

(b) Minnesota Rules, parts 9525.1210, subparts 11 and 12; 9525.1230, subpart 2; 9525.1260; 9525.1270; 9525.1280; and 9525.1310, are repealed.

Sec. 23. **EFFECTIVE DATE.**

Except as otherwise provided in section 14, sections 1 to 21 are effective the day following final enactment. The rates established under section 14, subdivision 11, are effective January 1, 1989. Except as specifically repealed by this act, the provisions of Minnesota Rules, parts 9525.1200 to 9525.1330 remain in effect until amended or repealed by the commissioner.

Approved June 12, 1987

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**CHAPTER 404—H.F.No. 1315**

*An act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government; providing for the transfer of certain money in the state treasury; fixing and limiting the amount of fees, penalties, and other costs to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; defining and amending terms; providing for settlement of claims; imposing certain duties, responsibilities, authority, and limitations on agencies and political subdivisions; amending Minnesota Statutes 1986, section 2.722, subdivision 1; 3.30, subdivision 2; 3.303, subdivision 5; 3.85, subdivision 12; 3C.035, subdivisions 1 and 2; 3C.11, subdivision 2; 3C.12, subdivision 7; 8.15; 14.08; 14.26; 15A.081, subdivisions 1, 7, and 7b; 15A.083, subdivision 4; 16A.127, subdivision 8; 16A.85, by adding a subdivision; 16B.20, subdivision 2; 16B.41; 16B.42, subdivision 4; 18.171, subdivisions 1, 5, and by adding a subdivision; 18.241, subdivision 2; 18.291; 18.311; 69.021, subdivision 5; 84.01, subdivision 3; 84.0272; 84.091, subdivision 3; 84.83, subdivision 3; 85.30; 85.41; 85.42; 85.43; 85.45; 85A.02, subdivision 5a; 85A.04, subdivision 1; 88.065; 92.46, subdivision 1; 92.67, subdivisions 1, 3, 4, and by adding a subdivision; 93.335, subdivision 4; 97A.061, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivision 1; 97A.445, subdivision 1; 97A.475, subdivisions 2, 3, 6, 7, 8, 9, 11, 12, 13, and 20; 97A.485, subdivision 6; 97C.211, by adding a subdivision; 115A.42; 115A.44; 115A.45; 115A.46, subdivision 1; 115A.49; 115A.51; 115A.52; 115A.53; 115A.917; 116.41, subdivision 2; 116C.712, by adding a subdivision; 161.1419, subdivision 4; 168.012, subdivision 1c; 175A.07, subdivision 2; 176.611, subdivisions 2, 6a, and by adding a subdivision; 197.481, subdivision 5; 204B.11, subdivision 1; 214.04, subdivision 3; 221.67; 271.01, by adding a subdivision; 273.1314, subdivision 16a; 296.16, subdivision 1; 296.421, subdivision 5; 298.22, subdivision 1; 302A.011, subdivision 11; 302A.153; 303.07, subdivision 2; 303.13, subdivision 1; 303.21, subdivision 3; 317.67, subdivisions 2 and 3; 322A.16; 322A.71; 330.11, subdivision 3; 333.055, subdivision 3; 403.11, subdivision 1; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; 473.351, by adding a subdivision; 480.15, by adding a subdivision; 480.241; 480A.08, subdivision 3; 484.68, subdivisions 3 and 5; 540.152; 543.08; 609.101; 626.861, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 3; 5; 16A; 18; 43A; 84; 86; 89; 93; 97A; 97C; 115A; 480; 481; and 484; repealing Minnesota Statutes 1986, sections 3.099, subdivision 2; 3.9226,*

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

*subdivision 8; 6.495, subdivision 2; 15A.081, subdivision 6; 15A.082, subdivision 5; 15A.083, subdivision 1; 92.67, subdivision 6; 116J.87; 296.421, subdivision 5a; and 473.351, subdivision 5.*

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

Section 1. STATE DEPARTMENTS; APPROPRIATIONS.

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1987," "1988," and "1989," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1987, June 30, 1988, or June 30, 1989, respectively.

SUMMARY BY FUND

	1987	1988	1989	TOTAL
General	\$3,325,900	\$327,120,700	\$341,020,700	\$671,467,300
Special Revenue	395,000	57,391,400	57,060,300	114,846,700
Game and Fish		37,832,700	39,108,200	76,940,900
Trunk Highway	284,800	6,240,000	6,035,000	12,559,800
Highway User		1,887,100	1,787,100	3,674,200
Workers' Comp.	18,300	11,826,800	11,561,400	23,388,200
Environmental		4,078,900	4,071,100	8,150,000
Metro Landfill				
Abatement		1,134,000	1,134,000	2,268,000
Metro Landfill				
Contingency		670,000	170,000	840,000
Minnesota Resources		7,951,700	7,964,500	15,916,200
Motor Vehicle				
Transfer		1,675,400	1,210,400	2,885,800
Water Pollution				
Control		5,386,800	6,694,800	12,081,600
Transfers to Other				
Direct	( 395,000)	(5,068,300)	(4,765,200)	(9,833,500)
TOTAL	\$3,629,000	\$458,127,200	\$473,052,300	\$934,808,500

APPROPRIATIONS  
Available for the Year  
Ending June 30  
1988                      1989

Sec. 2. LEGISLATURE  
Subdivision 1. Total for  
this section                      \$33,556,500                      \$36,004,800

Summary by Fund  
General                      \$33,529,000                      \$35,982,100  
Trunk Highway                      \$ 27,500                      \$ 22,700

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

Subd. 2. Senate	11,647,000	12,600,800
Subd. 3. House of Representatives	14,737,000	16,036,000
Subd. 4. Legislative Coordinating Commission	4,230,200	4,399,700
Summary by Fund		
General	\$ 4,202,700	\$ 4,377,000
Trunk Highway	\$ 27,500	\$ 22,700

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Legislative Reference Library

1988	1989
\$ 727,700	\$ 757,000

(b) Revisor of Statutes

\$1,982,900	\$2,036,200
-------------	-------------

In addition to the appropriations in this section, the commissioner of finance shall transfer money from the general fund salary supplement appropriation to the revisor's account for employees of the revisor's office. The amount transferred must be for the same percentage of the revisor's total payroll as for similar agencies in the executive branch.

The revisor of statutes must reindex Minnesota Statutes over a period of about eight years.

(c) Legislative Commission on the

Economic Status of Women

\$ 123,500	\$ 130,300
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(d) Legislative Commission on

Employee Relations

\$ 95,800	\$ 96,200
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(e) Great Lakes Commission

\$ 37,200	\$ 42,200
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(f) Legislative Commission on Pensions and Retirement

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

\$ 555,600                      \$ 563,700

(g) Legislative Commission to Review  
Administrative Rules

\$ 117,800                      \$ 122,700

(h) Legislative Commission on Waste  
Management

\$ 113,500                      \$ 118,600

(i) Legislative Committee on  
Planning and Fiscal Policy

\$ 100,000                      \$ 100,000

(j) Mississippi River Parkway Commis-  
sion

\$ 27,500                      \$ 22,700

This appropriation is from the trunk high-  
way fund.

