

proposed developments of this land prior to the implementation of said proposal.

Sec. 17. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the commissioner of administration. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 18. The effective date of this act is July 1, 1973 except for section 14, items c. and d. which are immediately available.

Approved May 24, 1973.

CHAPTER 778—H.F.No.2531

[Not Coded]

An act relating to public buildings and public lands of the state of Minnesota; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; the acquisition by gift, purchase, or condemnation of certain real property therefor; the equipping and replacement of equipment of certain said buildings; appropriating and reappropriating moneys therefor, including necessary expenses from the Minnesota state building fund; authorizing the issuance of the sale of bonds under the provisions of the constitution, article IX, section 6, to finance said fund appropriating moneys in connection therewith.

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

Section 1. **APPROPRIATIONS; PUBLIC BUILDINGS AND LANDS.** Except as otherwise provided by this act there is hereby appropriated from the Minnesota state building fund in the state treasury for the purposes hereinafter stated, the sums of money herein set forth or so much thereof as may be necessary. There is also appropriated from federal funds or other sources the moneys made available for any of the purposes prescribed in this act and in accordance with the terms hereof.

Sec. 2. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Department of Public Welfare:

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

(1) At the state institutions for alterations, betterments, construction, improvements, rehabilitation, fire safety, and demolition of buildings... \$3,100,000.

Provided that the expenditure of these funds shall be preceded by plans which are based on the 1973 legislative building commission's written recommendations which shall be forwarded to the senate finance committee and the house appropriations committee not less than 30 days prior to the implementation of such plan. Such plan shall be developed in accordance with standards, criteria and priorities established by the department pursuant to this subdivision. First priority shall be given to the demolition of those buildings which are unsafe due to fire hazard or structural deterioration, and to those which are old or obsolete and superfluous to immediate needs. Such demolition projects shall be commenced and may be completed before development of the remainder of the program and may be commenced prior to legislative recommendation. Priorities shall then be established among buildings suitable for continued use but requiring rehabilitation or improvement, those requiring alteration for different use, and those which should be replaced because of obsolescence, inefficiency, or inadequacy for modern needs. Criteria in establishing priorities for construction shall be based on the degree of safety hazard, demand for use, obsolescence, and operating as well as capital cost involved in rehabilitation of existing facilities, the cost, delay, and need of constructing new facilities and additions, and other factors deemed relevant by the department of public welfare. Notwithstanding any laws to the contrary, the commissioner of public welfare is hereby directed to cause to be demolished any old or obsolete buildings immediately.

(2) At Gillette State Hospital.

For designing, rehabilitation and constructing... \$170,000.

Provided that no more than \$170,000 may be expended for architectural planning of a project of which the state share shall not exceed \$3,530,000, however, these funds shall not be expended unless Ramsey county or an agency thereof provides its share.

Provided further that these funds shall not be available unless separate legislation is enacted by the legislature which authorizes a Gillette Authority.

(3) At the Lake Owasso Children's Home, Glen Lake State Sanatorium and Oak Terrace Nursing Home, Ah-Gwah-Ching Nursing Home, Braille and Sight Saving School, and the School for the Deaf for alterations, betterments, construction, reconstruction, improvements, rehabilitation, and fire safety... \$540,000.

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

Subd. 3. Department of Corrections:

(1) At the Minnesota State Prison.

- (a) Remodel minimum security building... \$135,000.

Sec. 3. To the commissioner of administration to improve grounds at certain junior colleges... \$320,000.

Sec. 4. To the commissioner of administration to construct and equip certain state college buildings... \$3,769,578.

This appropriation and anticipated federal grants are for the construction and equipping of the following state college buildings in the amounts indicated:

(1) At Bemidji State College:

- (a) Parking facilities... \$132,000.

(b) Conduct a feasibility study to convert Deputy Hall to business classroom building... \$10,000.

(2) At Mankato State College:

- (a) Install oil tanks... \$35,000.

