$11,200,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Sec. 31. PLANNING.

During the biennium, in its planning for new program offerings at a particular institution, each public post-secondary education governing board shall consider the availability of physical space and the adequacy of facilities at that institution. If the board determines that new space or facilities are required, it shall examine the feasibility of developing the program at a different institution within its system or in cooperation with other systems.

Sec. 32. BOND SALE REDUCTION.

The bond sale authorization in Laws 1979, chapter 300, section 4, subdivision 3 for construction of local dams is reduced by \$129,000.

Sec. 33. Minnesota Statutes 1989 Supplement, section 16A.631, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

16A.631 BOND PROCEEDS FUND.

The bond proceeds fund is established to receive ~~state bond~~ the proceeds appropriated to agencies to acquire and to better public land and buildings and other public improvements of a capital nature, as authorized by of state bonds issued under the constitution, article XI, section 5, clause (a). The commissioner shall establish in the fund accounts having titles that reflect the state purpose or program for which the bond proceeds are appropriated and authorized to be expended.

Sec. 34. [16A.632] CAPITAL ASSET PRESERVATION AND REPLACEMENT ACCOUNT.

Subdivision 1. ESTABLISHMENT. A capital asset preservation and replacement account is established in the state bond proceeds fund established by section 16A.631, separate from any other accounts maintained in that fund, to receive state bond proceeds appropriated to the commissioner of administration to be expended for the purpose and in accordance with the standards and criteria set forth in this section.

Subd. 2. STANDARDS. Article XI, section 5, clause (a), of the constitution states general obligation bonds may be issued to finance only the acquisition or betterment of state land, buildings, and improvements of a capital nature. In interpreting this and applying it to the purposes of the program contemplated in this section, the following standards are adopted for the disbursement of money from the capital asset preservation and replacement account:

(a) No new land, buildings, or major new improvements will be acquired. These projects, including all capital expenditures required to permit their effective use for the intended purpose on completion, will be estimated and provided for individually through a direct appropriation for each project.

(b) An expenditure will be made from the account only when it is a capital expenditure on a capital asset previously owned by the state, within the meaning of accepted accounting principles as applied to public expenditures. The commissioner of administration will consult with the commissioner of finance to the extent necessary to ensure this and will furnish the commissioner of finance a list of projects to be financed from the account in order of their priority. The commissioner shall also furnish each revision of the list. The legislature assumes that many provisions for preservation and replacement of portions of existing capital assets will constitute betterments and capital improvements within the meaning of the constitution and capital expenditures under correct accounting principles, and will be financed more efficiently and economically under the program than by direct appropriations for specific projects. However, the purpose of the program is to accumulate data showing how additional costs may be saved by appropriating money from the general fund for preservation measures, the necessity of which is predictable over short periods.

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(c) The commissioner of administration will furnish instructions to agencies to apply for funding of capital expenditures for preservation and replacement from the account, will review applications, will make initial allocations among types of eligible projects enumerated below, will determine priorities, and will allocate money in priority order until the available appropriation has been committed. Under section 14.02, subdivision 4, these instructions and allocations do not constitute rules and the other provisions of chapter 14 do not apply to them.

(d) Categories of projects considered likely to be most needed and appropriate for financing are the following:

(1) unanticipated emergencies of all kinds, for which a relatively small amount should be initially reserved, replaced from money allocated to low-priority projects, if possible, as emergencies occur, and used for stabilization rather than replacement if the cost would exhaust the account and should be specially appropriated;

(2) projects to remove life safety hazards, like replacement of mechanical systems, building code violations, or structural defects, at costs not large enough to require major capital requests to the legislature;

(3) elimination or containment of hazardous substances like asbestos or PCBs; and

(4) moderate cost replacement and repair of roofs, windows, tuckpointing, and structural members necessary to preserve the exterior and interior of existing buildings.

Subd. 3. CRITERIA FOR PRIORITY. Criteria can be stated only in general terms, as it is the purpose of the program to improve the allocation of limited amounts of borrowed money by enlisting the engineering expertise of the department of administration and the closer knowledge and experience of this and all other agencies in determining relative needs as they develop. The following criteria must be considered:

(a) Urgency in ensuring the safety of use of existing buildings is the first criterion to be applied. It will require judgments, for example, about the useful life of electric and mechanical systems and roofs, in relation to the remaining useful life of each building, and about the presence of hazardous substances and structural defects in the light of present building regulations.

(b) Economy is also to be determined and may even reinforce a decision based on the first criterion, if the project would forestall a larger future capital expenditure or would reduce operating expense.

(c) Absolute cost must also be considered. It may be too high to warrant funding except by an additional appropriation, or so high as to warrant a recom-

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mentation to abandon or to replace the building. It may be so low as to permit payment out of an agency's operating budget.