(k) Legislative Coordinating Commis-  
sion -

General Support

\$ 348,700                      \$ 410,100

\$50,000 the first year and \$50,000 the second year are reserved for unanticipated costs of agencies in this subdivision and subdivision 5. The legislative coordinating commission may transfer necessary amounts from this appropriation to the appropriations of the agencies concerned, and the amounts transferred are appropriated to those agencies to be spent by them. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$70,200 the first year and \$74,400 the second year are for the state contribution to the national conference of state legislatures.

\$61,600 the first year and \$65,300 the second year are for the state contribution to the Council of State Governments.

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

## Subd. 5. Legislative Audit

Commission	2,942,200	2,968,300
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The amounts that may be spent from this appropriation for each activity are as follows:

## (a) Legislative Audit Commission

\$ 15,000	\$ 15,500
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## (b) Legislative Auditor

\$2,927,200	\$2,952,800
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## Sec. 3. SUPREME COURT

## Subdivision 1. Total

Appropriation	8,862,700	9,003,600
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	Summary by Fund	
General	\$ 6,299,900	\$ 6,308,000
Special Revenue	\$ 2,562,800	\$ 2,695,600

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

## Subd. 2. Supreme Court

## Operations

## Total Appropriation

\$2,594,900	\$2,552,400
-------------	-------------

\$2,100 the first year and \$2,200 the second year are for a contingent account for expenses necessary for the normal operation of the court for which no other reimbursement is provided.

\$50,000 is available to the supreme court to study gender bias throughout the state judicial system and to prepare a report for the chair of the house appropriations committee and the chair of the senate finance committee by June 30, 1989.

## Subd. 3. Legal Services Surcharge

## Grant

\$2,562,800	\$2,695,600
-------------	-------------

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

These appropriations are from the legal services account in the special revenue fund for legal services to low-income clients, family farm legal assistance, and improvement of court information systems. Any unencumbered balance remaining of the legal services appropriation in the first year does not cancel but is available for the second year of the biennium.

Of the filing fee surcharge collected under Minnesota Statutes, section 480.241, one-half of the amount is available for legal services programs and clients under Minnesota Statutes, sections 480.242 and 480.243. Of the other half of the surcharge collected, \$850,000 in fiscal year 1988 and \$850,000 in fiscal year 1989 is available for family farm legal assistance under Minnesota Statutes, section 480.250, and the remaining balance must be transferred to the software sales account.

Subd. 4. State Court Administrator

\$2,981,800	\$3,007,300
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\$22,400 the first year and \$53,700 the second year are for allocated costs of the revisor of statutes. If these amounts are to be unallotted or otherwise reduced for reasons relating to budget shortfalls, the reduction may not exceed the average of the reduction for all state agencies.

Subd. 5. State Law Library

\$ 723,200	\$ 748,300
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Sec. 4. COURT OF APPEALS	3,469,200	3,434,000
Sec. 5. TRIAL COURTS	17,935,400	18,244,200
Sec. 6. BOARD ON JUDICIAL STANDARDS	154,800	154,700
Approved Complement - 2		
Sec. 7. BOARD OF PUBLIC DEFENSE	2,261,200	2,510,400

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

## Approved Complement - 29

Of this appropriation, \$239,300 the first year and \$478,700 the second year are for the purpose of providing legal services to the indigent residents of distressed counties as defined under Minnesota Statutes, section 297A.257.

During the biennium, legal assistance to Minnesota prisoners shall serve the civil legal needs of persons confined to state institutions.

None of this appropriation shall be used to pay for lawsuits against public agencies or public officials to change social or public policy.

## Sec. 8. GOVERNOR

2,365,500

2,374,100

The amounts that may be spent for each activity are as follows:

\$20,000 the first year and \$20,000 the second year are for personal expenses connected with the office of the governor.

\$78,800 the first year and \$84,300 the second year are for membership dues of the national governors association.

## Sec. 9. LIEUTENANT GOVERNOR

275,900

276,600

## Sec. 10. SECRETARY OF STATE

## Subdivision 1. Total

Appropriation	1988	1989		
Approved Complement -	52.5	47.5		

1,916,700

2,088,100

The appropriations in this section are from the special revenue fund.

The amounts that may be spent from this appropriation for each activity are specified in the following subdivisions.

## Subd. 2. Elections and Publications

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

\$ 264,300	\$ 540,900		
Subd. 3. Uniform Commercial Code			
\$ 182,000	\$ 168,500		
Subd. 4. Business Services			
\$ 780,500	\$ 768,400		
Subd. 5. Administration			
\$ 354,500	\$ 357,300		
Subd. 6. Fiscal Operations			
\$ 141,600	\$ 140,500		
Subd. 7. Data Services			
\$ 193,800	\$ 112,500		
Sec. 11. STATE AUDITOR		547,500	547,100

Approved Complement - 124.0

General - 9.5

Revolving - 114.5

\$77,300 the first year and \$77,300 the second year are for an account the auditor may bill for costs associated with conducting single audits of federal funds. During the biennium, this account may be used only when no other billing mechanism is feasible.

During the biennium ending June 30, 1989, the commissioner of finance shall not approve any rate increase for the state auditor beyond those in effect on January 1, 1987, except for adjustments necessitated by salary increases, indirect cost assessments, and other verifiably escalating expenses associated with performing their reimbursable audits.

\$218,100 the first year and \$217,900 the second year must be subtracted from the amount that would otherwise be payable as local government aid under Minnesota Statutes, chapter 477A, in order

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



to fund the government information division, and the parts of the constitutional office that are related to the government information function.

\$80,000 the first year and \$80,000 the second year must be subtracted from the total police and fire state aid otherwise payable to police and fire relief associations pursuant to Minnesota Statutes, sections 69.011 to 69.051 and deposited into the state auditor's revolving fund for the costs and expenses incurred by the state auditor in making review of the audits and examinations of relief associations. The amount of \$80,000 the first year and \$80,000 the second year to be subtracted out of the police state aid and the firefighters' state aid shall be divided proportionally according to the total estimated costs of the audits or examinations of the police and firefighters' relief associations as determined by the state auditor.

\$22,500 the first year and \$22,500 the second year for the costs and expenses of the central office staff attached to the constitutional office function shall be paid for from the audit practice revolving fund.

Sec. 12. STATE TREASURER	513,900	512,600
Approved Complement - 12		
Sec. 13. ATTORNEY GENERAL		
Subdivision 1. Total		
Appropriation	17,944,700	17,836,900
Approved Complement - 347.5		
General - 313.8		
Federal - 6.7		
Special Revenue - 18		
Environmental - 9		

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

## Summary by Fund

General	\$15,354,500	\$15,246,700
Special Revenue	\$ 840,000	\$ 840,000
Environmental	\$ 1,500,000	\$ 1,500,000

The amounts that may be spent from this appropriation for each activity are specified in the following subdivisions.

