

Number 98-369 and section 2 of Public Law Number 98-612 and section 6 of Public Law Number 99-44. Sections 12, 17, and 28 are effective for taxable years beginning after December 31, 1983. Section 26 is effective for taxable years beginning after December 31, 1984, except that references to "long-term capital assets" or to the holding period of property used in a trade or business are effective for property acquired after June 22, 1984.

Section 29 is effective for sales or other dispositions after December 31, 1984. Section 30 is effective at the same time that those provisions are effective for federal income tax purposes after June 23, 1981. The change in section 31, clause (4), is effective for taxable years beginning after December 31, 1977. The change in section 31, clause (5), is effective for taxable years beginning after December 31, 1984. Section 34 is effective for taxable years beginning after December 31, 1984, provided that the update of section 404 of the Internal Revenue Code is effective at the same time the federal changes are effective in 1984 as provided in Public Law Number 98-369.

Section 37 is effective for taxable years beginning after December 31, 1981. Section 39 is effective for reports which are required with respect to taxable years beginning after December 31, 1984. Section 40 is effective the day after final enactment. Section 41 is effective for individuals dying after December 31, 1984, as a result of wounds or injuries occurring after that date. Section 42 is effective January 1, 1985. Section 44 is effective for taxable years beginning after December 31, 1985. Section 48 is effective for taxable years beginning after December 31, 1984, except that the provisions of clause (6) are effective for the 1984 tax year and except that the computation of the tax with reference to alternative minimum taxable income is effective for taxable years beginning after December 31, 1985.

Approved June 28, 1985

## CHAPTER 15 — H.F.No. 1

*An act relating to capital improvements; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; reducing and canceling certain appropriations; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1984, sections 15.50, subdivision 2; 115A.49; 115A.52; and 115A.54, by adding a subdivision.*

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

### Section 1. CAPITAL IMPROVEMENTS; APPROPRIATIONS.

The sums shown in the column marked "APPROPRIATIONS" are appropriated from the state building fund, or any other fund named, to the state

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agencies indicated, to be spent to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this act.

## SUMMARY

SUPREME COURT	\$ 2,450,000
ADMINISTRATION	9,816,900
NATURAL RESOURCES	11,507,900
ENERGY AND ECONOMIC DEVELOPMENT	28,975,000
WASTE MANAGEMENT BOARD	11,400,000
MILITARY AFFAIRS	1,392,300
VETERANS AFFAIRS	313,300
TRANSPORTATION	10,367,000
AGRICULTURE	2,000,000
MINNESOTA HISTORICAL SOCIETY	5,725,000
EDUCATION	545,200
VOCATIONAL TECHNICAL EDUCATION	7,164,400
COMMUNITY COLLEGES	5,306,700
STATE UNIVERSITIES	14,557,700
UNIVERSITY OF MINNESOTA	72,443,000
CORRECTIONS	3,442,000
HUMAN SERVICES	4,805,000
EXCHANGE OF BONDS	6,300,000
BOND SALE EXPENSES	175,500
TOTAL	\$198,686,900
General Fund	13,499,900
Special Revenue Fund	2,255,000
Trunk Highway Fund	8,332,000
Transportation Fund	2,035,000
Bond Fund	6,300,000
Building Fund	154,865,000
Waste Management Fund	11,400,000
APPROPRIATION REDUCTIONS	(\$1,363,500)
	APPROPRIATIONS

## Sec. 2. SUPREME COURT

Judicial Building \$ 2,450,000

This appropriation is to the commissioner of administration, in consultation with the supreme court and the capitol area architectural and planning board, to prepare working drawings and prepare the site for a judicial building that will utilize the existing historical society building and the site currently occupied by the mechanic arts high school gymnasium.

The commissioner of administration shall not begin to prepare the site for construc-

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tion until the final plans and specifications have been presented to the chairmen of the senate finance committee and house appropriations committee and the chairmen have made their recommendations on the plans. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

### Sec. 3. ADMINISTRATION

Subdivision 1. To the commissioner of administration for the purposes specified in the following subdivisions

9,816,900

Subd. 2. Supplemental or prior commitments

1,702,700

(a) Remove or contain asbestos in state buildings, phase II

1,145,900

This appropriation must be used to remove or encapsulate asbestos-containing materials that have been identified as constituting risk factor 5 in the evaluation study dated January 18, 1984, and its supplement dated March 21, 1984, and risk factor 4 to the extent the appropriation permits.

(b) Remove asbestos insulated piping in the basement of the Capitol

340,200

(c) Remove and replace PCB equipment statewide, phase II

216,600

This appropriation is from the general fund.

This appropriation, combined with the balance remaining from the appropriations in Laws 1983, chapter 344, section 2, item (a), and Laws 1984, chapter 597, section 3, subdivision 2, item (b), must be used to replace or retrofit PCB contaminated equipment in the priority order established in the remedial action plan.

Subd. 3. Facility integrity and life safety

1,641,500

(a) Repair Capitol dome and lantern

582,000

(b) Clean and tuckpoint Capitol building

250,000

This appropriation is from the general fund.

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

(c) Re-roof the surplus property warehouse  
in Arden Hills 177,500

(d) Repair the Administration building  
ramp 357,000

This appropriation is from the general fund.

(e) Renovate House Chamber voting board  
and sound system 275,000

This appropriation is from the general fund.

Subd. 4. Program improvement and  
expansion 6,472,700

(a) Remodel Centennial building 3,114,000

\$300,000 of this appropriation is from the  
general fund for moving expenses.

This appropriation is added to the appropri-  
ation in Laws 1984, chapter 597, section 3,  
subdivision 5, item (c), which may be spent  
to remodel any part of the Centennial build-  
ing for use by any state agency.

(b) Land Acquisition 700,000

(c) Administration Facilities Study 100,000

This appropriation is from the general fund.

It is to plan a process for evaluating all  
state-owned buildings for both program use  
and overall condition.

(d) Relocate the pollution control agency  
and waste management board 540,000

This appropriation is from the general fund.

(e) Renovate Capitol building 1,790,700

The commissioner of administration shall  
not prepare final plans and specifications for  
projects included in \$1,000,000 of this ap-  
propriation until the commissioner has  
presented the program and schematic plans  
and cost estimates for all elements necessary  
to complete the projects to the committee  
on rules and administration of the senate  
and the committee has made its recommen-  
dations on the plans. The recommenda-  
tions are advisory only. Failure or refusal

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to make a recommendation promptly is deemed a negative recommendation.