Sec. 35. Minnesota Statutes 1988, section 16A.641, subdivision 6, is amended to read:

Subd. 6. **TAXABILITY; CERTIFICATION.** The commissioner shall ascertain from state records and certify to the holders of each series of state bonds, subject to the approval of the attorney general, that all conditions exist and all actions have been taken that are needed to make the bonds valid and binding general obligations of the state in accordance with their terms. ~~The commissioner shall also certify for the state the facts, estimates, and circumstances on the date of issue that lead the commissioner reasonably to expect that the proceeds will not be used in a way that would make the bonds arbitrage bonds under section 103(e) of the Internal Revenue Code and related federal regulations.~~

The bonds may be issued with or without regard to whether the interest to be paid on them is includable in gross income for federal tax purposes. If it is intended that the interest on the bonds be exempt from federal income taxes, the commissioner shall certify for the state on the date of issue the facts, estimates, and circumstances that lead the commissioner reasonably to expect that the proceeds of the bonds and the projects financed by them will not be used in a way that would cause the interest on the bonds to be subject to federal income taxes. The commissioner may covenant with the holders of the bonds that the state will comply with the provisions of the United States Internal Revenue Code then or later enacted that apply or may apply to the bonds and that establish conditions under which the interest to be paid on the bonds will not be subject to federal income taxes. The commissioner and all other state officers shall act or refrain from acting as necessary to comply with the covenants. A sum sufficient to meet the cost of compliance is annually appropriated to the commissioner from the general fund.

Sec. 36. Minnesota Statutes 1989 Supplement, section 16A.641, subdivision 7, is amended to read:

Subd. 7. **CREDIT OF PROCEEDS.** (a) Proceeds of bonds issued under each law must be credited by the commissioner to a special fund, as provided in this subdivision.

(b) Accrued interest and any premium received on sale of the bonds must be credited to the state bond fund created by the constitution; article XI, section 7.

(c) Except as otherwise provided by law, proceeds of state ~~building~~ bonds issued under the constitution, article XI, section 5, clause (a), must be credited to the bond proceeds fund ~~under established by~~ section 16A.631.

(d) Proceeds of state highway bonds must be credited to the trunk highway fund under the constitution, article XIV, section 6.

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(e) Proceeds of bonds issued for programs of grants or loans to political subdivisions must be credited to special accounts in the bond proceeds fund or to special funds established by laws stating the purposes of the grants or loans, and the standards and criteria under which an executive agency is authorized to make them.

(f) Proceeds of refunding bonds must be credited to the state bond fund as provided in section 16A.66, subdivision 1.

(g) Proceeds of other bonds must be credited as provided in the law authorizing their issuance.

Sec. 37. [16A.662] INFRASTRUCTURE DEVELOPMENT BONDS.

Subdivision 1. INFRASTRUCTURE DEVELOPMENT FUND. The infrastructure development fund is created as an account in the state treasury. The commissioner of finance shall credit to the fund income from the sources provided by law. The commissioner of finance shall from time to time certify to the state board of investment the assets of the fund not currently needed. The amount certified must be invested by the state board of investment subject to section 11A.24. Investment income and investment losses attributable to investment of fund assets must be credited to or borne by the fund.

Subd. 2. BONDS AUTHORIZED. When authorized by law enacted in accordance with the constitution, article XI, sections 5 and 7, the commissioner may by order sell and issue infrastructure development bonds of the state evidencing public debt incurred for any purpose stated in the law. The bonds are general obligations of the state, and the full faith and credit of the state are pledged for their payment.

Subd. 3. MANNER OF ISSUANCE; MATURITIES. The bonds must be issued and sold in accordance with section 16A.641. Sections 16A.672 and 16A.675 apply to the bonds.

Subd. 4. ESTABLISHMENT OF DEBT SERVICE ACCOUNT; APPROPRIATION OF DEBT SERVICE ACCOUNT MONEY. There is established within the state bond fund a separate and special account designated as the infrastructure development bond debt service account. There must be transferred to this debt service account in each fiscal year from money in the infrastructure development fund, other than bond proceeds and interest earned on bond proceeds, an amount sufficient to increase the balance on hand in the debt service account on each December 1 to an amount equal to the full amount of principal and interest to come due on all outstanding infrastructure development bonds to and including the second following July 1. The amount necessary to make the transfer is appropriated from the infrastructure development fund. The money on hand in the debt service account must be used solely for the payment of the principal of, and interest on, the bonds, and is appropriated for this purpose. This appropriation does not cancel as long as any of the bonds remain outstanding.

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Subd. 5. ASSESSMENT TO HIGHER EDUCATION SYSTEMS. (a) In order to reduce the amount otherwise required to be transferred under subdivision 4, the commissioner of finance shall assess each higher education system for one-third the amount that would otherwise need to be transferred with respect to infrastructure development bonds sold to finance capital improvement projects at institutions under the control of the system; provided that, to the extent that the amount to be transferred is for payment of principal and interest on bonds sold to finance life safety improvements, the commissioner must not assess the higher education systems for the transfer.