## Subd. 2. Public Administration

\$1,366,600	\$1,354,300
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## Subd. 3. Public Resources

\$4,988,300	\$5,000,600
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## Summary by Fund

General	\$ 3,488,300	\$ 3,500,600
Environmental	\$ 1,500,000	\$ 1,500,000

\$500,000 the first year is appropriated from the environmental response, compensation, and compliance fund for the regional groundwater contamination litigation at the Twin Cities Army Ammunition Plant (TCAAP). The pollution control agency shall make transfers from the unencumbered balances of its environmental fund appropriations to reimburse the attorney general's litigation account when obligations to the account have been paid. \$1,000,000 the first year and \$1,500,000 the second year are available to reimburse the attorney general litigation account. This appropriation is available until the state reaches a signed agreement with the defendants and closes the case or until the appropriation is spent. When the case is closed, unliquidated balances from the attorney general's appropriation must be transferred back to the pollution control agency for all other activities authorized in Minnesota Statutes, section 115B.20, subdivision 2. The complement of the attorney general is increased by nine positions for the purpose of this lawsuit. These are not permanent complement positions of the agency; when the lawsuit is over, the complement is reduced.

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

## Subd. 4. Public Assistance

\$2,620,400	\$2,621,300	
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## Summary by Fund

	1988	1989
General	\$ 1,780,400	\$ 1,781,300
Special Revenue	\$ 840,000	840,000

## Subd. 5. Public Protection

\$4,697,200	\$4,690,000
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## Subd. 6. Legal Policy and

## Administration

\$4,272,200	\$4,170,700
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\$50,000 the first year and \$50,000 the second year are for a special account for unanticipated legal expenses. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

## Subd. 7. Base Adjustment

\$ (250,200)	\$ (250,200)
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The adjustment in the budgetary base from the "same" level may be reallocated among the department's general fund appropriations as determined by the department head.

Sec. 14. INVESTMENT BOARD	1,602,300	1,600,600
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## Approved Complement - 25

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The state board of investment shall conduct a study and report to the legislature by January 15, 1988, on how to improve the selection of the state's external stock and bond managers in order to reduce management costs and improve the net return on the state's invested funds.

Sec. 15. ADMINISTRATIVE HEARINGS	2,940,700	2,782,400
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 70.5

Revolving - 18.5

Workers' Compensation - 52

This appropriation is from the workers' compensation special compensation fund for considering workers' compensation claims.

The approved complement of the office shall be reduced by four workers' compensation judges and two workers' compensation support staff when the commissioner of finance determines that the office can reasonably hold a hearing within six months of the date when a claim petition is filed with the department of labor and industry.

#### Sec. 16. ADMINISTRATION

##### Subdivision 1. Total

Appropriation		21,413,200	20,997,700
	1988	1989	
Approved Complement -	843.1	842.1	
General -	196.6	195.6	
Special Revenue -	43.6	43.6	
Gift -	1	1	
Revolving -	601.9	601.9	
	Summary by Fund		
General	\$16,193,100	\$15,844,100	
Special Revenue	\$ 5,220,100	\$ 5,153,600	

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

##### Subd. 2. Operations Management

\$3,665,400                      \$3,483,000

The commissioner shall report to the legislature by January 1, 1988, on whether bonding requirements applicable to small businesses are an impediment to those businesses in obtaining state contracts. If the bonding requirements are found to be impediments to obtaining state con-

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tracts, the commissioner shall also include in the report proposals for altering the bonding requirements to alleviate the impediments.

\$7,200 the first year is for transfer to the central motor pool fund for the commissioner of administration to conduct a test of the use of permanent synthetic motor oil in state vehicles.

Subd. 3. Information Management

\$6,166,300	\$6,060,200	
	Summary by Fund	
General	\$ 2,399,400	\$ 2,381,500
Special Revenue	\$ 3,766,900	\$ 3,668,700

The appropriation from the special revenue fund is for recurring costs of 911 emergency telephone service.

The commissioner shall study the placement of the office of information systems management within the executive branch and make recommendations to the legislature. The recommendations must be submitted by January 15, 1988.

\$201,100 the first year and \$205,800 the second year must be subtracted from the amount that would otherwise be payable to local government aid under Minnesota Statutes, chapter 477A, in order to fund the local government records program and the intergovernmental information systems activity.

The commissioner shall use the authority under Minnesota Statutes, section 16B.48, subdivision 2, clause (5) to charge local units of government assessments equal to the department's costs for helping local governments manage records and implement records retention schedules.

In those instances where state agencies have need for the same or similar computer data, the commissioner shall ensure

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

that the most efficient and cost effective method of producing and storing data for or sharing data between those agencies is used.

Subd. 4. Property Management

\$6,483,300	\$6,709,400	
	Summary by Fund	
General	\$5,030,100	\$5,224,500
Special Revenue	\$1,453,200	\$1,484,900

Of the total appropriation for this program \$175,000 is made available in fiscal year 1988 and \$175,000 in fiscal year 1989 to fund capitol area repairs and replacements. Any unencumbered balance at the end of fiscal year 1988 shall not cancel to the general fund but shall be made available for use in fiscal year 1989.

The commissioner shall study and prepare a report for the legislature by January 1, 1988, on the competing policies and the costs of leasing space in privately-owned buildings versus constructing new state buildings to house state departments and agencies.

\$3,387,900 the first year and \$3,581,500 the second year are for office space costs of the legislature and veterans organizations for ceremonial space, and for statutorily free space.

The commissioner shall contract with a private organization to do a needs assessment and prepare a report for the legislature by January 1, 1988, on the feasibility of providing in the capitol complex area a privately-run child day care and latch-key center for children of state employees and visitors to the state capitol. If the report indicates that such a center is feasible, the commissioner shall submit to the legislature by March 1, 1988, a list of recommended sites within the capitol complex area for locating the center.

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

Subd. 5. Administrative Management

\$5,098,200                      \$4,745,100

\$2,000 the first year and \$2,000 the second year are for the state employees' band.

\$715,600 the first year and \$750,900 the second year are for allocated costs of the revisor of statutes. If these amounts are to be unallotted or otherwise reduced for reasons relating to budget shortfalls, the reduction may not exceed the average of the reduction for all state agencies.

\$75,000 of the fiscal year 1988 appropriation is to fund a management study of veterans affairs. Any unencumbered balance at the end of fiscal year 1988 shall not cancel to the general fund but instead shall be made available in fiscal year 1989 for the study.

\$229,300 the first year and \$229,300 the second year is for block grants to public television stations.

\$404,100 the first year and \$404,100 the second year is for matching grants to public television stations.