(b) Assessment to Mankato state college on Cherry/Warren projects... \$42,000.

- (c) Campus Study... \$20,000.

The commissioner of administration in consultation with the chairmen of the house appropriations and senate finance committees may conduct a study to determine the need for continuation of the lower campus facilities at Mankato state college. The study shall also include a review of current and future enrollments and programs at Mankato and other public or private institutions of post secondary education in the Mankato service area. The higher education coordinating commission is requested to provide assistance where necessary. A report of the findings, alternatives and recommendations shall be submitted to the chairmen of the house appropriations and senate finance committees no later than January 1, 1974.

(3) At Moorhead State College:

- (a) Install boiler... \$235,000.

(b) City street assessment... \$6,400.

(4) At St. Cloud State College:

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

(a) Construct and equip administration/orientation building... \$2,242,178.

(b) Install and rehabilitate boiler... \$200,000.

(c) Install city utilities... \$150,000.

(d) Complete and equip remodeling of Kiehle Hall... \$397,000.

(e) Rehabilitate Stewart Hall... \$200,000.

(5) At Southwest State College:

(a) Complete site work and landscaping and develop road and circulation patterns... \$100,000.

The commissioner of administration is authorized to make applications for the maximum federal share for any project. In the event the amount of federal funds obtained for these projects exceeds the amount appropriated for it in the above appropriation, the commissioner of administration shall reduce the state share for individual projects.

The state auditor shall establish a single control account for the construction and equipping of state colleges. The appropriation in this section, federal grants received for state college construction and transfers from the higher education facilities contingent account shall be recorded in this account. The commissioner of administration shall maintain individual project accounts for each project authorized by this section.

Notwithstanding limitations on cost of projects approved, the commissioner of administration may exceed the cost approved for an authorized project within the limitations of total funds available from appropriation, from federal funds granted and from transfer from the higher education facilities contingent account. The monies in excess of project authorizations are hereby appropriated for the purposes expressed in this paragraph.

Expenditure of funds in excess of the project authorization shall be made only after the commissioner of administration has consulted with the chairman of the house appropriations committee, and the chairman of the senate finance committee and they have made their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make recommendation promptly shall be deemed a negative recommendation.

Sec. 5. To the commissioner of administration

(1) For land acquisition in the state capitol area including improvements and preparation of sites for construction... \$1,000,000.

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

Sec. 6. Subdivision 1. To the commissioner of administration to be expended for the purposes and in accordance with the provisions of this act

(1) Remodel Capitol, east wing second and third floor, for Supreme Court and rent temporary quarters, phase I... \$800,000.

(2) Preliminary plans and cost estimates for Capitol building annex... \$1,200,000.

(3) Special improvements including remodeling 4th floor of State Office building... \$410,000.

(4) Building, remodeling and rehabilitation and special projects... \$1,760,000.

(5) Supplemental for Centennial building parking facility... \$829,000.

(6) Improvements to Historical building... \$100,000.

(7) Expand and equip state archives and records center for the Minnesota historical society... \$845,334.

Provided that the funds shall not be expended without consulting with the director of the state historical society.

(8) Replace windows and install two elevators in the infirmary, tuckpoint, improve electrical service, install kitchen equipment and install bathrooms in building six domiciliary, install auditorium elevator. Fifty percent to be federal funds furnished by the Veterans administration - total cost to the state... \$100,000.

(9) In Capitol Area: Remodel and improve property in area bounded by 12th and 14th Streets and Robert and Jackson Streets, including Champion Chevrolet property... \$400,000.

Sec. 7. Subdivision 1. To the regents of the University of Minnesota to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. At the University of Minnesota, Twin Cities Campus

(1) Preliminary planning of Music building... \$100,000.

(2) Working drawings for Veterinary Medicine, phase II... \$360,000.

(3) Construct and equip Home Economics building expansion, phase I... \$5,800,000.

(4) Remodel and rehabilitate to upgrade for the handicapped, phase I... \$300,000.