(b) After each sale of infrastructure development bonds, the commissioner of finance shall notify the state board for vocational technical education, the state board for community colleges, the state university board, and the regents of the University of Minnesota of the amounts for which each system is responsible for each year for the life of the bonds. The amounts payable each year are reduced by one-third of the net income from investment of infrastructure development bond proceeds that must be allocated among the systems in proportion to the amount of principal and interest otherwise required to be paid by each. Each higher education system shall pay its annual share of debt service payments to the commissioner of finance by December 1 each year. If a higher education system fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise payable to the system to cover the amount of the missed debt service payment. The commissioner of finance shall credit the payments received from the higher education systems to the infrastructure development bond debt service account in the state bond fund each December 1 before the transfer is made under subdivision 4.

Subd. 6. APPROPRIATION FROM GENERAL FUND. There is annually appropriated from the general fund for transfer to the infrastructure development bond debt service account the amount that, added to the amount in the infrastructure development bond debt service account on December 1 each year, after giving effect to subdivisions 4 and 5, is equal to the full amount of principal and interest to come due on all bonds to and including July 1 in the second ensuing year.

Subd. 7. CONSTITUTIONAL TAX LEVY. Under the constitution, article XI, section 7, the state auditor must levy each year on all taxable property within the state a tax sufficient, with the amount then on hand in the infrastructure development bond debt service account, to pay all principal and interest on the bonds due and to become due to and including July 1 in the second ensuing year. The tax is not subject to limit as to rate or amount. However, the amount of money appropriated from other sources as provided in subdivisions 4, 5, and 6, and actually received and on hand before the levy in any year, reduces the amount of the tax otherwise required to be levied. The proceeds of the tax must be credited to the infrastructure development bond debt service account.

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Subd. 8. APPLICATION AND APPROPRIATION OF PROCEEDS. The proceeds of the bonds must be deposited and spent as provided in this subdivision and are appropriated for those purposes. Any accrued interest and any premium received on the sale of the bonds must be credited to the infrastructure development bond debt service account. Except as otherwise required by law, the balance of the bond proceeds shall be credited to the infrastructure development fund and spent for the purposes specified in the law authorizing the issuance of the bonds. So much of the proceeds as is necessary must be used to pay costs incurred in issuing and selling the bonds.

Sec. 38. TUITION NOT INCREASED.

Tuition must not be increased to meet each higher education system's annual share of debt service payments. Existing internal resources must be used to meet each system's share as follows: (i) existing instructional funds must be used for capital improvement projects for instructional purposes, and (ii) existing noninstructional funds must be used for capital improvement projects for noninstructional purposes. This section is repealed July 1, 1991.

Sec. 39. Minnesota Statutes 1988, section 16A.672, is amended by adding a subdivision to read:

Subd. 9a. TAXABILITY; CERTIFICATION. Certificates may be issued with or without regard to whether the interest to be paid on them is includable in gross income for federal tax purposes. If it is intended that the interest on the certificates be exempt from federal income taxes, the commissioner shall certify for the state on the date of issue the facts, estimates, and circumstances that lead the commissioner reasonably to expect that the proceeds of the certificates will not be used in a way that would cause the interest on the certificates to be subject to federal income taxes. The commissioner may covenant with the holders of the certificates that the state will comply with the provisions of the United States Internal Revenue Code then or later enacted that apply or may apply to the certificates and that establish conditions under which the interest to be paid on the certificates will not be subject to federal income taxes. The commissioner and all other state officers shall act or refrain from acting as necessary to comply with the covenants. A sum sufficient to meet the cost of compliance is annually appropriated to the commissioner from the general fund.

Sec. 40. Minnesota Statutes 1989 Supplement, section 16A.69, subdivision 1, is amended to read:

Subdivision 1. APPROPRIATIONS INTO SINGLE PROJECT ACCOUNT. The commissioner shall place the money from two or more appropriations for the same or related projects in one account if all the appropriations do not lapse until their purposes are accomplished or abandoned. ~~The commissioner of administration~~ agency to whom the appropriation was made shall first certify which accounts are involved to the commissioner.

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Sec. 41. Minnesota Statutes 1988, section 16B.31, is amended by adding a subdivision to read:

Subd. 6. STATE BUILDINGS. (a) The commissioner of administration, in cooperation with the commissioner of finance shall:

(1) establish a state building classification system for state-owned buildings, with each class representing a different quality of building construction, to be incorporated into the capital budget format and instructions; and

(2) create and maintain an inventory of all major state buildings and office space owned or leased by the state, including a classification system on the condition and suitability of each major building.