\$1,135,900 the first year and \$1,135,900 the second year is for public television equipment needs. Equipment grant allocations shall be made after consideration of the recommendations of the Minnesota Public Television Association.

\$211,100 the first year and \$211,100 the second year is for operational grants to public educational radio stations, which must be allocated after consideration of the recommendations of the Association of Minnesota Public Educational Radio Stations under Minnesota Statutes, section 139.19.

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

\$115,900 the first year and \$115,900 the second year is for public educational radio stations, which must be allocated after consideration of the recommendations of the Association of Minnesota Public Educational Radio Stations for equipment needs.

\$15,000 in the first year is for KAWE-TV to conduct an engineering study for the placement of a remote transmitter in a portion of northwestern Minnesota. This appropriation is available the day after final enactment.

\$21,400 the first year is to conduct a survey to determine the number and listening pattern of listeners to stations that are members of the Association of Minnesota Public Educational Radio Stations. The results of the survey must be submitted to the senate finance committee and house of representatives appropriations committee.

If an appropriation for either year for grants to public television or radio stations is not sufficient, the appropriation for the other year is available for it.

\$100,000 the first year is for equipment grants to affiliate stations of Minnesota Public Radio, Incorporated. Equipment grant allocations must be made after consideration of the recommendations of Minnesota Public Radio, Incorporated.

If the amounts allocated to public broadcasting are to be reduced for reasons relating to budget shortfalls, the reduction shall not exceed the average of the reduction for all state agencies.

The commissioner, in consultation with representatives of public broadcasting stations, must prepare a report for the legislature by August 1, 1988, recommending specific criteria for awarding operational and equipment grants to public broadcasting stations.

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



\$200,000 the first year is for a grant to the World Theater Corporation of Minnesota, to be paid only if the following criteria are met: no state money will be allocated unless matched by payment of verified private nontax-generated contributions made after January 1, 1987, and the World Theater Corporation must document to the commissioner it is a non-profit corporation. The World Theater Corporation of Minnesota may use this grant money for the costs of renovation of the World Theater in St. Paul. Furthermore, the World Theater Corporation must document that this grant money was used on renovation expenses and not operating expenses.

Sec. 17. CAPITOL AREA

ARCHITECTURAL AND PLANNING BOARD

	1988	1989	172,000	167,000
Approved Complement -	3	3		

Sec. 18. FINANCE

Subdivision 1. Total

Appropriation			8,009,500	7,585,900
Approved Complement -	124			
General -	124	124		
Rural Finance -	0	2		

The amounts that may be spent from this appropriation for each activity are specified below.

\$141,000 the first year to cover costs associated with modifying the state's personnel/payroll systems. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The department of finance shall reflect the reimbursement of statewide indirect costs and human services federal reimbursement costs as expenditure reductions in the general fund budgeted fund

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

balance as they would be reported in conformity with generally accepted accounting principles.

Amounts paid to the department of finance pursuant to Minnesota Statutes, section 13.03, subdivision 3, for the costs of searching for and retrieving government data and for making, certifying and compiling the copies of the data, are appropriated to the department of finance to be added to the appropriations from which the costs were paid.

The governor's budget recommendations submitted to the legislature in January, 1989 must include as general fund revenue and appropriations for fiscal years 1990 and 1991 all revenues and expenditures previously accounted for in the statewide accounting system in other operating funds. This requirement does not apply (1) to revenues and expenditures which, under the constitution, must be accounted for in funds other than the general fund; or (2) to revenues and expenditures which are related to specific user fees that provide a primary benefit to individual fee payers, as opposed to the general community.

Notwithstanding the provision of Minnesota Statutes, section 16A.11, the commissioner of finance shall consult with and seek the recommendations of the chair of the House Appropriations committee and the chair of the Senate Finance committee as well as their respective division and subcommittee chairs prior to adopting a format for the 1989-1991 biennial budget document. The commissioner of finance shall not adopt a format for the 1989-1991 biennial budget until the commissioner has received the recommendations of the chair of the house appropriations committee and the chair of the senate finance committee. Appropriations provided to the department of

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

finance to upgrade the current biennial budget system shall only be expended upon receipt of the recommendations of the chair of the house appropriations committee and the chair of the senate finance committee. These recommendations are advisory only.

Subd. 2. Fiscal Management and Administration

\$ 1,125,900                      \$ 1,137,000

Subd. 3. Accounting Operations

\$ 4,827,500                      \$ 4,721,200

Subd. 4. Budget Analysis and Operations

\$ 1,845,600                      \$ 1,572,800

Subd. 5. Cash and Debt Management

\$ 210,500                         \$ 154,900

Sec. 19. EMPLOYEE RELATIONS

Subdivision 1. Total

Appropriation			5,174,200	5,471,000
	1988	1989		
Approved Complement -	121	122		
General -	106	107		
Special Revenue -	6	6		
Revolving -	9	9		

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Administration

\$1,872,100                      \$1,997,000

Subd. 3. Equal Opportunity

\$ 205,100                         \$ 204,900

Subd. 4. Labor Relations

\$ 464,800                         \$ 464,100

Subd. 5. Personnel

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

\$2,632,200

\$2,805,000

\$250,000 the first year and \$250,000 the second year is appropriated to begin to establish the statewide fringe benefit plan. Benefit coverage for employees of school districts, educational cooperative service units, intermediate districts, cooperative centers for vocational education, regional management information centers and education units organized under the joint powers act begins September 1, 1989, and benefit coverage for all other employees begins January 1, 1991. This appropriation is available in either year. This appropriation is to be repaid to the general fund by the fringe benefit fund over a period of five years. The repayment period commences upon an actuarial determination that the fund can support the repayment.

## Sec. 20. REVENUE

## Subdivision 1. Total

Appropriation		57,333,100	54,930,800
	1988	1989	
Approved Complement -	1,142.2	1,178.2	
General -	1,006.2	1,042.2	
Highway User -	39	39	
Special Revenue -	97	97	
	Summary by Fund		
General	\$51,222,500	\$48,847,200	
Special Revenue	\$ 4,617,800	\$ 4,588,200	
Highway User	\$ 1,492,800	\$ 1,495,400	

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

## Subd. 2. Revenue Administration

\$13,768,000

\$10,222,000

\$7,391,000 the first year and \$3,594,700 the second year are for development and operation of new integrated computer systems. After the commissioner of revenue begins to spend the appropriation, the commissioner shall report every three

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months describing the progress made and the money spent in the development and operation of new integrated computer systems. The report must be submitted to the committee on finance of the senate and the committee on appropriations of the house of representatives. Any unencumbered balance on this appropriation remaining in the first year does not cancel and is available for the second year.

\$39,800 the first year and \$39,700 the second year are from the special revenue fund.

Subd. 3. Tax Policy

\$2,848,400                      \$2,841,100

\$131,500 for the first year and \$131,300 for the second year is from the special revenue fund.