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

- (5) Remodel Cooke Hall/Norris Gym... \$781,800.
- (6) Land acquisition at Twin Cities campus... \$100,000.
- (7) Minneapolis primary electrical system, phase V... \$460,000.
- (8) St. Paul primary electrical system, phase III... \$270,000.
- (9) St. Paul gas main extension, phase II... \$25,000.
- (10) Boiler additions and pollution control at Minneapolis and St. Paul, phase II... \$2,048,800.
- (11) St. Anthony sewer assessment, phase II... \$125,000.
- (12) Renovate Peik Hall to meet safety code, industrial education area... \$100,000.

Subd. 3. At the University of Minnesota, Twin Cities

- (1) Planning for basic science remodeling... \$200,000.
- (2) Construct Unit B/C, health science... \$14,000,000.

Construction not to start until \$14,000,000 non-state funds are available.

- (3) Primary electrical distribution system... \$250,000.

Subd. 4. At University of Minnesota, Duluth Campus

- (1) Facilities Study - Duluth... \$150,000.

For a study of the existing buildings on the UMD campus for the purpose of facilitating the fullest practical utilization of space for present programs, and inclusion of additional space for the basic sciences medical program by means of construction of additions to existing structures to accomplish this purpose.

- (2) Preliminary planning - Social Sciences building... \$100,000.
- (3) Basic medical sciences building planning funds for a \$7,500,-000 building. Not to be expended prior to July 1, 1974, and completion of facilities study... \$234,000.
- (4) Remodeling of Science building, phase III... \$411,000.
- (5) Health sciences library addition... \$1,893,000.
- (6) Boiler addition to heating plant... \$550,000.
- (7) Road and campus improvements, phase I... \$100,000.

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

Subd. 5. At University of Minnesota, Morris Campus

(1) Remodel social science and Edson Hall... \$400,000.

(2) Landscaping and campus development... \$10,000.

(3) Paved parking lot (400 cars) to include lighting and relocation of Cyrus Road... \$170,000.

Subd. 6. At Technical College, Crookston

(1) Construct plant service maintenance shop and vehicle storage building... \$50,000.

Subd. 7. At Northwest Experiment Station, Crookston

(1) Construct control for runoff from animal facilities... \$30,000.

Subd. 8. At Technical College, Waseca

(1) Develop roadways and parking lots, phase II... \$50,000.

Subd. 9. At West Central Experiment Station, Morris

(1) Construct horticulture, soils, and agronomy building... \$35,000.

(2) Road surfacing and improve drainage... \$15,000.

Subd. 10. At Southwest Experiment Station, Lamberton

(1) Complete drainage system... \$12,356.

Subd. 11. At North Central Experiment Station, Grand Rapids

(1) Construct two herdsman's residences (to be built by station personnel)... \$35,000.

Subd. 12. At Cloquet Forest Research Center

(1) Improve campus roads, surfacing and lighting... \$15,000.

Subd. 13. At Lake Itasca Forestry and Biological Station

(1) Rehabilitate station facilities, phase II, kitchen-dining-meeting room facility... \$81,040.

(2) Construct student cabin... \$13,845.

Subd. 14. Horticultural Research Center, Excelsior

(1) Remodel superintendent house... \$10,000.

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

(2) Connect sewer to new main sewer line... \$20,000.

Subd. 15. Landscape Arboretum, Excelsior

(1) Construct greenhouse and head house facilities... \$187,013.

No buildings shall be constructed or erected on lands of the university until the regents have first consulted with the chairman of the senate finance committee and the chairman of the house appropriations committee and obtained their recommendations which shall be advisory only.

The regents of the university of Minnesota are authorized to make applications for the maximum federal share for each project including interest subsidies. In the event the amount of federal funds obtained for any of these projects exceeds the amount appropriated for it in the above appropriation, the regents of the university shall reduce the state share for individual projects.

