

361.29 and a portion shall be paid to such counties and in such an amount as the commissioner ~~may shall~~ determine and be used to defray the expenses of enforcement of the provisions of sections 361.01 to ~~361.28~~ 361.29 and the expenses of a county sponsored or administered watercraft and swimming safety instructional program. The commissioner may withhold up to \$25,000 per biennium of the allocation for the purpose of payments to counties and other political subdivisions for specific boat and water safety projects beyond the capability of previously allocated funds. Counties and other political subdivisions shall make application for payment of these funds on such forms and for such purposes as the commissioner shall prescribe.

Sec. 18. **REPEALER.** Minnesota Statutes 1978, Section 361.15, Subdivision 2, is repealed.

Sec. 19. **EFFECTIVE DATE.** This act shall be effective on January 1, 1981.

Approved April 15, 1980

CHAPTER 569—H.F.No. 2187

An act relating to local government; authorizing conveyance of certain parcels of land in the city of Brooklyn Center; permitting the acquisition and financing of data processing equipment by Local Government Information Systems and its members; providing for sewer charges by the city of Brooklyn Center on an equitable basis.

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

Section 1. CONVEYANCE OF STATE LANDS; CITY OF BROOKLYN CENTER. Subdivision 1. The governor, upon recommendation of the commissioner of transportation, may transfer and convey, by quitclaim deed in the form the attorney general approves and in the name of the state of Minnesota, to the city of Brooklyn Center, Minnesota, for any purpose, notwithstanding Minnesota Statutes, Section 161.44, approximately 2.7 acres of land in the city of Brooklyn Center that is no longer needed for trunk highway purposes, for a consideration of \$1. The deed shall include a provision waiving any obligation of the city of Brooklyn Center to use the land described in subdivision 2 for a public purpose.

Subd. 2. The land authorized to be conveyed in subdivision 1 is situated in the state of Minnesota, county of Hennepin, and the city of Brooklyn Center, and is further described as follows:

All of Tract A described below:

Tract A. That part of Lot 1, Exhibit "A" showing subdivision of land belonging to the estate of Eliza A. Henderson, in Section 34, Township 119 North, Range 21 West, according to the plat thereof on file and of record in the office of the county recorder in and for the county of Hennepin described as

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follows: Beginning at the southwest corner of said Lot 1; thence run east on the south line of said Lot 1, for 1146.2 feet; thence run north at right angles to the south line of said Lot 1 for 35 feet; thence run northeasterly to the point of intersection of Line 1 described below with a line run southerly at right angles to Line 2 described below from its point of termination; thence run northwesterly on said Line 1 to its intersection with a line run parallel with and distant 85 feet northerly of the south line of said Lot 1, thence run westerly to a point distant 1146.2 feet east and 83 feet north of the southwest corner of said Lot 1; thence run westerly to a point on the west line of said Lot 1, distant 115 feet north of the southwest corner thereof; thence run south on the west line of said Lot 1 to the point of beginning;

Line 1. From a point on Line 2 described below, distant 215 feet westerly of its point of termination, run southerly at right angles to said Line 2 for 184 feet to the point of beginning of Line 1 to be described; thence run southeasterly to the northeast corner of Lot 8, Block 2, Northgate and there terminating;

Line 2. Beginning at a point on the north and south quarter line of Section 33, Township 119 North, Range 21 West, distant 1395.88 feet southerly of the north quarter corner thereof; thence run easterly at an angle of 95 degrees 02 minutes 29 seconds from said north and south quarter line (measured from north to east) for 2887.48 feet; thence deflect to the left at an angle of 1 degree 23 minutes 15 seconds for 1065 feet and there terminating.

Subd. 3. No access shall be permitted to Trunk Highway No. 393, marked I-94, from the lands herein conveyed.

Subd. 4. The state of Minnesota reserves a permanent wall maintenance easement on that part of the lands herein conveyed, which lies within a distance of 10 feet southerly of the following described line: Beginning at a point on the west line of said Lot 1, distant 115 feet north of the southwest corner thereof; thence run easterly to a point distant 1146.2 feet east and 83 feet north of the southwest corner of said Lot 1; thence run easterly to the point of intersection of Line 1 described above with a line run parallel with and distant 85 feet north of the south line of said Lot 1; thence continue easterly on the last described course for 50 feet and there terminating.

Subd. 5. If the city of Brooklyn Center conveys any land described in subdivision 2 to any abutting property owner, the conveyance shall be without monetary consideration.

Sec. 2. **DEFINITIONS.** Subdivision 1. For the purposes of this act the terms defined in this section have the meanings given them.

Subd. 2. Local Government Information Systems (LOGIS) is that organization of government units organized pursuant to an agreement effective on May 25, 1972, entered into under the provisions of Minnesota Statutes, Section 471.59, for the purpose of providing data processing services to its members.

Subd. 3. "Member" means a government unit which is a party to the agreement specified in subdivision 2. The term does not include "associate members" as that term is defined in article XI of the agreement.