(f) Plan and design Labor History Center 228,000

#### Sec. 4. NATURAL RESOURCES

Subdivision 1. To the commissioner of administration or the commissioner of natural resources for the purposes specified in the following subdivisions 11,507,900

Subd. 2. To the commissioner of administration for the purposes specified in this subdivision 742,800

(a) Construct air tanker base at Brainerd Crow Wing county airport 100,000

This appropriation is available only after a determination by the commissioner of administration that the city of Brainerd has committed at least \$35,000 of local money for the project. If the commissioner of administration determines that the city of Brainerd is either unwilling or unable to commit the required local money, the commissioner shall offer to construct the air tanker base at the Bemidji airport. If the city of Bemidji then commits at least \$35,000 of local money to the project, the commissioner of administration shall proceed with construction.

(b) Construct a storage facility at the St. Paul southern service center 168,000

(c) Replace storage buildings at Thief Lake wildlife management area 99,800

The amounts needed to make debt service transfers under Minnesota Statutes, section 16A.641, subdivision 10, for the bonds sold to finance this project are appropriated from the game and fish fund.

(d) Repairs and betterments 375,000

This appropriation is from the general fund.

Subd. 3. To the commissioner of natural resources to acquire and better public outdoor recreational lands and capital improvements 5,772,300

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

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|--|-----------|
| (a) To better state parks and recreational areas, as listed in Minnesota Statutes, sections 85.012 and 85.013  | 1,272,300 |
| (b) To better state trails and trails within state parks and other units of the outdoor recreational system as defined in Minnesota Statutes, section 86A.05 | 800,000   |
| (c) To better state forests listed and described in Minnesota Statutes, section 89.021   | 200,000   |
| (d) To better fishing management facilities and hatcheries   | 200,000   |
| (e) To acquire wetlands under the water bank program under Minnesota Statutes, section 105.392   | 900,000   |
| (f) To acquire lands in units of the outdoor recreation system   | 2,400,000 |
- (g) The commissioner of natural resources shall provide the necessary professional services for the performance of the duties under this subdivision from the amount appropriated for the various purposes and an approved complement of 26 unclassified positions is authorized.
- (h) Lands must be acquired by the commissioner of natural resources in accordance with policies established in Minnesota Statutes, sections 86A.01 to 86A.09. Those acquired for each unit of the outdoor recreational system must be suited for the purpose of the unit and suited for management in accordance with the principles applicable to it. The commissioner of natural resources shall submit semiannual work progress reports to the legislative commission on Minnesota resources, in the form requested by the commission, and shall submit a work program to the commission and request its recommendation on it before spending any money appropriated by this subdivision for any purpose. The commission's recommendation is advisory only. Failure to respond to a request within 60 days after receipt is a negative recommendation. Work programs involving land acquisition must include a

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land acquisition plan. A parcel may not be acquired unless it is covered by an acquisition plan.

(i) The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances among the programs authorized in Laws 1983, chapter 344, section 3, subdivision 4, and among the programs authorized in this subdivision, but not between the two subdivisions. A transfer of balances among the programs may not be authorized until the legislative commission on Minnesota resources has approved amended work programs. Transfers must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Subd. 4. To the commissioner of natural resources for dam safety projects under Minnesota Statutes, section 105.482

2,888,900

(a) State owned dams		982,500
(1) Heron Lake dam	315,000	
(2) Lake Bronson dam	577,500	
(3) Spruce Center dam	90,000	

This appropriation is added to the appropriation for the same project in Laws 1981, chapter 361, section 3, subdivision 5.

(b) Grants to reconstruct locally owned dams		1,688,200
(1) Fish Hook River dam, city of Park Rapids	74,500	

This appropriation is added to the appropriation for the same project in Laws 1979, chapter 300, section 4, subdivision 3.

(2) Hanover dam, city of Hanover	85,000	
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This appropriation is for the state's contribution toward the cost of removal of the Hanover dam on the Crow River, in Wright and Hennepin counties, the cost of repair of erosion damage to river banks, and the cost of restoring wetlands drained as a result of failure of the dam. The state's contribution

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is available only if the counties, cities, and other local governmental units in which the dam is located contribute an equal amount of money for these same purposes. The dam removal, bank repair, and wetland restoration work must be done under a joint powers or similar agreement entered into by the local units of government and approved by the commissioner of natural resources. The state and local units of government may seek recovery of their costs, including costs related to initial breaking of the dam, from any private person who has an ownership interest in the dam, damsite, or abutments.

(3) Hartley dam, city of Duluth	50,000
(4) Eagle Point Lake dam	47,000
(5) Nett Lake dam, Koochiching county	1,200,000
(6) Pelican Rapids dam, city of Pelican Rapids	131,300
(7) Red Lake River dam, city of Thief River Falls	42,000
(8) Redwood River dam, city of Redwood Falls	58,400
(c) Local dam loan to Pelican Rapids	118,200
(d) Analyze, design, and repair publicly owned dams	100,000

This appropriation is from the general fund.

This appropriation is from the general fund.

Subd. 5. To the commissioner of natural resources to relocate agricultural dikes along the Red River of the North 250,000

This appropriation must be added to the appropriation for the same project in Laws 1981, chapter 361, section 3, subdivision 3. The requirement in that law for a local match is stricken. The commissioner of natural resources shall cooperate and work with the watershed district, the commissioner of transportation, and the affected landowners.

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Subd. 6. To the commissioner of natural resources to construct an educational center at the Environmental Learning Center at Isabella 1,853,900

This appropriation is for payment of a grant to Lake county. This appropriation is available only as matched, dollar for dollar, by contributions from nonstate sources.

Sec. 5. ENERGY AND ECONOMIC DEVELOPMENT

Subdivision 1. To the commissioner of energy and economic development for the purposes specified in the following subdivisions 28,975,000

Subd. 2. Metropolitan parks 12,750,000

To the commissioner of energy and economic development for payment of a grant to the metropolitan council established under Minnesota Statutes, section 473.123. The commissioner shall transfer the amount to the metropolitan council upon receipt of a certified copy of a council resolution requesting payment. The appropriation must be used to pay the cost of the acquisition and betterment by the metropolitan council and local governmental units of the regional recreational open space lands specified in this subdivision, including relocation costs and tax equivalents required to be paid by Minnesota Statutes, sections 473.315 and 473.341. Of the amount appropriated by this section, the metropolitan council may spend no more than \$400,000 for staff and independent professional services necessary to acquire and better open space and for the performance of duties of the metropolitan council under this subdivision. The following are the specified projects:

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|--|---------|
| (a) For the Metropolitan Council to research and plan systemwide | 100,000 |
| (b) Mississippi Regional Park                                    | 500,000 |

The metropolitan council shall, unless not feasible, promptly designate the area on the east and west banks of the Mississippi river,

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consisting of the lands northward from the Camden area of the city of Minneapolis to the Interstate 694 corridor, as a regional park. The Hennepin county park reserve district and the Minneapolis park and recreation board are the operating agencies, with cooperation from the affected units of government. In addition to this appropriation, the metropolitan council shall spend for this project all interest earned on the appropriations in this subdivision and on any other money, up to \$1,500,000. This appropriation and the interest must be credited to a separate account and continue to accrue interest for purposes of this item until expended.

