

*equipment used for educational and entertainment purposes only shall be a hydrostatic test of two times the operating pressure.*

Approved June 9, 1969.

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CHAPTER 1150—H. F. No. 2732

[Coded in Part]

*An act relating to the capitol area architectural and planning commission; its jurisdiction objectives, powers, and duties; and the role of the commissioner of administration with regard to the commission; providing penalties; amending Minnesota Statutes 1967, Sections 15.50, Subdivisions 1, 2, 3, 6, and by adding a subdivision; repealing Minnesota Statutes 1967, Sections 16.57; 282.323, Subdivision 1; and Laws 1945, Chapter 315.*

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

Section 1. Minnesota Statutes 1967, Section 15.50, Subdivision 1, is amended to read:

**15.50 Capitol area architectural and planning commission.** Subdivision 1. (a) *The legislature finds that the purposes of the commission are to (1) preserve the dignity and beauty of the capitol and the buildings immediately adjacent to it; (2) protect, enhance, and increase the open spaces within the capitol area when deemed necessary; (3) develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the area achieves its maximum importance and accessibility; and (4) establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design.*

(b) A capitol area architectural and planning commission, herein referred to as the commission, consisting of seven members is hereby created. The governor shall be a member of the commission. Three members shall be appointed by the governor, at least two of whom shall not be residents of Ramsey county, by and with the advice and consent of the senate; three members shall be appointed by the mayor of the city of Saint Paul, with the advice and consent of the city council. *Each person appointed to the commission shall qualify by taking the oath of office.*

~~(b)~~ (c) The term of all appointed members of the commis-

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sion is four year, except that one of the members first appointed by the governor and one of the members first appointed by the mayor shall be appointed for terms of two years. Thereafter the terms of such appointees shall be for four years. Vacancies in any office shall be filled by the appointing authority and for the unexpired term. The term of the first members of the commission shall commence on July 1, 1967.

(e) (d) The governor is the chairman of the commission. The attorney general is the legal advisor to the commission. The commission may elect a vice chairman who may preside at meetings in the absence of the governor and such other officers as it may deem necessary to carry out its duties.

(d) (e) ~~The state planning director or his designee shall act as the executive secretary of the commission. The commission shall select an executive secretary to serve the commission.~~ It may employ such other officers and employees as it may deem necessary all of whom shall be in the classified service of the state civil service. The commission may contract for professional and other similar service on such terms as it may deem desirable.

(e) (f) The members of the commission shall serve without compensation, but each shall be reimbursed for his expenses incurred in the performance of his duties.

Sec. 2. Minnesota Statutes 1967, Section 15.50, Subdivision 2, is amended to read:

Subd. 2. (a) The commission shall prepare, prescribe, and from time to time amend a comprehensive use plan for the capitol area, herein called the area which shall initially consist of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of ~~Rice Street and Edmund Avenue~~, *the Arch-Pennsylvania freeway and Marion Street*, thence southerly along ~~Rice~~ *Marion Street* to the north line of the right-of-way of Interstate Highway 94, thence easterly along the said north line to the center line of Jackson Street, thence northwesterly along Jackson Street to ~~Edmund Avenue~~ *the Arch-Pennsylvania freeway extended*, thence westerly along ~~Edmund Avenue~~ *the Arch-Pennsylvania freeway extended and Edmund* *Marion Avenue* to the point of origin. *Pursuant to the comprehensive plan, or any portion thereof, the commission may limit, by means of zoning regulations adopted pursuant to the Administrative Procedures Act, the kind, character, or height of buildings constructed or used within the area and within 300 feet outside the boundaries thereof, the violation of which regula-*

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*tions shall be a misdemeanor. The commission may, at its option, proceed to abate any such violation by injunction.*

(b) ~~The commissioner of administration shall conduct and report to the commission from time to time surveys and projections of the present and anticipated needs of the state for additional buildings, parking and other transportation facilities in the area, together with such other plans and materials as he may deem desirable or which the commission may request.~~ *act as a consultant to the commission with regard to the physical structural needs of the state. He shall make studies and report the results to the commission when they request him to do so for their planning purpose.*

(c) No public building, street, parking lot, or monument, or other construction shall be built or altered on any public lands within the area unless the plans for the same conforms to the comprehensive use plan as specified in clause (d) and to the requirement for competitive plans as specified in clause (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or of any new public building the plans for which were secured by competition under clause (e), may be made without the prior consent of the commission. The commissioner of administration shall consult with the commission regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) ~~The comprehensive plan shall show the location of each building, land scape feature, open space, monument, or other condition of lands or buildings within the area, whether existing or projected, and no alteration or improvement shall be made to public lands in the area save in accordance with the plan or an amendment thereto.~~ *existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas and open spaces; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement shall be made to public lands or buildings in the area save with the written approval of the commission.*