Subd. 4. Taxpayer Service

\$7,580,300                      \$7,565,800

Summary by Fund

General	\$ 5,794,400	\$ 5,784,900
Highway User	\$ 1,492,800	\$ 1,495,400
Special Revenue	\$ 293,100	\$ 285,500

\$30,000 the first year and \$30,000 the second year are for state-paid tuition for required assessor training.

Subd. 5. Operations

\$11,106,100                      \$11,125,400

Subd. 6. Tax Compliance

\$22,030,300                      \$23,176,500

Notwithstanding any contrary provisions, \$1,900,000 of the amount appropriated to the commissioner of revenue must be used by the department of revenue for compliance initiatives. Of this amount, \$570,000 the first year is for the automated collection system. If this system is not fully operational by August 1, 1988, the general fund appropriation

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for the department shall be reduced by \$570,000. Notwithstanding any law to the contrary, and to accomplish this purpose, the agency may transfer up to \$1,900,000 of unencumbered balances among programs after getting the approval of the commissioner of finance. The transfer must follow the general procedures for transfers contained in this act.

Summary by Fund

General	\$17,876,900	\$19,044,800
Special Revenue	\$ 4,153,400	\$ 4,131,700

The first \$4,617,800 of corporate income tax receipts in the first year and the first \$4,588,200 of corporate income tax receipts in the second year must be credited to the special revenue fund.

Sec. 21. TAX COURT	402,400	401,900
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Approved Complement - 6

Sec. 22. NATURAL RESOURCES

Subdivision 1. Total

Appropriation		108,850,200	108,784,600
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	1988	1989
Approved Complement -	1,660	1,660
General -	962	962
Special Revenue -	53	53
Game and Fish -	540	540
Federal -	43	43
Water Recreation -	62	62

Summary by Fund

General	\$48,212,500	\$47,436,400
Con. Con.	\$ 250,000	\$ 250,000
Forest Management	\$ 5,697,200	\$ 5,697,300
Nongame Wildlife	\$ 1,224,800	\$ 1,228,600
Snowmobile	\$ 3,800,800	\$ 3,926,200
State Park M. & O.	\$ 3,944,400	\$ 3,944,400
All Terrain	\$ 650,000	\$ 650,000
Water Recreation	\$ 7,265,200	\$ 7,348,700
Wildlife Acquis.	\$ 1,086,500	\$ 1,086,500
Game and Fish	\$36,177,700	\$36,872,500
Water Pollution Control	\$ 200,000	\$ 125,000
Wild Rice	\$ 30,000	\$ 30,000
Trust Suspende	\$ 311,100	\$ 189,000

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

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Mineral Resources Management

\$3,851,000                      \$3,704,600

The commissioner is authorized one complement position in the unclassified service from the mineral lease account.

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Metallic Minerals

\$ 2,959,400                      \$ 2,964,700

\$200,000 the first year and \$200,000 the second year are for copper-nickel test drilling. One position for this purpose is in the unclassified civil service and its continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, the position shall be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons is authorized.

\$160,000 the first year and \$160,000 the second year are for minerals research. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$300,000 the first year and \$300,000 the second year are for iron ore cooperative research, of which \$200,000 the first year and \$200,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

(b) Industrial Minerals

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

\$ 514,100

\$ 363,500

\$150,000 the first year is for peat development. The commissioner may match this state money with money from non-state sources. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$100,000 is available until June 30, 1989 for the purpose of horticultural peat marketing and promotion in cooperation with the department of agriculture and the natural resources research institute.

## (c) Mineland Reclamation

\$ 377,500

\$ 376,400

## Subd. 3. Water Resources Management

\$4,413,900

\$4,343,200

## Summary by Fund

General	\$4,140,000	\$4,144,400
Water Pollution Control	\$ 200,000	\$ 125,000
Water Recreation	\$ 73,900	\$ 73,800

\$85,000 the first year and \$85,000 the second year from the flood damage reduction program is for a grant to the counties of Cook, Lake, and the town of Duluth for the development of a comprehensive shoreland management plan along the shoreline of Lake Superior. This grant is not subject to the \$75,000 limit in Minnesota Statutes, section 104.11. The study must be sent by the commissioner of natural resources to the chairs of the house appropriations and senate finance committees by December 1, 1989.

\$125,000 each year is appropriated from the water pollution control fund for groundwater exploration and data automation.

\$75,000 is appropriated from the water pollution control fund for a grant to the city of Waseca for the purpose of rehabili-

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tating Clear Lake in and about the city. This appropriation is available until expended.

Subd. 4. Forest Management

\$20,616,500	\$20,780,500	
	Summary by Fund	
General	\$14,839,300	\$15,003,200
Con. Con.	\$ 250,000	\$ 250,000
Forest Management	\$ 5,527,200	\$ 5,527,300

The divisions of forestry and fish and wildlife must coordinate the harvesting of trees in order to ensure optimum wildlife habitat benefits and water quality of adjacent streams or lakes.

\$750,000 the first year and \$750,000 the second year are for emergency fire fighting and are not subject to transfer. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. The unencumbered balance of any other appropriation from the general fund to the commissioner of natural resources remaining in the first year must not be canceled but must be transferred and added to this appropriation for the second year. No more than \$400,000 the first year and \$410,000 the second year are available for presuppression costs.

Up to \$120,000 per year from the general fund under Minnesota Statutes, section 89.04 may be used for grants to the soil and water conservation board for cost-sharing with landowners in the state forest improvement program.

\$500,000 the first year and \$500,000 the second year are for grants to counties or groups of counties for county forestry assistance programs.

The commissioners of natural resources, revenue, and transportation shall jointly study and determine the amount of

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unrefunded gas tax attributable to forest logging trucks that use forest roads under the authority of the commissioner. Their findings and determinations must be reported to the chairs of the house appropriations and senate finance committees by December 1, 1988, along with proposed changes to Minnesota Statutes, section 296.421, that reflect their determinations.

Subd. 5. Parks and Recreation

Management

\$14,062,000	\$14,122,500	
	Summary by Fund	
General	\$9,450,900	\$9,511,400
State Park		
Maintenance and		
Operation	\$3,944,400	\$3,944,400
Water Recreation	\$ 666,700	\$ 666,700

If a bill is signed into law in 1987 that allows a second state park motor vehicle permit at a reduced price, the commissioner of natural resources must keep a record of resident and nonresident second permits that are sold.

\$666,700 is appropriated each year of the biennium from the water recreation account for state park development projects. Should the appropriation in either year be insufficient, the appropriation for the other year shall be available.

The department of natural resources may not subcontract the operation of the Douglas Lodge facilities at Itasca State Park so long as revenues are at least equal to the cost of operation. A management plan must be prepared by the commissioner that outlines specific steps and timelines to achieve self-sufficiency of the Douglas Lodge facilities. The management plan must incorporate recommendations concerning the best utilization of management, labor and other resources

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to achieve self-sufficiency. The commissioner must send the management plan to the Legislature by March 1, 1988.