(c) Complete public access developments at Long Lake-Rush Lake regional park	1,200,000
(d) Continue to develop public access at Lake Elmo park reserve	1,100,000
(e) Continue to develop public recreation facilities at central Mississippi riverfront regional park	2,070,000
(f) Continue to redevelop Como regional park	2,200,000
(g) Continue to develop user amenities at Mississippi river boulevard regional trail	500,000
(h) Complete family camping development at Lebanon Hills regional park	500,000
(i) Begin road, parking, and lake access at Lake George regional park	350,000
(j) Renovate and improve picnic space at Hyland-Bush-Anderson Lakes regional park	200,000
(k) Develop trails at Bunker Hills regional park	400,000
(l) Acquire and develop Central Mississippi Great River Road west regional trail	730,000
(m) Complete campground facilities at Spring Lake regional park	350,000
(n) Develop creative play area at French/Medicine Lake regional park	1,750,000

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(o) Begin reimbursement for acquisition of land on the North Hennepin regional trail 800,000

Subd. 3. Duluth State Convention Center 16,000,000

To the commissioner of energy and economic development for a grant to the Duluth state convention center administrative board. This appropriation is available on the date section 36 becomes effective.

The grant must not be paid until the commissioner of energy and economic development has determined that the additional financing necessary to complete the project has been committed by other sources.

Subd. 4. Park and Trail Development 225,000

This appropriation is to the commissioner of energy and economic development for payment of a grant to the city of White Bear Lake.

Sec. 6. WASTE MANAGEMENT BOARD 11,400,000

This appropriation is from the waste management fund.

This appropriation is for the program of state capital assistance grants to local projects to develop feasible and prudent alternatives to disposal of solid waste authorized by this act.

The balance of the appropriation from the state waste management fund made by Laws 1980, chapter 564, article 12, section 3(c), that is not encumbered, or obligated by resolution of the waste management board, by June 30, 1985, and any amount obligated by June 30 that later becomes unobligated, but not more than \$3,600,000, is appropriated to the board for this purpose.

Up to \$750,000 may be spent for administration and technical and professional services. The approved complement of the waste management board is increased by two positions.

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Sec. 7. **MILITARY AFFAIRS** To the adjutant general for the purposes specified in this section 1,392,300

The construction paid for from this appropriation shall meet or exceed the interim and final energy conservation performance standards and guidelines for new commercial buildings promulgated by the United States secretary of energy under the energy conservation standards for new buildings act of 1976, as amended, United States Code, title 33, section 6833.

- |   |         |
|---|---------|
| (a) Replace roofs statewide   | 500,600 |
| (b) Replace windows or close up openings in facilities 40 years of age or older | 629,200 |
| (c) Repair and better armories statewide  | 262,500 |

This appropriation is from the general fund.

Sec. 8. **VETERANS AFFAIRS**

Subdivision 1. To the commissioner of administration for the purposes specified in the following subdivisions 313,300

The appropriations in this section are from the general fund.

Subd. 2. Hastings Veterans Home 52,500

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|---|--------|
| (a) Replace masonry on building number 23 | 31,500 |
| (b) Demolish sewage plant                 | 21,000 |

Subd. 3. Minneapolis Veterans Home 235,800

- |  |        |
|--|--------|
| (a) Demolish buildings   | 81,400 |
| (b) Renovate utility line  | 52,500 |
| (c) Extend or replace floor tile   | 44,100 |
| (d) Repair elevator in building number 16                                      | 26,300 |
| (e) Landscape areas previously occupied by buildings and construct parking lot | 31,500 |

Subd. 4. Study conversion of existing state and local facilities to use as veterans facilities 25,000

Sec. 9. **TRANSPORTATION**

Subdivision 1. To the commissioner of transportation for the purposes specified in the following subdivisions 10,367,000

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The appropriations in subdivisions 2 to 6 are from the trunk highway fund.

Subd. 2. Construct new area headquarters building at Crookston 992,000

Subd. 3. Construct addition to Oakdale district headquarters 345,000

This appropriation is added to the appropriation for the same project in Laws 1984, chapter 597, section 11, subdivision 2, item (b).

Subd. 4. Construct equipment storage buildings at the truck stations listed in this subdivision 1,275,000

(a) Benson 364,000

(b) Chaska

Notwithstanding Laws 1984, chapter 597, section 11, subdivision 2, item (o), the commissioner of transportation may construct the new equipment storage building at the Chaska truck station before contracting for sale of the existing equipment storage building.

(c) Glenwood 160,000

(d) Grand Marais 110,000

(e) Granite Falls 326,000

(f) Little Falls 315,000

Subd. 5. Construct rest areas near the cities listed in this subdivision 4,099,000

(a) Baptism River, on trunk highway 61 156,000

This appropriation is added to the appropriation in Laws 1983, chapter 344, section 6, subdivision 8, as amended by Laws 1984, chapter 597, section 54.

(b) Bigelow, on trunk highway 60, including a travel information center 1,191,000

One-half the cost of staffing and operating the travel information center must be paid from sources other than the trunk highway fund. The commissioner may proceed with

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construction only after agreements to provide this funding are obtained.

(c) Orr, on trunk highway 53, including a travel information center 573,000

\$341,000 is for construction of parking spaces.

\$232,000 is for a grant to the city of Orr for site acquisition and development and construction of a travel information center.

The costs of maintaining, staffing, and operating the rest area and travel information center must not be paid from the trunk highway fund.

(d) St. Cloud, on trunk highway 10, including a travel information center 1,145,000

One-half the cost of staffing and operating the travel information center must be paid from sources other than the trunk highway fund. The commissioner may proceed with construction only after agreements to provide this funding are obtained.

(e) St. Peter, on trunk highway 169 1,034,000

Subd. 6. Statewide 1,621,000

(a) Construct chemical storage sheds 210,000

(b) Electronic communication repair shops 276,000

This appropriation is to construct electronic communication installation and repair shops at Bemidji, Brainerd, Golden Valley, Mankato, and St. Cloud.

(c) Land acquisition 545,000

This appropriation is to acquire land for replacement truck stations at Adrian, Austin, Park Rapids, and Wadena, and for a weigh station on interstate highway 94 at Moorhead.

(d) Buy materials to construct metal cold storage sheds 95,000

(e) Plan for remodeling 55,000

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These plans are for remodeling the headquarters buildings at Bemidji, Brainerd, Crookston, Detroit Lakes, and Duluth.