(b) The commissioner of administration shall present to the legislature a supportable cost analysis whenever the commissioner proposes, for the purpose of providing state agency office space, to:

(1) enter into a lease for more than 50,000 square feet or for more than five years;

(2) enter into a lease-purchase agreement or an agreement to lease with option to buy property;

(3) purchase an existing building; or

(4) construct a new building.

Sec. 42. Minnesota Statutes 1989 Supplement, section 16B.335, subdivision 2, is amended to read:

Subd. 2. **OTHER PROJECTS.** All other capital projects except for those contained in agency operations budgets, including building improvements, small structures at experiment stations, asbestos removal, life safety, PCB removal, tuckpointing, roof repair, code compliance, landscaping, drainage, electrical and mechanical systems work, paving of streets, parking lots, and the like must not proceed until the agency undertaking the project has notified the chair of the senate finance committee and the chair of the house appropriations committee that the work is ready to begin.

Sec. 43. Minnesota Statutes 1988, section 116O.12, is amended to read:

116O.12 **GREATER MINNESOTA ACCOUNT.**

(a) The Greater Minnesota account is in the special revenue fund. Money in the account not needed for the immediate purposes of the corporation may be invested by the state board of investment in any way authorized by section 11A.24. Money in the account is appropriated to the corporation to be used as provided in this chapter.

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(b) The account consists of:

- (1) money appropriated and transferred from other state funds;
- (2) fees and charges collected by the corporation;
- (3) income from investments and purchases;
- (4) revenue from loans, rentals, royalties, dividends, and other proceeds collected in connection with lawful corporate purposes;
- (5) gifts, donations, and bequests made to the corporation; and
- (6) ~~through the first five full fiscal years, during which proceeds from the lottery are received, one-half of the net proceeds of the state-operated lottery must be credited to the Greater Minnesota Corporation account. Thereafter, up to one-half, as determined by law each biennium, of the net proceeds from the state-operated lottery must be credited to the Greater Minnesota Corporation account~~ other income credited to the account by law.

Sec. 44. Minnesota Statutes 1988, section 116P.04, subdivision 3, is amended to read:

Subd. 3. **REVENUE.** ~~Revenue collected in accordance with subdivision 2 must be deposited monthly in the trust fund account. Nothing in sections 116P.01 to 116P.12 limits the source of contributions to the trust fund.~~

Sec. 45. **BOND ISSUE; MAXIMUM EFFORT LOANS; 1990.**

To provide money to be loaned to school districts as agencies and political subdivisions of the state to acquire and to better public land and buildings and other public improvements of a capital nature, in the manner provided by the maximum effort school aid law, the commissioner of finance shall issue and sell school loan bonds of the state of Minnesota in the maximum amount of \$23,000,000, in addition to the bonds already authorized for this purpose. The bonds must be issued and sold and provision for their payment must be made according to section 124.46. Expenses incidental to the sale, printing, execution, and delivery of the bonds, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for those purposes, must be paid from the maximum effort school loan fund, and the money necessary for the expenses is appropriated from that fund.

Sec. 46. Minnesota Statutes 1988, section 136.62, is amended by adding a subdivision to read:

Subd. 9. **AUTHORIZATION TO SEEK FINANCING.** A community college must not seek financing for child care facilities through the higher education facilities authority, as provided in section 47, without the explicit authorization of the state board.

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Sec. 47. Minnesota Statutes 1988, section 136A.28, subdivision 3, is amended to read:

Subd. 3. "Project" means a structure or structures available for use as a dormitory or other student housing facility, a dining hall, student union, administration building, academic building, library, laboratory, research facility, classroom, athletic facility, health care facility, child care facility, and maintenance, storage, or utility facility and other structures or facilities related thereto or required or useful for the instruction of students or the conducting of research or the operation of an institution of higher education, whether proposed, under construction, or completed, including parking and other facilities or structures essential or convenient for the orderly conduct of such institution for higher education, and shall also include landscaping, site preparation, furniture, equipment and machinery and other similar items necessary or convenient for the operation of a particular facility or structure in the manner for which its use is intended but shall not include such items as books, fuel, supplies or other items the costs of which are customarily deemed to result in a current operating charge, and shall not include any facility used or to be used for sectarian instruction or as a place of religious worship nor any facility which is used or to be used primarily in connection with any part of the program of a school or department of divinity for any religious denomination.

Sec. 48. Minnesota Statutes 1988, section 136A.28, subdivision 7, is amended to read:

Subd. 7. "Participating institution of higher education" means an institution of higher education ~~which, pursuant to that, under~~ the provisions of sections 136A.25 to 136A.42, undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of obligations or of a mortgage or of advances as provided in sections 136A.25 to 136A.42. Community colleges and technical colleges may be considered participating institutions of higher education for the purpose of financing and constructing child care facilities.

