

[105.415] RULES GOVERNING PERMITS. Notwithstanding the provision in section 105.41, subdivision 1a, stating that the commissioner of natural resources shall submit to the legislature by January 1, 1975, for its approval proposed rules governing the allocation of waters among potential water users, and notwithstanding the provision in section 105.42, subdivision 1a, stating that the commissioner shall recommend by January 15, 1975, to the legislature a comprehensive law containing standards and criteria governing the issuance and denial of permits under the section, the commissioner shall prior to January 30, 1977, adopt rules containing standards and criteria for the issuance and denial of the permits required by sections 105.41 and 105.42.

Sec. 19. APPROPRIATION. There is appropriated from the game and fish fund to the commissioner of natural resources the sum of \$300,000 for fiscal year 1977 for deer habitat improvement, providing that a deer hunting season is held.

Sec. 20. EFFECTIVE DATES. This act is effective as to all big game licenses issued for 1976 and subsequent big game seasons and as to all other licenses and permits, except permits for motor vehicles, for licensing years commencing after December 31, 1976. Sections 1, 2, 3 and 18 are effective the day following final enactment.

Approved April 20, 1976.

CHAPTER 347—HLF.No.2677

[Not Coded]

An act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county; appropriating money.

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

APPROPRIATIONS

Section 1. PUBLIC LAND AND BUILDINGS; GENERAL FUND APPROPRIATIONS. There is appropriated from the general fund, or other funds as designated, in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended in accordance with the provisions of this act.

Sec. 2. CAPITOL COMPLEX. Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Modification to buildings and grounds to provide safe use by handicapped persons \$85,000

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Subd. 3. Modifications to buildings as required by the state fire marshal \$50,000

Subd. 4. General purpose remodeling within state buildings \$125,000

Subd. 5. Additional money for completion of emergency lighting and evacuation warning system in all major buildings in complex \$110,000

Subd. 6. Repair perimeter water leaks, state historical and capitol square buildings \$100,000

Subd. 7. Enclose and improve capitol square freight elevator \$40,000

Subd. 8. Improvements to state historical building

(a) Replacement interior rain leaders \$55,500

(b) Exterior stairway handrails \$10,000

(c) Replace windows \$70,000

(d) Sprinkler system, main building and research center \$120,000

Subd. 9. Improvements to veterans service building \$80,000

(a) Exterior caulking \$45,000

(b) Roof replacement \$35,000

Subd. 10. Improvements to Centennial building air handling system \$18,500

Subd. 11. Hydraulic lift for central maintenance loading dock \$9,500

Subd. 12. Improvements to highway building air handling system \$25,000

Sec. 3. **STATE UNIVERSITIES.** Subdivision 1. To the chancellor of the state university system for the purposes specified in this section.

Subd. 2. Repair of buildings, roofs, boilers, tennis courts, track and purchase of land \$1,038,000

Subd. 3. Assessments, Mankato and Southwest \$126,511

Sec. 4. **COMMUNITY COLLEGES.** To the chancellor of the com-
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munity college system for remodeling, site work and repairs. This appropriation shall not cancel but be available until all projects have been completed \$750,000

Sec. 5. **MINNESOTA HISTORICAL SOCIETY.** Subdivision 1. Equipment for research center, humidity and temperature control for rare documents \$325,000

Subd. 2. Oliver H. Kelley farm repair \$75,000

Subd. 3. Exhibit construction \$100,000

Sec. 6. **COMMISSIONER OF HIGHWAYS.** Subdivision 1. Eden Prairie equipment storage \$780,000

Subd. 2. Interstate safety rest area Enfield (I-94) \$125,000

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

The highway department shall cancel into the trunk highway fund the unobligated balances of appropriations made for land acquisition, plant, equipment and building construction by Laws 1967, Chapter 887, Section 4; Laws 1969, Chapter 800, Section 5; and Laws 1971, Chapter 965, Section 10.

Sec. 7. **PUBLIC WELFARE.** Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Plant repairs and renovation \$2,200,000

\$12,300 of this appropriation is to be used for construction of a tennis court at the Minnesota School for the Deaf, and shall cancel if not expended by June 30, 1977.

Subd. 3. Furniture \$1,000,000

Subd. 4. Demolition \$50,000

Sec. 8. **CORRECTIONS.** Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Plant repairs and renovation \$1,300,000

Subd. 3. Preliminary planning, working drawings and plans, adult maximum security institution \$800,000

The appropriation in this subdivision is immediately available upon final enactment.

Subd. 4. Occupational Safety and Health Act and fire marshal

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regulation compliance \$300,000

Sec. 9. REVIEW OF BUILDING PLANS. Neither the commissioner of administration nor the board of regents of the university of Minnesota shall prepare final plans and specifications for any building authorized by 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 the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 10. METHODS OF ACQUISITION. Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be pursuant to chapter 117.

Sec. 11. APPROPRIATIONS FOR CONSTRUCTION; TRANSFER. Upon the awarding of final contracts for the completion of any project for construction or other permanent improvement authorized by this act, the commissioner as to appropriations made to him and the regents as to appropriations made to them may transfer any unexpended balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioner of administration and the regents of 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.