(f) Construct wood fueled heating plants for district headquarters buildings at Duluth and Virginia

440,000

Subd. 7. Interstate Substitution

2,035,000

This appropriation is from the state transportation fund to provide not more than one-half of the nonfederal share of right-of-way, preliminary and construction engineering, and construction costs of local projects that are paid for with interstate substitution money.

Sec. 10. AGRICULTURE

Subdivision 1. To the commissioner of agriculture for the purposes specified in this section

2,000,000

(a) Construct agricultural interpretive center at Waseca

500,000

This appropriation is from the general fund.

This appropriation is for payment to Farmamerica, Inc., and is available only upon a determination by the commissioner of agriculture that the additional financing necessary to complete phase one of the project has been committed by nonstate sources.

(b) Duluth Port Authority

1,500,000

This appropriation is to the commissioner of agriculture for a grant to the Duluth Port Authority to purchase a building for a foreign trade zone warehouse.

Sec. 11. MINNESOTA HISTORICAL SOCIETY

To the Minnesota historical society for the purposes specified in this section

5,725,000

(a) Construct State History Center

5,000,000

This appropriation is to the commissioner of administration in consultation with the Minnesota historical society and the capitol area architectural and planning board, to acquire

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land and prepare working drawings for a state history center with a total cost of not more than \$50,982,200. \$4,000,000 of the cost must be contributed by nonstate sources. No more than \$2,000,000 of state money may be used to acquire land.

The design competition may begin on the effective date of this act.

(b) Repair and maintain the Sibley House 25,000

This appropriation is from the general fund.

(c) Develop Red River Valley Center 700,000

This appropriation is added to the appropriation in Laws 1984, chapter 597, section 12, item (c).

#### Sec. 12. EDUCATION

To the commissioner of administration for the purposes specified in this section 545,200

(a) Braille and Sight Saving School Upgrade plumbing in the activities building 30,000

This appropriation is from the general fund.

(b) School for the Deaf Replace high pressure boiler system with low pressure system 515,200

#### Sec. 13. VOCATIONAL TECHNICAL EDUCATION

To the state board of vocational technical education for post-secondary vocational technical construction in the school districts listed in this section 7,164,400

(a) Independent School District No. 241, Albert Lea 419,100

This appropriation is to construct an addition to provide additional space for instructional programs. The total cost of the project must not be more than \$493,100, whether paid from state, local, or federal money.

(b) Independent School District No. 206, Alexandria 773,500

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This appropriation is to construct additional classroom and laboratory areas. The total cost of the project must not be more than \$910,000, whether paid from state, local, or federal money.

(c) Special Intermediate School District No. 917, Dakota County 187,400

This appropriation is to construct a mezzanine to provide for a bookstore and classrooms. The total cost of the project must not be more than \$220,500, whether paid from state, local, or federal money.

(d) Independent School District No. 595, East Grand Forks 300,800

This appropriation is to repair and insulate the roof. The total cost of the project must not be more than \$353,900, whether paid from state, local, or federal money.

(e) Independent School District No. 701, Hibbing 436,600

This appropriation is to enlarge the commons and add a general office complex and electronics laboratory. The total cost of the project must not be more than \$513,600, whether paid from state, local, or federal money.

The district may transfer up to \$77,000 from the post-secondary vocational technical debt redemption fund to the building construction fund as needed to provide the local share of this project.

(f) Special School District No. 1, Minneapolis 135,900

This appropriation is to replace the roof on the automotive shops in the transportation center. The total cost of the project must not be more than \$159,900, whether paid from state, local, or federal money.

Notwithstanding Laws 1984, chapter 597, section 13, subdivision 1, the appropriation to Special School District No. 1, Minneapolis, maybe used to acquire and to better an existing facility or to construct a new

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facility for the aviation mechanics program. Renovation or expansion of an existing facility must not proceed until the purchase is complete and the title has been transferred. The state share of the cost of the project remains \$1,700,000. The total cost of the project is estimated to be \$2,000,000 and must not exceed \$2,500,000 whether paid from state, local, or federal money.

(g) Special Intermediate School District No. 916 85,300

(1) \$70,300 is to complete the encapsulation of asbestos.

The total cost of the project must not be more than \$82,700, whether paid from state, local, or federal money.

(2) \$15,000 is to complete addition of an air lock to the east entrance.

This appropriation is added to the appropriation for the same project in Laws 1984, chapter 597, section 13, subdivision 1, the appropriation for Special Intermediate School District No. 916, item (4).

The total cost of the project is increased by \$17,600.

(h) Independent School District No. 578, Pine City 288,200

This appropriation is to construct an addition to house a gunsmithing shop and laboratory, a bookstore, and a classroom and media area. The total cost of the project must not be more than \$339,100, whether paid from state, local, or federal money.

(i) Independent School District No. 535, Rochester 4,379,500

This appropriation is to construct an addition and remodel the existing facility. The total cost of the project must not be more than \$5,152,400, whether paid from state, local, or federal money.

(j) Independent School District No. 742, St. Cloud

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Independent school district No. 742, St. Cloud, is authorized to construct an addition to the area vocational technical institute to provide space for student services, telecommunications activities, and general instruction. The total cost of the project must not be more than \$450,000, to be paid entirely from local money. In addition, the state board of vocational technical education may authorize additional capital improvements to the St. Cloud area vocational technical institute. The total cost of the additional improvements must not be more than \$1,150,000 to be paid entirely from local money. The district may transfer money from the post-secondary vocational technical capital expenditure fund to the building construction fund as needed to provide the local money for these projects.

(k) Independent School District No. 625 St. Paul

81,600

This appropriation is to encapsulate asbestos. The total cost of the project must not be more than \$96,000, whether paid from state, local, or federal money.

(l) Independent School District No. 564, Thief River Falls

76,500

This appropriation is to buy an airplane hangar. The total cost of the project must not be more than \$90,000, whether paid from state, local, or federal money.

This appropriation is from the general fund.

(m) Independent School District No. 347, Willmar

The legislature approves construction of an electronics laboratory and classroom addition. The total cost of the project must not be more than \$225,000, to be paid entirely from local money.

#### Sec. 14. COMMUNITY COLLEGES

Subdivision 1. To the commissioner of administration for the purposes specified in the following subdivisions

5,306,700

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

Subd. 2. Itasca Community College	
Prepare working drawings for a library, college center, classroom buildings, and physical education building addition	108,000
Subd. 3. Minneapolis Community College	
Construct fine arts building, demolish Memorial and Moyer Halls, and complete site development	4,462,400
Subd. 4. Systemwide repairs and betterments	736,300

The appropriations in this subdivision are to the community college board.

Notwithstanding Minnesota Statutes, section 16B.24, subdivision 2, the community college board shall supervise and control the making of necessary repairs to all community college buildings and structures during the biennium ending June 30, 1987.