\$20,000 the first year and \$20,000 the second year are for payments in lieu of taxes on lands in Voyageurs National Park and St. Croix Wild River State Park. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 6. Trails and Waterways

\$7,807,300	\$8,218,700	
	Summary by Fund	
General	\$ 751,500	\$ 753,300
Snowmobile	\$ 3,258,700	\$ 3,379,400
All Terrain	\$ 475,000	\$ 475,000
Water Recreation	\$ 3,112,100	\$ 3,196,000
Game and Fish	\$ 210,000	\$ 415,000

\$1,698,000 the first year and \$1,748,000 the second year are for snowmobile grants-in-aid.

An accounting report for the 1986 and 1987 cross country ski seasons is to be submitted to the chair of the senate finance committee and the house appropriations committee.

Subd. 7. Fish and Wildlife

Management

\$25,734,700	\$25,985,500	
	Summary by Fund	
General	\$ 788,600	\$ 795,900
Nongame Wildlife	\$ 1,179,800	\$ 1,183,600
Water Recreation	\$ 150,000	\$ 150,000
Wildlife Acquis.	\$ 961,500	\$ 836,500
Game and Fish	\$22,624,800	\$22,989,500
Wild Rice Management	\$ 30,000	\$ 30,000

\$685,700 in the first year and \$685,700 the second year are appropriated from the game and fish fund for payments to counties in lieu of taxes on acquired wildlife lands and is not subject to transfer.

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

\$1,179,800 the first year and \$1,183,600 the second year are from the nongame wildlife management account in the special revenue fund for the purpose of nongame wildlife management. Any unencumbered balance remaining in the first year does not cancel but is available the second year.

\$54,400 in the first year and \$54,200 the second year are for acid rain research.

\$40,000 the first year and \$40,000 the second year is from the general fund for one complement position to serve as a native prairie biologist.

\$127,900 the first year and \$127,900 the second year are for emergency deer feeding. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$30,000 is appropriated each year from the wild rice management account project to improve natural wild rice production on public waters pursuant to Minnesota Statutes, section 97A.065, subdivision 4.

\$40,000 for the first year and \$40,000 for the second year is from the general fund to be transferred to the commissioner of agriculture to compensate landowners for agricultural crops damaged by elk.

\$10,000 each year is appropriated from the general fund to be used as an additional payment to the Leech Lake Indian Reservation for enforcement activities. The reservation may also use \$40,000 of the increased annual payment that it receives as a result of the fee increases in this act for enforcement. The department of natural resources shall also make surplus equipment available to the reservation.

Effective July 1, 1987, aquatic plant con-

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trol permit fees established under Minnesota Statutes, section 84.092, subdivision 1, are doubled. Notice of the revised fees must be published in the State Register as soon as practical.

Subd. 8. Enforcement

\$10,983,000	\$11,107,200	
	Summary by Fund	
General	\$1,206,500	\$1,227,500
Snowmobile	\$ 240,800	\$ 240,800
Water Recreation	\$1,888,900	\$1,887,800
Game and Fish	\$7,505,900	\$7,610,200
All Terrain	\$ 140,900	\$ 140,900

The appropriation from the game and fish fund includes \$20,000 the first year and \$20,000 the second year for the purpose of controlling smelt fishing activities on the north shore, including development of parking facilities, traffic control, coordination of regulatory agencies, control of trespass and vandalism, control of littering and sanitation, and public information and education. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$1,124,300 the first year and \$1,124,300 the second year are from the water recreation account for grants to counties for boat and water safety.

The commissioner must seek maximum participation from federal agencies in removing nuisance beaver. A competitive bid process must be used to select beaver trappers.

Conservation officers must maintain their residence, on an all weather road, within 15 miles of their assigned station location. The director of the division of enforcement may permit valid exceptions as is deemed appropriate.

\$70,000 the first year and \$35,000 the

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second year are from the game and fish fund to create one additional conservation officer position. The commissioner shall create three additional conservation officer positions in the water recreation account.

Subd. 9. Field Operations Support

\$8,709,100	\$7,712,300	
	Summary by Fund	
General	\$4,735,700	\$3,848,200
Game and Fish	\$3,393,100	\$3,406,200
Water Recreation	\$ 243,200	\$ 242,900
Trust Suspense	\$ 311,100	\$ 189,000
Snowmobile	\$ 26,000	\$ 26,000

For the biennium \$350,000 is for the purpose of surveys of lots offered for sale under Minnesota Statutes, section 92.67, subdivision 3.

The two complement positions for the department of natural resources lake-shore lease sale program shall be funded only until June 30, 1991.

If the appropriation made under Minnesota Statutes, section 92.46, subdivision 1, paragraph (d), for fiscal year 1988 is not expended, it is available for use in fiscal year 1989.

Subd. 10. Regional Operations Support

\$3,487,700	\$3,474,200	
	Summary by Fund	
General Fund	\$2,919,400	\$2,903,500
Game and Fish	\$ 510,000	\$ 512,400
Water Recreation	\$ 58,300	\$ 58,300

Subd. 11. Special Services and Programs

\$4,294,600	\$4,430,500	
	Summary by Fund	
General	\$ 3,184,300	\$ 3,194,400
Forest Management	\$ 170,000	\$ 170,000
Nongame Wildlife	\$ 45,000	\$ 45,000
Snowmobile	\$ 132,600	\$ 132,600

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

Water Recreation	\$ 560,500	\$ 561,000
Wildlife Acquis.	\$ 125,000	\$ 250,000
Game and Fish	\$ 77,200	\$ 77,500

The commissioner of natural resources shall develop, in consultation with the commissioners of jobs and training and education, a coordinated plan for enhanced youth education, employment, and service opportunities. This plan shall consider the current programming of the Minnesota Conservation Corps, the Minnesota Youth Program, the Summer Youth Employment and Training Program, Community and Secondary Vocational Education, and other appropriate programs in designing a coordinated model which would enhance opportunities for youth. The plan may also recommend coordinated funding. The commissioner shall present the plan to the house appropriation and senate finance committees by January 1, 1988.

\$201,500 the first year and \$326,500 the second year of this appropriation are from the following funds for an expansion of the youth programs activity:

	Summary by Fund	
	1988	1989
Wildlife Acquisition		\$125,000
Snowmobile	\$ 66,300	\$ 66,300
Water Recreation	\$ 27,700	\$ 27,700
Forest Management	\$ 85,000	\$ 85,000
Nongame Wildlife	\$ 22,500	\$ 22,500
Total	\$201,500	\$326,500

This appropriation shall not be made available until a work plan for use of the funds is prepared and approved by the commissioner of natural resources.

\$84,800 the first year and \$84,800 the second year are for a grant to the Mississippi headwaters board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under its jurisdiction.