Sec. 49. Minnesota Statutes 1988, section 136C.04, subdivision 4, is amended to read:

Subd. 4. **BUDGET REQUESTS.** The state board shall review and approve, disapprove, or modify the biennial budget requests for post-secondary vocational education operations and facilities submitted by the state director. The state board shall submit the approved biennial budget requests to the governor. A technical college must not seek financing for child care facilities through the higher education facilities authority, as provided in section 47, without the explicit authorization of the state board.

Sec. 50. Minnesota Statutes 1989 Supplement, section 136C.05, subdivision 5, is amended to read:

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Subd. 5. **USE OF PROPERTY.** (a) A school board must not sell, lease, or assign technical institute property for purposes other than technical institute activities without the approval of the state director. A school board need not obtain approval for uses that are incidental.

(b) Notwithstanding section 123.36, subdivision 13, proceeds from the sale, exchange, lease, or assignment of technical college land or buildings shall be used to repay any remaining debt service on the land or buildings. Subject to the approval of the state director, any remaining proceeds shall be placed in the post-secondary capital expenditure, repair and replacement, or construction fund.

(c) The proceeds of any arbitration or litigation resulting from claims involving technical college property shall be placed in the technical college repair and replacement fund.

Sec. 51. Minnesota Statutes 1988, section 136C.07, subdivision 5, is amended to read:

Subd. 5. No district shall expend funds from any source for the acquisition or betterment of lands or buildings ~~or~~, for capital improvements, or for plans or specifications for betterment of lands or buildings needed for a technical institute without the approval of the state board and authorization by specific legislative act if that acquisition, betterment or capital improvement requires the expenditure of \$250,000 or more, or adds more than 1,000 gross square feet to a post-secondary vocational facility, or requires the issuance of school district bonds. No acquisition or betterment of lands or buildings or capital improvement which requires the expenditure of \$50,000 or more but less than \$250,000 or which changes the perimeter walls of an existing facility shall be carried out without the approval of the state board. No acquisition or betterment of lands or buildings or capital improvement which requires the expenditure of less than \$50,000, which does not change a perimeter wall and which does not require the issuance of school district bonds, shall be carried out without the approval of the state director of vocational technical education. As used in this subdivision, the terms "acquisition" and "betterment," as applied to lands and buildings, and "capital improvement" shall have the meanings ascribed to them in chapter 475, but shall not include the acquisition or betterment of machinery or equipment.

Sec. 52. Minnesota Statutes 1989 Supplement, section 349A.10, subdivision 5, is amended to read:

Subd. 5. **DEPOSIT OF NET PROCEEDS.** Within 30 days after the end of each month, the director shall ~~pay to the state treasurer~~ deposit in the state treasury the net proceeds of the lottery, which is the balance in the lottery fund after transfers to the lottery prize fund and credits to the lottery operations account. Of the net proceeds, 40 percent must be credited to the Minnesota environment and natural resources trust fund, 28.3 percent must be credited to the infrastructure development fund for capital improvement projects at state institutions of higher education, 6.7 percent must be credited to the infrastructure development fund for capital improvement projects to develop or protect the state's environment and natural resources, and, through the first ten full

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fiscal years during which proceeds from the lottery are received, 25 percent must be credited to the Greater Minnesota account in the special revenue fund.

Sec. 53. [462A.202] LOCAL GOVERNMENT UNIT HOUSING ACCOUNT.

Subdivision 1. ACCOUNT. The local government unit housing account is established as a separate account in the housing development fund. Money in the account is appropriated to the agency for the purposes specified in this section.

Subd. 2. TRANSITIONAL HOUSING. The agency may make loans or grants to local government units to finance the acquisition, improvement, and rehabilitation of existing housing properties for the purposes of providing transitional housing, upon terms and conditions the agency determines. Preference must be given to local government units that propose to acquire properties being sold by the resolution trust corporation or the department of housing and urban development. The local government unit may contract with a nonprofit or for-profit organization to manage the property and to operate a transitional housing program on the property on behalf of the local government unit, on terms and conditions approved by the agency. The local government unit shall retain ownership of the property for at least 20 years. After 20 years, the sale of a property before the expiration of its useful life must be at its fair market value, and the net proceeds of sale must be used for the same purpose or repaid to the agency for deposit in the local government unit housing account.

Subd. 3. PUBLICLY OWNED HOUSING REHABILITATION AND MODERNIZATION. The agency may make loans or grants to local government units to finance the rehabilitation and modernization of publicly owned housing units. The local government unit shall retain ownership of the property for at least 20 years. The sale of property prior to the expiration of its useful life shall be at its fair market value, and the net proceeds of sale shall be used for the same purpose or repaid to the agency for deposit in the account established in subdivision 1.