(a) Replace roofs and repair membranes	236,300
(b) Add ventilation and fume hoods in art and chemistry laboratories	100,000

This appropriation is from the general fund.

(c) Automate building energy systems, replace windows, add vestibules, construct connecting links, and convert to district heating	400,000
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This appropriation is from the general fund.

#### Sec. 15. STATE UNIVERSITIES

Subdivision 1. To the State University Board for the purposes specified in the following subdivisions	14,557,700
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Notwithstanding Minnesota Statutes, sections 16B.30 and 16B.31, the state university board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of the state university buildings, structures, and improvements provided for in this section. The state university board shall advertise for bids and award contracts in connection with the improvements, supervise

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and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Plans must be paid for out of this appropriation. The remainder of the appropriation may not be expended until the board has secured suitable plans and specifications, prepared by a competent architect or engineer, and accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this act. The board may not direct or permit an expenditure beyond the appropriation, and an agent of the board violating this provision is guilty of a gross misdemeanor.

The board shall review and report to the governor and the legislature by January 15 of each year on the status of the capital improvement projects in this section and Laws 1984, chapter 597, section 15.

Notwithstanding Minnesota Statutes 1984, section 16B.24, subdivision 2, the state university board shall supervise and control the making of necessary repairs to all state university buildings and structures during the biennium ending June 30, 1987.

Subd. 2. Bemidji Campus		4,287,300
(a) Remodel or replace education and art building	3,816,800	
(b) Replace refrigeration units in fieldhouse	220,500	
(c) Plan recreation facility	250,000	
Subd. 3. Mankato Campus		836,000
(a) Programming, plans, and construction to remodel six laboratories for electrical engineering at Trafton Hall	756,000	

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(b) Programming and plans to remodel Wiecking Center	80,000	
Subd. 4. Moorhead Construct and equip an addition to Livingston Hall Library		3,396,800
Subd. 5. St. Cloud Campus		593,000
(a) Replace all water lines in Math Science Building	273,000	
(b) Programming and plans to remodel Stewart Hall	320,000	
Subd. 6. Winona Campus		2,693,500
(a) Plan, renovate, equip, and furnish Somsen Hall	2,383,500	
This appropriation is added to the appropri- ation for the same project in Laws 1984, chapter 597, section 15, subdivision 7, item (a).		
(b) Phase I Chiller loop system	310,000	
Subd. 7. Systemwide		2,751,100
(a) Replace roofs at Mankato and St. Cloud	782,300	
(b) Remove asbestos at Bemidji and Mankato	1,438,500	
This appropriation is from the general fund.		
(c) Replace transformers and capacitors containing PCB fluids	530,300	
This appropriation is from the general fund.		
Sec. 16. UNIVERSITY OF MIN- NESOTA		
Subdivision 1. To the regents of the University of Minnesota for the purposes specified in the following subdivisions		72,443,000
Subd. 2. Minneapolis Campus		50,800,000
(a) Construct Electrical Engineering and Computer Science Building	42,800,000	

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(b) Remodel Amundson Hall and the Mines and Metallurgy Building	3,000,000
(c) Remodel part of Mayo Building for department of microbiology and school of public health	5,000,000
Subd. 3. St. Paul Campus Construct addition to Green Hall	5,285,000
Subd. 4. Duluth Campus	13,354,000
(a) Construct engineering and technology building	4,154,000
(b) Recreational sports and physical education facilities	9,200,000
This amount is to be matched by at least \$740,000 from nonstate sources.	
Subd. 5. Crookston Campus Improve roads, parking lots, storm sewers, lighting, and signs	553,000
Subd. 6. Northwest Experiment Station Dairy barn and research center	675,000
Subd. 7. Fire and life safety, PCB electrical replacement, asbestos treatment and removal, physical handicapped modifications, and energy projects	1,200,000
This appropriation includes \$30,000 for repair of the air handling system, purchase of a vented incubator, a toxicant gas confinement system and related safety equipment for the environmental pathology laboratory.	
This appropriation is from the general fund.	
Subd. 8. Morris Campus Greenhouse supplement	100,000
This appropriation is added to the appropriation in Laws 1984, chapter 597, section 16, subdivision 4.	
Subd. 9. Waseca Campus Ring Road	476,000

## Sec. 17. CORRECTIONS

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

Subdivision 1. To the commissioner of administration for the purposes specified in the following subdivisions 3,442,000

The appropriations in subdivisions 3 to 6 are from the general fund.

Subd. 2. Minnesota Correctional Facility - Oak Park Heights 2,255,000

The appropriations in this subdivision are from the special revenue account for receipts for housing Wisconsin, federal, and county inmates.

(a) Replace cell door hinges 150,000

(b) Install electric service underground feeder line 150,000

(c) Construct new warehouse and expanded loading dock 1,900,000

(d) Improve staff parking lot 55,000

Subd. 3. Minnesota Correctional Facility - Red Wing 215,000

Repair or replace roofs and gutters on the industrial building, Princeton and Yale cottages, and the vocational welding shop, and tuckpoint the industrial building.

Subd. 4. Minnesota Correctional Facility - St. Cloud 390,000

(a) Replace plumbing in cell house C 110,000

(b) Replace windows in cell houses A and C 130,000

(c) Design and install fire and life safety alarm and sprinkler systems 150,000

Subd. 5. Minnesota Correctional Facility - Stillwater 540,000

(a) OSHA, fire and life safety projects 350,000

(b) Replace wooden floors in industry building numbers 18 and 21 with concrete 190,000

Subd. 6. Thistledeew Camp Incorporate a wood fired boiler into the present heating system for the dormitory 42,000

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## Sec. 18. HUMAN SERVICES

Subdivision 1. To the commissioner of administration for the purposes specified in the following subdivisions 4,805,000

The appropriations in this section are from the general fund.

Subd. 2. Vinland National Center 1,500,000

This appropriation is for a grant to complete the third phase of construction of the center.

Subd. 3. Floor Covering 400,000

This appropriation is limited to projects for carpeting or alternative floor coverings at state hospitals in Brainerd, Cambridge, Faribault, Fergus Falls, Moose Lake, St. Peter, and Willmar.

