

struction, improvement, and maintenance of airports and other air navigation facilities. Salaries and expenses in the department of transportation related to aeronautic planning, administration and operation shall be paid from the state airports fund. All allotments of money from the state airports fund for salaries and expenses shall be approved by the commissioner of finance.

Sec. 119. **REPEALER.** Minnesota Statutes 1974, Sections 161.02; 161.03; 169.27; 218.051; 218.061; and 360.014, are repealed.

Sec. 120. **APPROPRIATION.** There is appropriated from the general fund to the commissioner of transportation the following amount:

(a) To organize the department.....\$75,000

(b) To initiate the study required by section 3, subdivision 3, clause (d).....\$75,000

This appropriation is available upon his appointment and shall not lapse but shall remain available until fully expended.

Sec. 121. **EFFECTIVE DATE.** Section 2, subdivision 1, of this act is effective July 1, 1976. The remaining provisions of this act, except as otherwise provided in this section, are effective upon the appointment of the commissioner. Former departments or agencies shall continue to exercise their functions, powers and duties which are transferred by this act until the commissioner notifies the commissioner of administration that the department of transportation is ready to commence operation. In the initial organization of the department the commissioner shall designate an advisory task force pursuant to section 15.059 consisting of representatives from the departments of administration, aeronautics, highways, public service and the state planning and energy agencies to assist him in the initial organization of the department.

Approved April 2, 1976.

## CHAPTER 167—H.F.No.1026

[Coded]

*An act relating to land use planning; establishing a land use planning assistance program of grants for local government units to be administered by the state planning agency; appropriating money.*

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

Section 1. **[4.26] STATE PLANNING AGENCY; LOCAL LAND USE PLANNING; GRANTS.** Subdivision 1. In order to improve the land use decision-making capability of local government, the state

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planning agency shall make grants to the metropolitan council pursuant to section 5, and to towns, counties and municipalities. The state planning agency shall give priority when granting funds to those areas that show a special need according to the provisions of clauses (a) and (b). The grants may be used to employ staff or contract with other units of government or qualified consultants for the following purposes:

(a) To prepare and implement plans which are required for certain areas by law or by designation as a critical area under Minnesota Statutes, Chapter 116G.

(b) To prepare and implement plans which the unit of government is authorized by law to undertake for the management of problems resulting from (1) rapid population or economic growth or decline; (2) potential development in environmentally sensitive areas including but not limited to flood plains, wild and scenic rivers, and shorelands; and (3) the addition or elimination of a major state or federal facility;

(c) To assist neighborhood organizations in cities of the first class to do land use and related planning by making grants to the municipality;

(d) To analyze and prepare plans to preserve and protect agricultural land as defined in Minnesota Statutes 1974, Section 500.24.

Subd. 2. Grants shall not exceed 75 percent of the cost of the land use planning program, except that grants made within a designated critical area may be up to 100 percent of the cost of the planning program.

Subd. 3. For the purpose of this act municipality has the definition stated in Minnesota Statutes 1974, Section 462.352, Subdivision 2.

Sec. 2. **[4.27] ADMINISTRATION.** The state planning agency shall determine priorities pursuant to section 1, and shall promulgate rules for the submittal and review of applications hereunder in accordance with the provisions of Minnesota Statutes, Chapter 15.

Sec. 3. **[4.28] ELIGIBILITY.** Eligibility of grants is limited to units of government authorized by law to plan or adopt and enforce land use controls.

Sec. 4. **[4.29] REGIONAL DEVELOPMENT COMMISSION REVIEW.** An application for grants from this program shall be submitted to the appropriate regional development commission for review pursuant to Minnesota Statutes 1974, Section 462.391, Subdivision 3, prior to the submittal to the state planning agency. The regional development commission shall complete its review within 45 days after receipt of the application. If an application is not reviewed within the requisite time limit or if an extension of time is not agreed to by the affected

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parties, the application shall be deemed approved. Until units of local government in the metropolitan area as defined by Minnesota Statutes, Section 473.02 are required by law to prepare and adopt comprehensive plans or portions thereof, the review required by this section shall be made by the metropolitan council for units of local government in the metropolitan area.

Sec. 5. **[4.30] MANDATORY TRANSFER OF FUNDS.** If part or all of the units of government within the metropolitan area as defined by Minnesota Statutes, Section 473.02 are required by law to prepare and adopt comprehensive plans or specified portions thereof, 50 percent of the funds appropriated for the purposes of section 1, clauses (b), (c) and (d), less the amount previously granted to units of government within the metropolitan area, shall be transferred to the metropolitan council on the effective date of such a law. Funds so transferred are reappropriated to the metropolitan council and shall be used for making grants to units of government within the metropolitan area for the preparation and adoption of comprehensive plans and controls required by law. Not more than five percent of the transferred funds shall be available to the metropolitan council for grant administration.

Sec. 6. **APPROPRIATION.** There is appropriated from the general fund \$2,500,000 to the state planning agency for the purposes of this act, of which \$300,000 shall be used for designated critical areas, and not more than five percent of which shall be available to the state planning agency for administering this act. Fifty percent of the money appropriated for purposes other than section 1, clause (a), shall be granted to local governments outside the metropolitan area as defined in Minnesota Statutes, Section 473.02. The appropriation shall not cancel the first year, but shall be available until June 30, 1977.

Sec. 7. **EFFECTIVE DATE.** This act shall be effective July 1, 1976.

Approved April 3, 1976.

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## CHAPTER 168—H.F.No.1057

[Coded]

*An act relating to education; school districts; powers and duties; requiring a public hearing before closing a schoolhouse; amending Minnesota Statutes 1974, Section 123.36, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1974, Section 123.36, is amended by adding a subdivision to read:

Subd. 11. EDUCATION; SCHOOL DISTRICTS; PROCEDURE FOR

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