Subd. 4. SUBSIDIZED RENTAL HOUSING PRESERVATION. The agency may make loans or grants to local government units to finance the acquisition and rehabilitation of federally subsidized multifamily rental housing for the purpose of preserving the housing for the use of low- and moderate-income persons, upon the terms and conditions as the agency may determine. The local government unit may contract with a nonprofit or for-profit organization to manage the property, on terms and conditions approved by the agency. The local government unit shall retain ownership of the property for at least 20 years. The sale of a property prior to the expiration of its useful life shall be at its fair market value, and the net proceeds of sale shall be used for the same purpose or repaid to the agency for deposit in the account established in subdivision 1.

Subd. 5. SPECIFIC APPROPRIATION NECESSARY. The agency may

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only make grants or loans to local governments under subdivisions 3 and 4 from funds specifically appropriated by the legislature for that purpose.

Sec. 54. CONSTITUTIONAL AMENDMENT.

The following amendment to the Minnesota Constitution, article XI, section 14, is proposed to the people. If the amendment is adopted, the section will read as follows:

Sec. 14. A permanent Minnesota environment and natural resources trust fund is established in the state treasury. The principal of the environment and natural resources trust fund must be perpetual and inviolate forever, except appropriations may be made from up to 25 percent of the annual revenues deposited in the fund until fiscal year 1997 and loans may be made of up to five percent of the principal of the fund for water system improvements as provided by law. This restriction does not prevent the sale of investments at less than the cost to the fund, however, all losses not offset by gains shall be repaid to the fund from the earnings of the fund. The net earnings from the fund shall be appropriated in a manner prescribed by law for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. Not less than 40 percent of the net proceeds from any state-operated lottery must be credited to the fund until the year 2001.

Sec. 55. SUBMISSION TO VOTERS.

The proposed amendment shall be submitted to the people at the 1990 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to dedicate not less than 40 percent of the net proceeds from the state lottery to the Minnesota environment and natural resources trust fund for environment, natural resources, and wildlife purposes until the year 2001?"

Yes
No"

Sec. 56. Laws 1979, chapter 280, section 2, as amended by Laws 1982, chapter 617, section 25, Laws 1985, chapter 299, section 39, Laws 1985, First Special Session, chapter 16, article 2, section 16, and Laws 1989, chapter 300, article 1, section 34, is amended to read:

Sec. 2. APPROPRIATION. Subdivision 1. \$60,000,000, or so much thereof as is determined to be needed, is appropriated from the Minnesota state transportation fund to the department of transportation to be expended for disbursement in the form of grants by the commissioner of transportation for construction and reconstruction of key bridges on the state transportation system and shall be allocated pursuant to subdivisions 2 and 3. The appropriation shall not lapse, but shall remain available until expended.

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Subd. 2. ~~\$58,500,000~~ (a) \$59,309,000 or so much thereof as is needed, is available for expenditure for grants to political subdivisions for construction and reconstruction of key bridges on highways, streets and roads under their jurisdiction. The grants shall not exceed the following aggregate amounts:

- (1) To counties... ~~\$16,220,000~~ \$16,720,000
- (2) To home rule charter and statutory cities... ~~\$2,620,000~~ \$2,729,000
- (3) To towns... ~~\$23,160,000~~ \$23,360,000

(b) Grants under clauses (1) to (3) may be used by political subdivisions to match federal-aid grants for construction and reconstruction of key bridges under their jurisdictions. Additional grants may be made in an aggregate amount not to exceed \$16,500,000 to the political subdivisions to match federal-aid grants for construction and reconstruction of key bridges under their jurisdiction. Appropriations made in subdivisions 1, 2, ~~or~~ and 3 may also be used for the following purposes:

- (1) The costs of abandoning an existing bridge that is deficient and is in need of replacement, but where no replacement will be made.
- (2) The costs of constructing a road or street that would facilitate the abandonment of an existing bridge determined to be deficient. The construction of the road or street must be judged to be more cost efficient than the reconstruction or replacement of the existing bridge.

Subd. 3. An additional amount not to exceed ~~\$1,500,000~~ \$691,000 is available for grants for preliminary engineering and environmental studies pursuant to ~~section 3~~ Minnesota Statutes, section 174.50, subdivision 6a.

Sec. 57. Laws 1989, chapter 329, article 5, section 21, subdivision 8, is amended to read:

Subd. 8. **MAXIMUM EFFORT SCHOOL LOAN FUND.** For the maximum effort school loan fund:

\$855,500 1990
~~\$2,100,000~~ \$3,082,000 1991

These appropriations shall be placed in the loan repayment account of the maximum effort school loan fund for the payment of the principal and interest on school loan bonds, as provided in Minnesota Statutes, section 124.46, to the extent that money in the fund is not sufficient to pay when due the full amount of principal and interest due on school loan bonds. The purpose of these appropriations is to ensure that sufficient money is available in the fund to prevent a statewide property tax levy as would otherwise be required pursuant to Minnesota Statutes, section 124.46, subdivision 3. Notwithstanding the pro-

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visions of Minnesota Statutes, section 124.39, subdivision 5, any amount of the appropriation made in this section which is not needed to pay when due the principal and interest due on school loan bonds shall not be transferred to the debt service loan account of the maximum effort school loan fund but instead shall cancel and revert to the general fund.