Subd. 4. Facility Repair and Life Safety Projects 1,485,000

(a) Roof repair and replacement at state hospitals in Brainerd, Cambridge, and St. Peter, and Ah-Gwah-Ching state nursing home 355,000

(b) Road and parking lot repair at Ah-Gwah-Ching and Oak Terrace state nursing homes and state hospitals in Fergus Falls, Moose Lake, St. Peter, and Willmar 480,000

(c) Replace electrical equipment at Faribault state hospital 165,000

(d) Replace water treatment equipment at Ah-Gwah-Ching state nursing home and state hospitals in Faribault and Fergus Falls 130,000

(e) Replace water and condensate pipes in building number 1 at Brainerd state hospital 290,000

(f) Repair, insulate, and provide a finish coat to the exterior walls of the water treatment building at the Ah-Gwah-Ching state nursing home 65,000

Subd. 5. Energy Conservation 300,000

(a) Furnish and install a high/low steam

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boiler in the Faribault state hospital	180,000	
(b) Replace all the windows in cottages numbers 15 and 16 at Willmar state hospital	120,000	
Subd. 6. Program Improvement and Expansion		1,120,000
(a) St. Peter state hospital Air condition Shantz Hall	300,000	
(b) Resident furniture - systemwide	500,000	
(c) Remodel bathrooms at the Ah-Gwah-Ching and Oak Terrace state nursing homes and Fergus Falls state hospital	320,000	
Sec. 19. EXCHANGE OF CERTAIN OUTSTANDING BONDS		6,300,000

The commissioner of finance may purchase from their holders \$6,300,000 principal amount of general obligation bonds of the state dated August 1, 1981, maturing on August 1, 2000, and August 1, 2001. The purchase may be made with money on hand in the state bond fund, or by the delivery to the holders of outstanding state general obligation bonds of like principal amount, maturity and interest rate, and cash in an amount not exceeding two percent of the principal amount of the bonds. The commissioner may issue state general obligation bonds for this purpose, and \$126,000 of the money appropriated for transfer from the state general fund to the state bond fund by Laws 1983, chapter 301, section 47, is appropriated for this purpose. Except as specified in this subdivision, bonds issued under this subdivision must contain the terms provided by the commissioner's order authorizing their issuance. Outstanding bonds purchased under this section must be canceled, and money previously appropriated and required to be transferred to the state bond fund for payment of the outstanding bonds must, after the date of purchase, be used to pay the principal of and interest on bonds issued under this subdivision and are appro-

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priated to the state bond fund for this purpose.

**Sec. 20. BOND SALE EXPENSES**

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8

175,500

**Sec. 21. BOND SALE; DEBT SERVICE.**

Subdivision 1. BUILDING FUND. To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$154,865,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. WASTE MANAGEMENT FUND. To provide the money appropriated in this act from the waste management fund, the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$11,400,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.641 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 3. TRANSPORTATION FUND. To provide the money appropriated in this act from the state transportation fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$2,035,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 174.50 and 174.51, and by the Minnesota Constitution, article XI, sections 4 to 7.

**Sec. 22. CONSULTATION REQUIRED.**

No land shall be purchased and no buildings shall be purchased, constructed, or erected on lands of the University of Minnesota 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 are advisory only.

**Sec. 23. REVIEW OF PLANS.**

Subdivision 1. The commissioner of administration, the commissioner of transportation, the state university board, and the board of regents of the University of Minnesota shall not prepare final plans and specifications for any construction or major remodeling authorized by this act until the using agency or department has presented the program and schematic plans and cost estimates for all elements necessary to complete the project to the chairman of the house appropriations committee and the chairman of the senate finance committee and

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the chairmen have made their recommendations thereon. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Subd. 2. A school district, intermediate district, or joint vocational technical district may not authorize capital improvements authorized by this act until the state director has reviewed the final plans, specifications, and cost estimates and made recommendations on them.

#### Sec. 24. **APPROPRIATIONS FOR CONSTRUCTION; TRANSFER.**

Upon the awarding of final contracts for the completion of a project for construction or other permanent improvement authorized by this act, or upon the abandonment of the project, the commissioners of administration and transportation, the state board of vocational technical education, the state university board, and the board of regents of the University of Minnesota as to appropriations made to them may transfer any unencumbered balance in the project account to another project enumerated in the same section of the appropriation act as the project about to be completed or abandoned. The transfer must only be made to cover bids for the other project that were higher than was estimated when the appropriation for the other project was made and not to cover an expansion of the project. The money transferred under this section is appropriated for the purposes for which transferred. For transfers by the state board of vocational technical education, the total cost of both projects and the required local share for both projects are adjusted accordingly. The commissioners and boards shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee before a transfer is made under this section.

#### Sec. 25. **APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST.**

The commissioner of administration, the commissioner of transportation, the state university board, 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 may be made only after the commissioner of administration, the commissioner of transportation, the state university board, and the board of regents, as appropriate, 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 are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

#### Sec. 26. **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,

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acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings must be under Minnesota Statutes, chapter 117.

**Sec. 27. APPROPRIATION REDUCTIONS AND CANCELLATIONS.**

The appropriation in Laws 1979, chapter 300, section 4, subdivision 4, for loans to local governments for dam safety projects is reduced by \$511,000. The appropriation in Laws 1981, chapter 361, section 5, item (a), to remodel the main historical building for microfilming operations, in the amount of \$45,000, is canceled. The appropriation in Laws 1983, chapter 344, section 13, item (b), to install humidity controls in the historical society building, in the amount of \$40,000, is canceled. The appropriation in Laws 1984, chapter 597, section 14, subdivision 4, to construct a classroom, library, college center, and plan for a fine arts building at Minneapolis community college, is reduced by \$767,500.

**Sec. 28. BUILDING FUND APPROPRIATION; TRANSFER.**

Subdivision 1. Notwithstanding any law to the contrary, the commissioner of administration may transfer unencumbered balances existing on May 30, 1985, in a project account for the building fund appropriations listed in subdivision 2 to any other project enumerated in Laws 1983, chapter 344, section 2. The money transferred under this section is appropriated for the purposes for which it is transferred. The commissioner must report to the chairmen of the house appropriations committee and the senate finance committee on any transfer made under this section.

Subd. 2. Subdivision 1 applies to appropriations made by the following laws: Laws 1978, chapter 792, section 2, subdivision 3, and section 7, item (a); Laws 1979, chapter 338, section 3, item (c); Laws 1981, chapter 4, section 2, subdivisions 2 and 8, and section 5, subdivision 2; chapter 334, section 11, subdivision 2; chapter 361, section 2, items (c), (d), (e), (g), and (h); and chapter 362, section 3, subdivision 3; Laws 1983, chapter 344, section 2, item (e), section 8, subdivision 2, item (c), subdivisions 3 and 6, section 11, subdivision 4, item (b), and section 12, subdivision 2, item (b); and Laws 1984, chapter 597, section 3, subdivision 3, item (f), and subdivision 5, item (e), and section 17, subdivision 2, item (a).

**Sec. 29. GOVERNMENT SERVICES CENTER APPROPRIATION; TRANSFER.**

By July 15, 1985, the commissioner of administration shall certify the balance of the appropriation for the Duluth government services center made in Laws 1978, chapter 792, section 5, item (b), that is no longer required for the completion of the project. The amount certified by the commissioner is transferred and added to the appropriation made in Laws 1984, chapter 597, section 3, subdivision 5, item (d), for the completion of the Brainerd consolidated government services center.