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\$21,400 the first year and \$21,300 the second year are for department operating and administrative expenses associated with the Mississippi headwaters board grant and the implementation of the plan in areas along the river that are not included within the jurisdiction of the Mississippi headwaters board.

Subd. 12. Administrative Management

Services

\$5,521,000	\$5,536,100	
	Summary by Fund	
General	\$ 2,975,900	\$ 2,980,700
Snowmobile	\$ 142,700	\$ 147,400
Water Recreation	\$ 511,600	\$ 512,200
Game and Fish	\$ 1,856,700	\$ 1,861,700
All Terrain Vehicles	\$ 34,100	\$ 34,100

The commissioner of employee relations shall transfer persons occupying unclassified seasonal, part-time, or full-time positions in the department of natural resources that are converted to full-time classified positions by the state departments appropriation act of 1987 to the same classification and pay step in the classified civil service without competitive examination as of June 30, 1987.

Subd. 13. Base Adjustment

\$ (630,600)      \$ (630,700)

The adjustment in the budgetary base from the "same" level may be reallocated among the department's general fund appropriations as determined by the department head.

Sec. 23. ZOOLOGICAL BOARD

4,548,600      4,754,000

Approved Complement - 162

This appropriation is for transfer by the commissioner of finance to the zoo fund.

The Minnesota Zoological Garden is eligible for a salary supplement in the same

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manner as other state agencies. The commissioner of finance will determine the amount of salary supplement based on appropriated funds, and will transfer the amount to the Zoo Fund.

\$500,000 the second year is for a grant to the Minnesota zoo as a one-for-one matching grant for funds donated through fund raising activities.

#### Sec. 24. POLLUTION CONTROL AGENCY

##### Subdivision 1. Total

Appropriation	1988	1989	19,725,700	20,288,400
Approved Complement -	493	494		
General -	142.5	142.5		
Special Revenue -	46	46		
Public Health -	5	5		
Federal -	214.5	214.5		
Environmental -	50	50		
Metro Landfill				
Contingency -	2	2		
Motor Vehicle Transfer -	6	7		
Water Pollution				
Control -	15	15		
Building -	12	12		
	Summary by Fund			
General	\$ 5,819,900	\$ 6,009,400		
Special Revenue	\$ 2,688,900	\$ 2,651,900		
Public Health	\$ 218,000	\$ 218,000		
Environmental	\$ 2,578,900	\$ 2,571,100		
Metro Landfill				
Abatement	\$ 1,134,000	\$ 1,134,000		
Metro Landfill				
Contingency	\$ 670,000	\$ 170,000		
Motor Vehicle Transfer	\$ 1,479,200	\$ 1,014,200		
Water Pollution Control	\$ 5,136,800	\$ 6,519,800		

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

##### Subd. 2. Water Pollution Control

\$2,699,200                      \$2,693,600

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

## Summary by Fund

General	\$ 1,399,800	\$ 1,394,200
Special Revenue	\$ 806,100	\$ 806,100
Water Pollution Control	\$ 493,300	\$ 493,300

## Subd. 3. Air Pollution Control

\$1,710,000                      \$1,936,700

## Summary by Fund

General	\$ 1,273,100	\$ 1,500,200
Special Revenue	\$ 360,800	\$ 360,400
Public Health	\$ 76,100	\$ 76,100

\$304,300 the first year and \$303,900 the second year are to study acid rain.

The metropolitan airports commission established by Minnesota Statutes, chapter 473 and the pollution control agency shall continue to consider the feasibility of a system of differential landing or user fees for aircraft using the Minneapolis-St. Paul International Airport with a rate structure based on the level of noise produced by aircraft, so that the fee imposed on an aircraft is in direct relation to the noise produced by the aircraft and shall report to the legislature the results of the study.

## Subd. 4. Solid Waste and Hazardous Waste Pollution Control

\$13,074,500                      \$13,350,700

## Summary by Fund

General	\$ 1,828,200	\$ 1,723,000
Special Revenue	\$ 988,300	\$ 951,700
Public Health	\$ 131,900	\$ 131,900
Environmental	\$ 2,233,400	\$ 2,233,400
Metro Landfill Abatement	\$ 1,134,000	\$ 1,134,000
Metro Landfill Contingency	\$ 662,000	\$ 162,000
Motor Vehicle Transfer	\$ 1,473,200	\$ 1,008,200
Water Pollution Control	\$ 4,623,500	\$ 6,006,500

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

(a) All money in the environmental response, compensation and compliance fund not otherwise appropriated, is appropriated to the pollution control agency for the purposes described in the environmental response and liability act, Minnesota Statutes, section 115B.20, subdivision 2, clauses (a), (b), (c), and (d). This appropriation is available until June 30, 1989.

(b) All money in the metropolitan landfill abatement fund not otherwise appropriated is appropriated to the pollution control agency for payment to the metropolitan council and may be used by the council for the purposes of Minnesota Statutes, section 473.844. The council may not spend the money until the legislative commission on waste management has made its recommendations on the budget and work program submitted by the council.

(c) Any unencumbered balance from the metropolitan landfill contingency fund remaining in fiscal year 1988 does not cancel but is available for fiscal year 1989.

(d) A solid and hazardous waste account is created as a separate fund in the state treasury. The commissioner of finance shall transfer \$919,000 from the motor vehicle transfer fund and \$680,000 from the water pollution control fund over the biennium to the solid and hazardous waste fund.

(e) \$100,000 is appropriated for the household hazardous waste program created in the law styled as H.F. No. 794 of the 1987 legislative session. Any unencumbered balance remaining in the first year does not cancel and is available for the second year of the biennium.

(f) \$1,973,200 the first year and \$2,008,200 the second year are from the

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motor vehicle transfer fund for use in cleanup of waste tire dumps, as prioritized by the agency. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$4,500,000 the first year and \$5,900,000 the second year are appropriated from the water pollution control fund for transfer to the environmental response, compensation, and compliance fund.

Subd. 5. General Support

\$2,242,000	\$2,307,400	
	Summary by Fund	
General	\$ 1,318,800	\$ 1,392,000
Environmental	\$ 345,500	\$ 337,700
Metro Landfill		
Contingency	\$ 8,000	\$ 8,000
Motor Vehicle		
Transfer	\$ 6,000	\$ 6,000
Water Pollution		
Control	\$ 20,000	\$ 20,000
Special Revenue	\$ 533,700	\$ 533,700
Public Health	\$ 10,000	\$ 10,000

The program permit and assessment fees of the pollution control agency shall equal as nearly as possible the amount appropriated from the special revenue fund for the biennium and may not include any amounts to cover the cost items in Minnesota Statutes, section 16A.128, subdivision 1a, except to the extent that the cost items are included in the appropriations.

Subd. 6. Balances Canceled

\$6,235,800 the first year and \$6,117,200 the second year of the balance in the water pollution control fund must be canceled and transferred to the general fund on July 1, 1987, and July 1, 1988, respectively.