In the planning, design and operation of state buildings, all state agencies and the university of Minnesota are requested to take necessary measures to conserve to the greatest extent possible the use of various sources of energy. All agencies are requested to submit a report to the legislature no later than January 1, 1974, outlining steps and recommendations resulting in savings of energy sources.

Sec. 8. Subdivision 1. To the state auditor to be expended for the purposes and in accordance with the provisions of this act.

Subd. 2. Expenses incidental to the sale, printing, execution, and delivery of the bonds authorized by this act, including, but without limitation, actual and necessary travel and subsistence expenses of state officers and employees for such purposes not to exceed \$48,234.

Sec. 9. Neither the commissioner of administration nor the board of regents shall prepare final plans and specifications for any building authorized in this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and they have made their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 10. Lands or sites for public buildings or real estate, the acquisition of which is included in the appropriations made by this act, may be acquired by gift, purchase, or condemnation proceedings by the regents of the university of Minnesota in the case of lands for the university and by the commissioner of administration

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

in case of other lands. Condemnation proceedings shall be pursuant to Minnesota Statutes, Chapter 117.

Sec. 11. Subdivision 1. Upon the awarding of final contracts for the completion of any projects enumerated in any of the sections 2 to 6, the commissioner of administration may transfer any unexpended funds in said project account to any other project enumerated in the same section.

Subd. 2. Upon the awarding of final contracts for the completion of any projects enumerated in section 7, the regents of the university of Minnesota may transfer any unexpended funds in said project account therein enumerated.

Subd. 3. The moneys which may be transferred pursuant to this section are hereby appropriated for the purposes for which transferred.

Subd. 4. The commissioner of administration, and the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

Subd. 5. The balance of each appropriation made by this and any prior act to the commissioner of administration from the Minnesota state building fund, remaining when the specific purpose of such appropriation is accomplished as certified by the commissioner to the state auditor, may be transferred to any other account for which an appropriation from the fund is made to the commissioner by this or any prior act; provided that the amount so transferred to the account for any project shall not exceed ten percent of the amount otherwise appropriated for that project, and that before any such transfer is made the commissioner shall consult and obtain the recommendations of the chairman of the house appropriations committee and the chairman of the senate finance committee, which shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 12. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$100,000 which may be expended by him for the administration of the building program covered by this appropriation, including the employment of personnel. The commissioner may expend these funds for microfilming of plans for all state buildings.

Sec. 13. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$300,000 which may be expended for plans, studies and surveys, and for the alterations, betterments, construction, reconstruction, improvements

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

or rehabilitation of any state-owned building or structure, if it appears to the commissioner that such an expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and funds have not been otherwise appropriated for such purposes. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 14. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$50,000 which may be expended for the purpose of preparing preliminary plans, or other documentation that may be required, for assistance in obtaining non-state participation in state buildings programs. The commissioner, however, shall not authorize any expenditures from such appropriation until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 15. There is appropriated to the commissioner of administration from the Minnesota state building fund the sum of \$1,000,000 for a higher education facilities contingent account. The commissioner may transfer these funds when the amount of the federal share for a project is less than the amount anticipated or if it appears that the total cost of constructing and equipping an entire project will exceed the total cost authorized notwithstanding limitations on state funds appropriated therefor.

The commissioner may transfer these funds to the building accounts projects authorized in sections 3, 4, and 7, and to the building accounts of projects authorized by Extra Session Laws 1967, Chapter 8, Section 9 and by Laws 1969, Chapter 1159, Section 8. Moneys transferred are hereby reappropriated for such purposes. All transfers authorized by this section shall be made only after the commissioner has consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee, and has received their recommendations thereon. Such recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. Funds for the transfer of moneys to a project under the authority of the university of Minnesota are hereby reappropriated to the board of regents to carry out the purpose of the transfer.