(e) The commission shall secure by competitions, plans for any new public building. Plans for any comprehensive plan, landscaping scheme, ~~or~~ street plan, *or property acquisition*, which may be proposed, or for any proposed alteration of any existing *public* building, landscaping scheme or street plan may be secured by a similar competition. Such competition shall be conducted under rules prescribed by the commission and may be of any type which meets the competi-

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tion standards of the American Institute of Architects. Designs selected shall become the property of the state of Minnesota and the commission may award one or more premiums in each such competition and may pay such costs and fees as may be required for the conduct thereof. At the option of the commission, plans for projects estimated to cost less than \$500,000 may be approved without competition provided such plans have been considered by the architectural committee described in clause (f). Plans for projects estimated to cost ~~and costing~~ less than \$200,000 and for construction of streets need not be considered by the architectural committee if in conformity with the comprehensive plan.

(f) The commission shall not adopt any plan under clause (e) hereof unless it shall first receive the comments and criticism of a committee of three architects who have been selected and appointed as follows: one by the State Arts Council, one by the commission, and one by the Minnesota Society of the American Institute of Architects. Members of such committee shall not be contestants under clause (e) hereof. Such comments and criticism shall be a matter of public information. *Such committee shall advise the commission on all architectural and planning matters. For that purpose:*

*(1) Such committee shall be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the same are developed or in the process of preparation whether by the commission of administration, the state planning director, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the commission or not retained and engaged in any work or planning relating to the area. A copy of any such data prepared by any public employee or agency shall be filed with the commission promptly upon completion;*

*(2) The commission may employ such stenographic or technical help as may be reasonable to assist such committee perform its duties;*

*(3) When so directed by the commission; such committee may serve as, and any member or members thereof may serve on, the jury for any architectural competition. The commission shall select the architectural advisor and jurors for any competition with the advice of the committee.*

(g) The comprehensive plan for the area shall be developed and maintained in close cooperation with the *state planning agency and the planning department* and the council for the city of Saint Paul and the State Arts Council, and no such plan or amendment thereof

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shall be effective without 90 days' notice to the planning department of the city of Saint Paul and the State Arts Council.

(h) The state ~~may~~ *shall, by the attorney general upon the recommendation of the commission and within appropriations available for that purpose,* acquire by gift, purchase or eminent domain proceedings any ~~lands~~ *real property* situated in the area described in this section *and it shall also have the power to acquire an interest less than a fee simple interest in the property,* if it finds that ~~they are~~ *it is* needed for future expansion or beautification of the area, ~~if specifically authorized by law so to do, and funds are appropriated for such purpose.~~

(i) The commission is the successor of the state veterans' service building commission, and as such may adopt regulations and may reenact the regulations adopted by its predecessor under Laws 1945, Chapter 315, and acts amendatory thereof. ~~The commission created by Laws 1945, Chapter 315, is abolished.~~

(j) The commission shall meet at the call of the chairman and at such other times as it may prescribe.

(k) The members of the legislative building commission shall constitute an advisory commission to the capitol area architectural and planning commission. This architectural and planning commission may consult and confer with the advisory commission, but the advisory commission's recommendation shall be advisory only. The members of the advisory commission shall serve without compensation, but shall be reimbursed for their expenses when called upon to meet.

*(1) The commissioner of administration is authorized to and shall assign quarters in the state veterans service building to (1) the department of veterans affairs of which such part as the commissioner of administration and commissioner of veterans affairs may mutually determine shall be on the first floor above the ground and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available to such other state departments and agencies as he may deem desirable.*

Sec. 3. Minnesota Statutes 1967, Section 15.50, Subdivision 3, is amended to read:

Subd. 3. The administrative and planning expenses of the commission shall be borne equally by the state and by the city of

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Saint Paul, and in order to meet such expense the city may expend moneys currently in the city of Saint Paul Capitol Approach Improvement Fund established by Laws 1945, Chapter 315, and acts amendatory thereof, and may hold the moneys in said fund until expended in accordance herewith and when such funds have been expended such expense shall be borne by the state. The expenses of the commission for competition premiums, land acquisition or improvement or any other capital expenditures in or upon properties owned or to be owned by the state shall be borne by the state. The expenses of any other public body for such expenditures shall be borne by the body concerned.