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**Sec. 30. BOND SALE DEFERRED.**

The commissioner of finance shall defer beyond the 1985-1987 biennium the sale of \$5,000,000 of district heating bonds previously planned to be sold during the 1985-1987 biennium.

Sec. 31. Minnesota Statutes 1984, section 15.50, subdivision 2, is amended to read:

Subd. 2. (a) The board 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 the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street to the ~~north~~ south line of the right-of-way of Interstate Highway 94, thence easterly along the said north south line to the centerline of John Ireland Boulevard, thence southwesterly along the centerline of John Ireland Boulevard to the centerline of the junction of Dayton Avenue, Kellogg Boulevard, and Summit Avenue, thence easterly along the centerline of Summit Avenue to the centerline of Sixth Street, thence southeasterly along the centerline of Sixth Street to the centerline of College Avenue, thence northeasterly along the centerline of College Avenue extended to the centerline of Rice Street, thence northwesterly along the centerline of Rice Street to the centerline of Summit Avenue, thence northerly along a line extended to the north line of the right-of-way of Interstate Highway 94, thence easterly along the north line to the centerline of Cedar Avenue Street, thence southeasterly along the centerline of Cedar Avenue Street to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin. Pursuant to the comprehensive plan, or any portion thereof, the board may regulate, by means of zoning regulations adopted pursuant to the administrative procedure act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. To protect and enhance the dignity, beauty and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area significantly affecting the dignity, beauty and architectural integrity of the area. No person shall undertake these construction activities as defined in the board's rules in the capitol area unless he has first submitted construction plans to the board, obtained a zoning permit from the

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board and received a written certification from the board specifying that he has complied with all design review procedures and standards. Violation of the zoning regulations is a misdemeanor. The board may, at its option, proceed to abate any violation by injunction. The board and the city of St. Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. He shall make studies and report the results to the board 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 the exterior or interior design of any proposed new public building the plans for which were secured by competition under clause (e), may be made without the prior consent of the board. The commissioner of administration shall consult with the board 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 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 board.

(e) The board shall secure by competitions, plans for any new public building. Plans for any comprehensive plan, landscaping scheme, 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 board and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected shall become the property of the state of Minnesota and the board 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 board, plans for projects estimated to cost less than \$1,000,000 may be approved without competition provided such plans have been considered by the advisory committee described in clause (f). Plans for projects estimated to cost less than \$400,000 and for

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construction of streets need not be considered by the advisory committee if in conformity with the comprehensive plan.

(f) The board shall not adopt any plan under clause (e) unless it first receives the comments and criticism of an advisory committee of three persons, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. Members of the committee shall not be contestants under clause (e). The comments and criticism shall be a matter of public information. The committee shall advise the board on all architectural and planning matters. For that purpose:

(1) The 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 commissioner of administration, the commissioner of energy and economic development, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the board 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 board promptly upon completion;

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

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

(4) The city of St. Paul shall advise the board.

(g) The comprehensive plan for the area shall be developed and maintained in close cooperation with the commissioner of energy and economic development and the planning department and the council for the city of Saint Paul and the board of the arts, and no such plan or amendment thereof shall be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts.

(h) The board and the commissioner of administration jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. Pursuant to this power, the board shall consult with the director of the Minnesota state historical society and receive his advice regarding the historic fidelity of plans for the capitol building. The standards and policies developed as herein provided shall be binding upon the commissioner of administration. The provisions of sections 14.02, 14.04 to 14.36, 14.38, and 14.44 to 14.45 shall not apply to this clause.

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(i) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program.

(j) The state shall, by the attorney general upon the recommendation of the board and within appropriations available for that purpose, acquire by gift, purchase or eminent domain proceedings any 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 it is needed for future expansion or beautification of the area.

(k) The board 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.

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

(m) The commissioner of administration 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. 32. Minnesota Statutes 1984, section 115A.49, is amended to read:

**115A.49 ESTABLISHMENT; PURPOSES AND PRIORITIES.**

There is established a ~~solid waste management demonstration~~ program to encourage and assist cities, counties, and solid waste management districts in the development and implementation of solid waste management projects of ~~potential state wide application or significance~~ and to transfer the knowledge and experience gained from such projects to other communities in the state. The program ~~shall must~~ be administered so as to ~~demonstrate the application of~~ encourage local communities to develop feasible and prudent alternatives to disposal, including waste reduction; waste separation by generators, collectors, and other persons; and waste processing. The program ~~shall must~~ be administered by the agency and the board in accordance with the requirements of sections 115A.49 to 115A.54 and rules promulgated by the agency and the board pursuant to chapter 14. In administering the program, the agency and the board shall give priority to

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areas where natural geologic and soil conditions are unsuitable for land disposal of solid waste and; areas where the capacity of existing solid waste disposal facilities is determined by the agency or the board to be less than five years. ~~In areas outside the metropolitan area, the agency and the board shall also give priority to; and~~ projects serving more than one local government unit.

Sec. 33. Minnesota Statutes 1984, section 115A.52, is amended to read:

**115A.52 TECHNICAL ASSISTANCE FOR DEMONSTRATION PROJECTS.**

The agency and the board shall ensure the delivery of the technical assistance necessary for proper implementation of each ~~demonstration~~ project funded under the program. The agency and the board may contract for the delivery of technical assistance by any state or federal agency, a regional development commission, the metropolitan council, or private consultants and may use program funds to reimburse the agency, commission, council, or consultants. The agency and the board shall prepare and publish an inventory of sources of technical assistance, including studies, publications, agencies, and persons available. The agency and the board shall ensure statewide benefit from projects assisted under the ~~demonstration~~ program by developing exchange and training programs for local officials and employees and by using the experience gained in ~~demonstration~~ projects to provide technical assistance and education for other solid waste management projects in the state.

Sec. 34. Minnesota Statutes 1984, section 115A.54, is amended by adding a subdivision to read:

Subd. 2a. SOLID WASTE MANAGEMENT PROJECTS. The board shall provide technical and financial assistance for the acquisition and betterment of solid waste management projects as provided in this subdivision and section 115A.52. The purpose of this program is to demonstrate whether an ongoing state capital assistance program to assist local development of feasible and prudent alternatives to disposal is an appropriate and desirable method to further state waste management policies. Money appropriated for the purposes of this subdivision must be distributed as grants. A project may receive grant assistance up to 25 percent of the capital cost of the project or \$2,000,000, whichever is less. Projects that are awarded assistance by the board pursuant to applications submitted under sections 115A.49 to 115A.54 before July 1, 1985, are eligible for additional assistance under this subdivision, but a project may not receive a total amount of grant assistance in excess of the limits specified in this subdivision. Projects without resource recovery are not eligible for assistance. In addition to the application requirements of section 115A.51, an application for a project serving eligible jurisdictions in only a single county must demonstrate that cooperation with jurisdictions in other counties to develop the project is not needed or not feasible. Each application must also demonstrate that:

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(1) if the project is a resource recovery facility that is burning waste, or converting waste to energy or to materials for combustion, and is owned or operated by a public agency or supported by public money or by obligations issued by a public agency, it will not accept recyclable materials except for transfer to a recycler; and

(2) the project is not financially feasible without the state assistance, because of the applicant's financial capacity and the problems inherent in the waste management situation in the area, particularly transportation distances and limited waste supply and markets for resources recovered.