Sec. 12. APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST. The commissioner of administration and the board of regents of the university of Minnesota shall apply for the maximum federal share for each capital improvement project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration and the board of regents have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 13. BALANCES AVAILABLE. The unobligated balances in only the following welfare department building accounts may be used for remodeling for life safety and licensure requirements as provided in Laws of Minnesota 1975, Chapter 434, Section 2, Subdivision 17; Extra Session Laws 1961, Chapter 72, Section 2, Subdivision 7; Laws 1965,

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Chapter 882, Section 2, Subdivision 4 (1); Extra Session Laws 1967, Chapter 8, Section 2, Subdivisions 3 (1), 8 (1) and (2), and 9 (1); Laws 1969, Chapter 1155, Section 2, Subdivisions 2 (1), 5 (1), 9 (1), 11 (1), 14 (1); Laws 1969, Chapter 1159, Section 2, Subdivisions 2 (1), 4 (1), 6 (2), 9 (1); Laws 1971, Chapter 963, Section 2, Subdivisions 2 (1) and (3), 3 (1) and (2), 4 (1), 5 (1) and (2), 6 (1) and (2), 7 (1), 8 (1), 9 (1), (2) and (3), 10 (1) and (2), 13, 14 (1), (2) and (3); Laws 1971, Chapter 964, Section 2, Subdivisions 2 (1), 3 (1), 4 (1), 5 (1), 6 (3), 8 (1), 10 (1), 11 (1), 12 (2), (3) and (4), 14 (1), 16 (1), (2), (3), (6), 17 (1); Laws 1973, Chapter 777, Section 2, Subdivision 2 (1); Laws 1973, Chapter 778, Section 2, Subdivision 2 (1) and (3).

Any unobligated balances of the above accounts remaining after June 30, 1979 shall cancel to the appropriate fund.

Sec. 14. CONVEYANCE OF UTILITY EASEMENT. The governor, upon the recommendation of the commissioner of administration, may convey, by proper instrument, in a form approved by the attorney general, a perpetual easement, including the right of access, to the city of Mankato in certain real estate situated in Blue Earth county, Minnesota, a 30 foot permanent easement and an 80 foot construction easement, the centerline of which is described as follows:

Commencing at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 19, township 108 North, Range 26 West; thence East on the South line of the Northeast Quarter of the Southeast Quarter of said Section 19 a distance of 323 feet to the point of beginning; thence North and parallel with the West line of the Northeast Quarter of the Southeast Quarter of said Section 19 a distance of 440 feet, thence West and parallel with the South line of the Northeast Quarter of the Southeast Quarter a distance of 290 feet and there terminating.

Said tract containing approximately .50 acres for permanent easement and .84 acres for construction easement.

The conveyance of said easement shall be made to the said city of Mankato upon such consideration as may be agreed upon for the purpose of right of way for utility purposes upon, over and across said property above described, together with any other incidental or necessary use connected with the purpose aforesaid.

Sec. 15. EFFECTIVE DATE. Section 14 of this act is effective upon its approval by the governing body of the city of Mankato, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Sec. 16. CANCELLATIONS. Any balance of the following appropriations which remain unobligated June 30, 1976, or become unobligated anytime thereafter, shall be cancelled to the general fund. For the purposes of this section, a requisition shall not constitute an en-

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cumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.

Extra Session Laws 1961, Chapter 60, Section 2, Subdivision 26; Extra Session Laws 1967, Chapter 13, Section 2, Subdivisions 20, 21, 24, 26, 28, 29 (1) and (2), 30 (2), 31 (2), 32, 33 (2), 34 (1) and 35 (1); Laws 1969, Chapter 1136, Section 4, Subdivision 1; Laws 1969, Chapter 1154, Section 32, Subdivision 2; Laws 1969, Chapter 1155, Section 2, Subdivisions 17 (1) and (3), 19 (1), (2), (6), (7), (8) and (9), 20 (2) and (5), 25 (2), (3) and (8), 26 (1) and (2), and 27 (1); Laws 1971, Chapter 964, Section 2, Subdivisions 18 (1), (2) and (5), 19 (1) and (2), 20 (2), (3), (4), (5), (7), (9) and (10), 21 (1) and (3), 22 (1), (2) and (3), 23 (1), 24 (1) and (2), and 25 (2); Laws 1973, Chapter 777, Section 2, Subdivisions 3 (2) and (3), 4 (3), 5 (1), 6 (1) and (2), and 7 (3) and (5).

Approved April 20, 1976.

CHAPTER 348—H.F.No.2678

An act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

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

Section 1. PUBLIC LAND AND BUILDINGS; BUILDING FUND APPROPRIATIONS. There is appropriated from the state building fund in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended for the acquisition and betterment of public land and buildings and other public improvements of a capital nature, as more specifically described in the following sections of this act.

APPROPRIATIONS

Sec. 2. CAPITOL COMPLEX. Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Rehabilitation and remodeling of 1246 University avenue building for the bureau of criminal apprehension \$1,165,000

To include planning complete rehabilitation and modernization of the exterior, basement, laboratories, and other analytical investigatory, classroom, and office spaces.

The appropriation in this clause is available only upon guaranteed federal participation of 50 percent of the total cost of planning, rehabil-

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