The 1990 appropriation does not cancel and is available until July 1, 1991.

Sec. 58. JOINT LEGISLATIVE STUDY.

Subdivision 1. MEMBERSHIP. A joint legislative study on capital needs shall be conducted. The study shall be overseen by a panel composed of the following:

(1) four members of the senate, two of whom must be members of the majority caucus and two of whom must be members of the minority caucus, appointed by the subcommittee on committees of the committee on rules and administration;

(2) four members of the house of representatives, two of whom must be members of the majority caucus and two of whom must be members of the minority caucus, appointed by the speaker;

(3) the commissioner of finance or the commissioner's designee; and

(4) the commissioner of administration or the commissioner's designee.

Subd. 2. DUTIES. The study shall consider ways to improve the process for planning and funding state capital projects. The study shall consider:

(1) current and future needs for new state buildings;

(2) repair and maintenance needs of existing buildings;

(3) existing and future use of leased office space or buildings;

(4) all matters concerning the maintenance, remodeling, and furnishing of the governor's residence;

(5) other public capital improvements;

(6) methods of improving the capital budget process;

(7) including operating costs for all recommended building or remodeling projects in capital budget requests;

(8) establishing and continually maintaining a long-term plan for state building needs and capital improvements;

(9) examining alternative methods of planning state capital improvements;

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(10) examining alternative methods of financing state capital improvements;

(11) determining the kinds and scope of projects that should be funded with bond proceeds; and

(12) whether a building commission should be established.

Subd. 3. REPORT. The findings and recommendations of the study shall be reported to the house appropriations and senate finance committees by February 1, 1991.

Sec. 59. **REPEALER.**

Minnesota Statutes 1988, sections 16A.651; 16A.661, subdivision 6; and 116P.04, subdivision 2, are repealed.

Sec. 60. **EFFECTIVE DATE.**

This article is effective the day after its final enactment. Section 51 applies to plans and specifications prepared after that date.

ARTICLE 2

Section 1. Minnesota Statutes 1988, section 16B.16, is amended by adding a subdivision to read:

Subd. 3. LEGISLATIVE INTENT. The purpose of the energy efficiency installment purchase contracts authorized by this section is to save money on energy costs. The entire cost of the contract must be a percentage of the resultant savings in energy costs. Neither the state nor any state agency is liable to make payments on the contract except to the extent that there are savings in energy costs that must be shared with other parties to the contract. The legislature intends not to appropriate any more money to pay for energy costs as a result of these contracts than would be payable without them.

Sec. 2. Minnesota Statutes 1988, section 41A.03, subdivision 5, is amended to read:

Subd. 5. LIMITATION ON LIABILITY. The liability of the state for loan guaranties or bonds authorized under this chapter is limited to the amount of funds appropriated to the guaranty fund pursuant to section 41A.06. The legislature intends not to appropriate money from the general fund to the guaranty fund, other than the sales and use taxes from a project as provided for in section 41A.06, subdivision 4. The loan guaranties or bonds are not a general obligation or debt of the state.

Sec. 3. Minnesota Statutes 1988, section 136.31, subdivision 1, is amended to read:

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Subdivision 1. All references in sections 136.31 to 136.38 to the state university board shall be deemed and construed to include any successor thereof created or established by law. The state university board is hereby authorized to do the following:

(a) acquire by purchase or otherwise, construct, complete, remodel, equip, operate, control, and manage residence halls, dormitories, dining halls, student union buildings and any other similar revenue-producing buildings of such type and character as said board shall from time to time find necessary for the good and benefit of any of the state universities under the jurisdiction of said board, and for that purpose may acquire property of any and every kind and description, whether real, personal or mixed, by gift, purchase or otherwise; provided that no contract for the construction of any building shall be entered into until financing therefor has been approved by the legislature;

(b) maintain and operate any such buildings or structures and charge for the use thereof, and carry on such activities, as are commonly conducted in connection with any such buildings or structures;

(c) enter into contracts touching in any manner or any matter within the objects and purposes of sections 136.31 to 136.38;

(d) acquire building sites and buildings or structures by gift, purchase or otherwise and pledge the revenues thereof for the payment of any bonds issued for such purpose as provided in sections 136.31 to 136.38;