For the purposes of this subdivision, a "project" means a processing facility, together with any transfer stations, transmission facilities, and other related and appurtenant facilities primarily serving the processing facility. The board shall adopt rules for the program by July 1, 1985.

#### Sec. 35. REPORT.

By January 1, 1987, the waste management board shall report to the legislative commission on waste management on the results of the solid waste management projects for which grants have been made under this act and any findings or recommendations of the board about the type and level of financing needed, local planning costs, methods of assisting the private sector in developing and operating facilities, and other similar matters of program design and administration.

#### Sec. 36. DULUTH STATE CONVENTION CENTER.

Subdivision 1. BOARD. The Duluth arena-auditorium administrative board created by Laws 1963, chapter 305, is renamed the Duluth state convention center administrative board. In addition to the members otherwise appointed to the board under Laws 1963, chapter 305, the governor shall appoint four members of the board to serve at his pleasure.

Subd. 2. CONVENTION CENTER. The board shall select a specific site within the city of Duluth for location of a national class state convention center, and may spend money appropriated, or otherwise available to it for that purpose, to acquire property for the center and to plan, design, construct, equip, and furnish the center. The board shall administer, promote, and operate the center as a state facility, but for which the state assumes no financial responsibility or liability beyond the amounts appropriated for the facility, and for those purposes has the same general powers that it possesses under Laws 1963, chapter 305, with respect to the administration, promotion, and operation of the municipal facility.

Subd. 3. REPORT. The board shall annually submit to the governor and the legislature a report detailing its activities and finances for the previous year. The report shall also include a proposed budget for the succeeding two

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years, showing in reasonable detail estimated operating and nonoperating revenues from all sources, and estimated expenditures for operation, administration, ordinary repair, and debt service.

Subd. 4. AUDIT. The legislative auditor shall make an annual audit of the board's books and accounts once each year or as often as the legislative auditor's funds and personnel permit.

Subd. 5. LOCAL APPROVAL. This section is effective the day after the Duluth city council complies with Minnesota Statutes, section 645.021, subdivision 3.

#### Sec. 37. LAKE OF THE WOODS JETTIES.

Subdivision 1. AUTHORIZATION. The county board of commissioners of Lake of the Woods county may, by resolution, issue and sell general obligation bonds of the county in an amount not to exceed \$300,000 to acquire and construct jetties and related public improvements in Zippel Bay. The county shall pledge its full faith and credit to the payment of the bonds. The bonds shall be issued in accordance with Minnesota Statutes, chapter 475, except that an election shall not be required and the bonds shall not otherwise be subject to the requirements of sections 475.57 to 475.59 or the net debt limitations of section 475.53.

Subd. 2. SPECIAL ASSESSMENTS. The county board of commissioners shall levy special assessments against all property in the county determined by the board to be benefited by the improvements in amounts sufficient to pay all costs and expenses of the improvements and shall pledge the special assessments to the payment of the principal of and interest on any bonds issued to finance the costs of the improvements.

Subd. 3. PROCEDURE. To assist in the determination of the amount to be specially assessed against the property benefitted by the improvements, the county board of commissioners shall appoint three disinterested resident freeholders of the county to act as viewers. The viewers shall determine the benefits to the property affected by the improvements in accordance with Minnesota Statutes, section 106.151. Upon the filing of the viewers' report with the county auditor, the county board shall hold a public hearing on the proposed assessments in accordance with Minnesota Statutes, section 429.061. Any further action necessary to make the assessments a valid and binding lien on the property shall be held and conducted in accordance with Minnesota Statutes, sections 429.061 and 429.071. Any person aggrieved by the adoption of the assessments may appeal to the district court in accordance with Minnesota Statutes, section 429.081.

#### Sec. 38. EFFECTIVE DATE.

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

Sections 1 to 36 are effective the day following final enactment. Section 37 takes effect the day after the filing of a certificate of local approval by the Lake of the Woods county board of commissioners in compliance with Minnesota Statutes, section 645.021, subdivision 3.

Approved June 28, 1985

## CHAPTER 16 — S.F.No. 25

*An act relating to statutes; conforming various laws to judicial decisions of unconstitutionality and suggestions for clarity; correcting various legislative enactments; amending Minnesota Statutes 1984, sections 3.736, subdivision 3; 47.20, subdivision 15, as amended; 49.05, subdivision 6, if added; 60A.11, subdivision 21; 121.912, if amended; 152.19, subdivision 5, as amended; 160.25, subdivision 3, as amended; 164.06, as amended; 181.13; 290.01, subdivision 20f; 290.091; 365.37, as amended; 429.061, subdivision 1; 444.075, subdivisions 1, as amended, and 1a, as added; 559.21, subdivision 6, as amended; 580.031, as amended; 609.531, subdivision 6, as amended; and 631.09; Laws 1979, chapter 280, section 2, subdivision 2, as amended; Laws 1984, chapter 502, article 9, section 5; Laws 1985, chapters 37, section 2; 152, section 1, subdivision 1; 172, sections 74, subdivisions 4, 5, and 7; 80, by adding a subdivision; 217, section 7; 225, section 1, subdivision 2; 259, sections 6 and 8; 261, sections 31 and 38; and 305, article 12, section 5; House File Nos. 3, article 3, section 28, subdivisions 2, if enacted, and 4, if enacted; article 5, section 1, subdivision 6, if enacted; article 8, section 63, subdivision 3, if enacted and section 66, if enacted; article 11, section 3, subdivision 1, if enacted; section 21, subdivision 3, if enacted; section 23, subdivision 2, if enacted; 10, article 9, section 77, if enacted; 16, and section 37, subdivision 1, of the first special session; repealing Minnesota Statutes 1984, section 15A.081, subdivision 7a, if added; Laws 1985, chapters 102, section 2; 248, section 85; House File Nos. 5, section 13, if enacted; and 16, section 230, of the first special session.*

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

### ARTICLE 1 CONFORMITY

Section 1. Minnesota Statutes 1984, section 3.736, subdivision 3, is amended to read:

Subd. 3. **EXCLUSIONS.** Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:

(a) Any loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or regulation;

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