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Subd. 4. LOGIS is a municipality within the meaning of Minnesota Statutes, Section 475.51, Subdivision 2. The governing body of LOGIS is its board of directors.

Subd. 5. "Data processing equipment" means computer equipment, related hardware and software, and other items of capital equipment necessary for the efficient and economical provision of data processing services by LOGIS to its members.

Sec. 3. **BONDS; PURPOSES.** LOGIS may issue and sell its bonds or other obligations in the manner prescribed by Minnesota Statutes, Chapter 475 and this act for the acquisition and betterment of data processing equipment.

Sec. 4. **BONDS; TYPES.** Subdivision 1. **GENERAL OBLIGATIONS; REFERENDUM.** LOGIS may by resolution adopted by a unanimous vote of its board of directors and approved by the governing body of each member issue and sell its general obligation bonds for the acquisition and betterment of data processing equipment pursuant to this subdivision. If the principal amount of bonds to be issued exceeds one percent of the assessed valuation of all taxable property in the member having the smallest population, the bonds may not be issued until ten days have elapsed after the publication in a newspaper of general circulation in all members of the resolution authorizing their issuance; and if before that time, a petition asking for an election on the proposition signed by voters of any member equal to ten percent of the number of voters at the last regular municipal election in the member is filed with the clerk of the member, the bonds may not be issued unless the proposition for their issuance has been approved by a majority of the voters of the member at a regular or special election. Before issuing bonds under this subdivision the board of directors shall certify to each member and to the county auditor or auditors the taxes required to be levied for the payment of the bonds by Minnesota Statutes, Section 475.61. The county auditor shall apportion the proportionate share of each member in the taxes to each member based upon the ratio of the assessed valuation of property in the member to the assessed valuation of all members.

Subd. 2. **GENERAL OBLIGATION REVENUE BONDS.** LOGIS may also by resolution adopted by unanimous vote of its board of directors and approved by the governing body of each member issue and sell its general obligation bonds for the acquisition and betterment of data processing equipment pursuant to this subdivision. The resolution authorizing the issuance of the bonds shall contain a covenant or agreement that the board of directors will establish, maintain, revise when necessary and collect rates and charges from members and others to whom services are provided in the amounts and at the times required to produce net revenues sufficient to pay when due the principal of and interest on the bonds and the board of directors shall covenant and pledge the net revenues to the payment of principal and interest. The required covenants shall be enforceable by appropriate actions by any bondholder or taxpayer of any member in a court of competent jurisdiction. Bonds issued pursuant to this subdivision are deemed payable wholly from the income of a revenue producing convenience within the meaning of Minnesota Statutes, Sections 475.51 and 475.58. In the event a tax levy is made

for the payment of principal and interest on bonds issued pursuant to this subdivision the tax shall be levied and apportioned in the manner prescribed by subdivision 1.

Subd. 3. **BONDS; OTHER.** LOGIS may also issue and sell any other obligation authorized by Minnesota Statutes, Chapter 475 for the acquisition and betterment of data processing equipment in the manner prescribed by Minnesota Statutes, Chapter 475.

Sec. 5. **MEMBERS; LEASES; FINANCING.** A member of LOGIS may acquire data processing equipment and may lease the equipment to LOGIS, and LOGIS is authorized to enter into the equipment lease. The rental payments under the lease may be pledged by the member to the payment of principal and interest on obligations issued by the member for the acquisition of the equipment. The governing body of the member issuing obligations under this section may make the pledges and covenants specified in section 4, subdivision 2, and when the covenants and pledges are made the obligations are deemed payable wholly from the income of a revenue producing convenience within the meaning of Minnesota Statutes, Sections 475.51 and 475.58.

Sec. 6. **REVENUE PRODUCING CONVENIENCE.** Data processing equipment acquired by LOGIS or a member is a revenue producing convenience within the meaning of Minnesota Statutes, Chapter 475.

Sec. 7. **OBLIGATIONS; DEBT LIMITS.** Obligations issued pursuant to this act shall not be included in the computation of net debt of LOGIS or of any member.

Sec. 8. **INSTALLMENT PURCHASES.** LOGIS may acquire data processing equipment in the same manner and subject to the same limitations as a city under Minnesota Statutes, Section 465.71.

Sec. 9. **REFINANCING.** LOGIS or a member may issue and sell obligations authorized by this act to refund the outstanding obligations of the city of Brooklyn Center dated September 1, 1979. Obligations issued pursuant to this section shall be issued in accordance with the provisions of Minnesota Statutes, Section 475.67.

Sec. 10. The city of Brooklyn Center may fix sewer charges on any equitable basis including the age or income of the recipient of the service.

Sec. 11. **EFFECTIVE DATE.** Section 1 is effective the day following final enactment. Sections 2 to 8 are effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3 by the board of directors of LOGIS. Section 9 is effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3 by the board of directors of LOGIS and the city council of the city of Brooklyn Center. Section 10 is effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3 by the city council of the city of Brooklyn Center.

Approved April 15, 1980