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

Sec. 16. Minnesota state building bond issue and appropriation. For the purpose of providing the moneys appropriated by this act to the state agencies herein designated, for the acquisition and betterment of the public lands and buildings and other public improvements of a capital nature herein designated, the state auditor is authorized upon request of the governor to sell and issue Minnesota state building bonds in the amount of \$46,470,000 in the manner and upon the terms and conditions prescribed by Minnesota Statutes, Sections 6.30 and 6.31 and by the Constitution, Article IX, Section 6. The proceeds of such bonds, other than accrued interest and premium, are appropriated and shall be credited to the Minnesota state building fund.

Sec. 17. **MINNESOTA STATE BUILDING BOND ACCOUNT; APPROPRIATION.** In order to reduce the amount of taxes otherwise required by the Constitution, Article IX, Section 6, Subdivision 4, to be levied for the payment of interest and principal on the bonds authorized in section 16 of this act, there is hereby appropriated annually to the Minnesota state building bond account in the state bond fund from the general fund in the state treasury a sum of money sufficient in amount, when added to the balance on November 1 in each year in said Minnesota state building bond account, to pay all principal and interest due and to become due on said bonds within the then ensuing year and to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to the appropriation annually made by this section are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 18. Where an amount is payable to a creditor of the state from a project account which is financed partly with federal funds and such project is one included in appropriations now or hereafter made to the commissioner of administration for public buildings and equipment therefor and such amount cannot be timely paid because of a deficiency of money in such project account caused by a delay in the receipt of federal funds, the commissioner may provide such money as is needed to pay the amount by temporarily transferring such sum from any other appropriation made to him in the same act as contains the project account wherein the deficiency has occurred. Such moneys as are required therefor are hereby appropriated for such purpose. When the delayed federal funds are received the commissioner shall cause the amount of money transferred to be returned to the account from whence it came.

Sec. 19. In the case of appropriations made for construction or other permanent improvement, including acquisition of real estate, equipment, rehabilitation, appurtenances or utility systems, which appropriations do not lapse until the purposes for which the

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

appropriations were made shall have been accomplished or abandoned, the commissioner of administration may dispense with periodic allotment and shall prescribe such regulations as will insure proper application and encumbrance of funds.

Sec. 20. Notwithstanding any other provision of law, all moneys appropriated by this act and all previous acts for the purposes of the Minnesota state building fund shall be and remain available for such purposes until and unless such appropriations are specifically rescinded by law. The state auditor shall, upon the certification of the commissioner of administration as to the accounts involved, make such transfers of appropriations as will place in one account all of the moneys appropriated for the same or related projects, incidental expenses or contingencies.

Sec. 21. The appropriation made by section 6, subdivision 1, clause (5) for the Centennial building parking facility is in addition to the amounts heretofore appropriated for the same purpose. The conditions imposed under prior laws for this facility are rescinded and in lieu thereof all appropriations made for such facility are subject to the following:

By July 1, 1973, or as soon thereafter as possible, the commissioner of administration, in accordance with the provisions of Minnesota Statutes, Section 16.72, shall fix and collect gross rents, charges and fees in connection with and for the use of all parking lots and facilities now or hereafter owned and operated by the state and under the jurisdiction of the commissioner.

Such gross rents, charges and fees shall be fixed by the commissioner in such amount as will defray all costs of operating, maintaining and improving the parking lots and facilities under the jurisdiction of the commissioner and in addition provide the sum of \$4,064,000 which is hereby appropriated from such gross rents, charges and fees to the Minnesota state building bond account in the state bond fund, and which shall be credited to said account in the annual amount of \$203,200 on or before November 1 in each year, commencing in 1974 until the amount so appropriated has been credited to said account. The moneys received and on hand annually pursuant to this authorization are available in the state bond fund prior to the levy of the tax in any year required by the Constitution, Article IX, Section 6, Subdivision 4, and shall be used to reduce the amount of the tax otherwise required to be levied.

Sec. 22. This act becomes effective the day following final enactment.

Approved May 24, 1973.

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