(e) borrow money and issue and sell bonds in such amount or amounts as the legislature shall authorize for the purpose of acquiring, constructing, completing, remodeling, or equipping any such buildings or structures, and acquiring sites therefor, and refund and refinance the same from time to time by the issuance and sale of refunding bonds as often as it shall in the board's judgment be advantageous to the public interest so to do. All such bonds shall be sold and issued by said board in the manner and upon the terms and conditions provided by chapter 475, except as otherwise provided in this section. Such bonds shall be payable solely from and secured by an irrevocable pledge of the revenues to be derived from the operation of any such buildings or structures acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of such bonds and in addition thereto from such other income and revenues described in section 136.33, clause (a) as said board by resolution shall specify, and notwithstanding this limitation all bonds issued hereunder shall have the qualities of negotiable instruments under the laws of this state. The legislature intends not to appropriate money from the general fund to pay for these bonds.

Sec. 4. Minnesota Statutes 1989 Supplement, section 136A.176, is amended to read:

136A.176 BONDS NOT STATE OBLIGATIONS.

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Bonds issued under authority of sections 136A.15 to 136A.179 do not, and shall state that they do not, represent or constitute a debt or pledge of the faith and credit of the state, grant to the owners or holders thereof any right to have the state levy any taxes or appropriate any funds for the payment of the principal thereof or interest thereon. Such bonds are payable and shall state that they are payable solely from the rentals, revenues, and other income, charges, and moneys as are pledged for their payment in accordance with the bond proceedings. The legislature intends not to appropriate money from the general fund to pay for these bonds.

Sec. 5. Minnesota Statutes 1988, section 136A.35, is amended to read:

136A.35 BONDS ARE NOT STATE OBLIGATION.

Bonds issued under authority of sections 136A.25 to 136A.42 do not, and shall state that they do not, represent or constitute a debt or pledge of the faith and credit of the state, grant to the owners or holders thereof any right to have the state levy any taxes or appropriate any funds for the payment of the principal thereof or interest thereon. Such bonds are payable and shall state that they are payable solely from the rentals, revenues, and other income, charges, and moneys as are pledged for their payment in accordance with the bond proceedings. The legislature intends not to appropriate money from the general fund to pay for these bonds.

Sec. 6. Minnesota Statutes 1989 Supplement, section 298.2211, subdivision 4, is amended to read:

Subd. 4. **OBLIGATIONS NOT STATE DEBT.** Bonds and other obligations issued by the commissioner pursuant to this section, along with all related documents, are not general obligations of the state of Minnesota and are not subject to section 16B.06. The full faith and credit and taxing powers of the state are not and may not be pledged for the payment of these bonds or other obligations, and no person has the right to compel the levy of any state tax for their payment or to compel the appropriation of any moneys of the state for their payment except as specifically provided herein. These bonds and obligations shall be payable solely from the property and moneys derived by the commissioner pursuant to the authority granted in this section that the commissioner pledges to their payment. The legislature intends not to appropriate money from the general fund to pay for these bonds or other obligations. All these bonds or other obligations must contain the provisions of this subdivision or words to the same effect on their face.

Sec. 7. **EFFECTIVE DATE.**

This article is effective July 1, 1990.

Presented to the governor April 28, 1990

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Signed by the governor May 8, 1990, 3:09 p.m.

CHAPTER 611—S.F.No. 576

An act relating to human services; providing that certification of illness, injury, or incapacity for purposes of general assistance benefits may be made by a licensed chiropractor; regulating independent medical examinations by chiropractors; changing terminology; amending Minnesota Statutes 1988, section 256D.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Section 1. **[148.09] INDEPENDENT EXAMINATION.**

A doctor of chiropractic conducting a physical examination of a patient or a review of records by a doctor of chiropractic, for the purpose of generating a report or opinion to aid a reparation obligor under chapter 65B in making a determination regarding the condition or further treatment of the patient, shall meet the following requirements:

(1) the doctor of chiropractic must either be an instructor at an accredited school of chiropractic or have devoted not less than 50 percent of practice time to direct patient care during the two years immediately preceding the examination;

(2) the doctor of chiropractic must have completed any annual continuing education requirements for chiropractors prescribed by the board of chiropractic examiners;

(3) the doctor of chiropractic must not accept a fee of more than \$500 for each independent exam conducted; and

(4) the doctor of chiropractic must register with the board of chiropractic examiners as an independent examiner and adhere to all rules governing the practice of chiropractic.

Sec. 2. Minnesota Statutes 1988, section 256D.02, is amended by adding a subdivision to read:

Subd. 17. PROFESSIONAL CERTIFICATION. "Professional certification" means:

(1) a statement about a person's illness, injury, or incapacity that is signed by a licensed physician, licensed consulting psychologist, or licensed psychologist, whose professional training and experience qualifies him or her to diagnose and certify the person's condition; or

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