*If the moneys currently in the fund of the city of Saint Paul heretofore referred to are insufficient to meet the city's share of the administrative planning expenses of the commission, the city of Saint Paul shall have power, in addition to and exclusive of any limitation now or hereafter imposed by charter or statute upon its ability to levy taxes, to levy an ad valorem tax on all taxable property in an amount which will produce a sum equal to a levy of not more than one-half mill upon such property, including shrinkage.*

Sec. 4. Minnesota Statutes 1967, Section 15.50, Subdivision 6, is amended to read:

Subd. 6. ~~Laws 1945, Chapter 315, as amended is superseded by this section to the extent that the provisions thereof are inconsistent herewith; otherwise said law shall remain in full force and effect.~~

*(a) The city of Saint Paul shall have the power to convey without compensation therefor to the state any property owned by it within the boundaries of the capitol grounds as enlarged pursuant to the plan adopted by the commission; and the state shall have the authority to transfer to the city of Saint Paul without compensation any property acquired by it for the purposes of this act, which lies within the street lines of the streets to be established as a part of the city's portion of said plan.*

*(b) That tax-forfeited lands which are held by the state in trust for the several taxing subdivisions the state and which are within the boundaries of the enlarged capitol grounds as fixed by the plan recommended to the governor by the governor's advisory committee or by the plan adopted by the commission as provided in this act, shall not be subject to sale or repurchase under any act, now in effect or hereafter enacted unless it shall be expressly provided in such act that the provisions of this act shall be superseded, modified or repealed.*

*(c) The county auditor of Ramsey county shall forthwith*

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*withdraw from sale or repurchase all lands referred to in clause (b) hereof.*

*(d) The commissioner of taxation shall have power upon application by the commission to release any lands referred to in clause (b) from the trust in favor of the taxing subdivisions of the state. Upon the execution of such release, the commissioner shall certify the fact of such release to the county auditor of Ramsey county. The forms of such release and certificate shall be prescribed by the attorney general.*

*(e) Any member of the commission, or any employee thereof, who shall be financially interested, either directly or indirectly, in the location of the approach to the capitol, or in any contract, or part thereof, for the construction of the approach, or for any work connected therewith, or for the furnishing of any supplies or material therefor or for the sale of any real property therefor, so as to receive any financial benefits therefrom, or the promise of any financial benefit therefrom, either by way of commission, rebate, bonus, division of profits, or otherwise, shall be guilty of a felony and shall be incapable of holding any office or employment under the state.*

Sec. 5. Minnesota Statutes 1967, Section 15.50, is amended by adding a subdivision, as follows:

*Subd. 7. No advertising devices as defined in Minnesota Statutes 1967, Section 173.02, Subdivision 2 may be erected after the effective date of this act within the boundaries of the Capitol area and 300 feet of the outside boundaries of the Capitol area unless done so pursuant to reasonable rules and regulations of the commission. Advertising devices to advertise a business conducted on the premises where the advertising device is located may be permitted and erected in accordance with reasonable rules and regulations established by the commission. Advertising devices which do not meet the requirements of the rules and regulations may be ordered by the commission to be removed. The owner of the advertising device and the owner of the real property involved shall be paid just compensation for their interests affected.*

*Any person who shall violate the provisions of this section shall be guilty of a misdemeanor.*

Sec. 6. [15.50] [Subd. 8.] *Nothing in Minnesota Statutes, Section 15.50, shall be construed as modifying, amending, or abridging the powers and duties vested in or imposed upon the com-*

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*missioner of administration by the provisions of Minnesota Statutes, Sections 16.02, Subdivisions 9 and 10; and 16.23.*

Sec. 7. *Minnesota Statutes 1967, Sections 16.57; 282.323, Subdivision 1; and Laws 1945, Chapter 315, are repealed. The city of Saint Paul shall continue to retire the bonds authorized by Laws 1945, Chapter 315 in the manner provided therein, and the amount of such bonds from time to time outstanding shall continue to be disregarded in determining the net indebtedness of said city as provided therein.*

Approved June 9, 1969.

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CHAPTER 1151—H. F. No. 2820

*An act relating to certain county officers and employees; amending Minnesota Statutes 1967, Sections 387.14; 387.20, Subdivisions 6 and 7; 387.22; 485.018, Subdivisions 6 and 7; 485.03; 641.06; and repealing Minnesota Statutes 1967, Sections 387.17; 387.18; 387.19; 387.21; 387.23; 387.24; 387.26; 387.27; 485.011; 485.012; 485.013; 485.014; 485.016; 485.017; 485.24; 485.25; and 485.26.*

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

Section 1. Minnesota Statutes 1967, Section 387.14, is amended to read:

**387.14 Counties; officers and employees; deputies.** *The county board shall determine the number of permanent full time deputies and other employees and fix the compensation for each position. The county board shall also budget for special deputies, jailers, matrons, bailiffs and other temporary employees and shall fix their rates of compensation. Every* ~~The sheriff shall appoint in writing the under his hand a sufficient number of persons as deputy sheriffs~~ *deputies and other employees, for whose acts he shall be responsible and whom he may remove at pleasure. Before entering upon his official duties, the oath and appointment of each shall be filed with the register of deeds.*

Sec. 2. Minnesota Statutes 1967, Section 387.20, Subdivision 6, is amended to read:

Subd. 6. The county board by resolution shall provide the budget for (1) the salaries of deputies, jailers, matrons, bailiffs, clerks and other employees in the office of the sheriff; (2) other expenses

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