\$2,425,200 the first year and \$2,925,200 the second year of the balance in the

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motor vehicle transfer fund must be canceled and transferred to the general fund on July 1, 1987, and July 1, 1988, respectively.

Sec. 25. WASTE MANAGEMENT BOARD

		2,162,900	2,162,900
	Summary by Fund		
General	\$2,112,900	\$2,112,000	
Water Pollution Control	\$ 50,000	\$ 50,000	
	1988	1989	
Approved Complement -	43	43	
General -	32	32	
Building -	11	11	

The nonregulatory waste management programs of the pollution control agency are transferred to the waste management board under Minnesota Statutes, section 15.039.

If the appropriation for grants for either year is insufficient, the appropriation for the other year is available for it.

Sec. 26. ENERGY AND ECONOMIC DEVELOPMENT

Subdivision 1. Total

Appropriation		22,178,700	22,134,600
Approved Complement -	177.7		
General -	159.7		
Economic Development -	4		
Federal -	14		
	Summary by Fund		
General	\$17,836,700	\$17,763,600	
Economic Development	4,342,000	\$ 4,371,000	

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Minnesota Trade Office

\$1,830,300	\$1,826,400
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Up to \$10,000 the first year and up to \$10,000 the second year of money appro-

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

priated to the commissioner of agriculture by other law for the Minnesota grown promotion campaign may be used for promotion of cheeses made from goat's and sheep milk and specialty yogurts.

Subd. 3. Economic Development

\$ 3,057,800                      \$ 3,053,400

\$250,000 the first year and \$250,000 the second year are for community development corporations. This appropriation is available for expenditure only to the extent that it is matched by a community development corporation with \$2 of nonstate money for each \$3 of state money.

Of this appropriation, up to \$120,000 each year is for the Minnesota motion picture board. This appropriation is available only upon receipt of a dollar-for-dollar match by the board from non-state sources.

All money in the business license revolving fund on June 30, 1987, shall be canceled to the special revenue fund.

Subd. 4. Tourism

\$ 5,851,700                      \$ 5,852,800

\$75,000 of this appropriation is to the office of tourism for promoting the cross country ski trails program and providing the public with information about the importance of the program to tourism in Minnesota and the importance of maintenance and development of cross country ski trails.

During the biennium, the office of tourism may market tourism related publications and media promotional materials to businesses and organizations. The proceeds from the marketing are to be placed in a fund to be used for the preparation and distribution of the office's publications and media promotional

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

materials. This fund shall not cancel to the general fund at the end of the bien-nium. The director shall report to the legislature by January 15, 1989 on this fund.

Of the general fund appropriation, up to \$15,000 must be made available to Travel America, Inc., a nonprofit corporation established for promoting and expanding education and tourism in Pine county. The appropriation is to be made available on a dollar-to-dollar match for purposes of studying the feasibility of establishing an environmental learning center on county lands near the Kettle river. Travel America, Inc., may enter into a contract to conduct the study with a private party consultant and the study must involve information from local and statewide environmental groups and local school district representatives regarding the impact of establishing an environmental learning center. The site may include land on both sides of the Kettle river about one mile south of Sandstone and the old United States government road. Travel America, Inc. must report to the department of natural resources and to the environment and natural resources committees of both the house and the senate on the findings of the study no later than June 30, 1989. The appropriation is available until it is expended.

In order to develop maximum private sector involvement in tourism marketing activities, \$1,750,000 the first year and \$1,750,000 the second year shall be placed in a separate account for tourism marketing activities by the office of tourism. Expenditure of the money in the account is contingent upon receipt of an equal match with nonstate contributions that have been verified and documented to the commissioner of finance. Up to one-third of the required nonstate

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match may be given in in-kind contributions.

\$50,000 the first year and \$50,000 the second year are to make a grant to a private nonprofit organization to develop an effort coordinated with other private nonprofit promotional groups to identify and create tourist attractions in northern Minnesota. This appropriation is available only as matched by \$1 of nonstate money for each \$1 of state money. The organization shall report to the legislature by January 15, 1988, and January 15, 1989, on the expenditure of the grant.

Subd. 5. Administration

\$ 901,800                      \$ 839,500

The commissioner shall refund to the city of Hastings any remaining application deposit received during calendar year 1984 from the city of Hastings in connection with the Hastings hydroelectric project pursuant to Minnesota Statutes, section 474.19 and retained by the department. \$60,000 is appropriated from the general fund to the commissioner to refund the industrial development bond allocation application deposit to the city of Hastings.

Subd. 6. Community Development

\$ 8,642,800	\$ 8,640,900	
	Summary by fund	
General Fund	\$ 5,142,800	\$ 5,140,900
Economic Development	\$ 3,500,000	\$ 3,500,000

The commissioner, in consultation with the chair of the LCMR, or the chair's designee, shall prepare a report for the chairs of the environment and appropriations committees in the house and the chairs of the environment and finance committees in the senate by January 1, 1989 examining the feasibility of desig-

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nating county parks in the seven county metropolitan area as state parks. The report shall include analysis of the operation and maintenance costs and the extent of the public's use of the parks, and a comparison of the efficiency and cost effectiveness of county management versus state management of the parks.

\$2,164,700 the first year and \$2,164,700 the second year are for economic recovery grants.

\$2,000,000 the first year and \$2,000,000 the second year are for payment of a grant to the metropolitan council for metropolitan area regional parks maintenance and operation money.

The approved complement for community development includes five positions in the unclassified service to administer outdoor recreation grants. At the request of the commissioner of energy and economic development, the commissioner of employee relations shall transfer the incumbents of these positions on June 30, 1987, to probationary status in the same classification and pay step in the classified civil service without competitive examination.

Subd. 7. Science and Technology

\$ 892,000	\$ 921,000	
	Summary by fund	
General	\$ 100,000	\$ 100,000
Economic Development	\$ 792,000	\$ 821,000

\$60,000 the first year and \$60,000 the second year is appropriated from the economic development fund for a grant to the Minnesota High Technology Corridor Corporation.

\$75,000 the first year and \$75,000 the second year is appropriated from the economic development fund for a grant to

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the Minnesota Inventors' Congress. The purposes of this grant include establishment of a focal point for development of an invention support system including an advisory council comprised of representatives from the public and private sectors; coordination of an invention support system, primarily in the form of semi-autonomous regional centers, while protecting, enriching, and promoting existing activities such as the Minnesota Inventors' Congress, the Minnesota Inventors' Hall of Fame, the Inventions and Technology Transfer Corporation, the Inventors' Club, and the Young Inventors' Fair; promotion of invention research, with resultant knowledge to be disseminated to Minnesota educational systems; and development of a fiscal design for the statewide invention support system. The Inventors' Congress shall report to the commissioner of energy and economic development by June 30 of each year on its activities in carrying out the purposes of this grant.

\$137,000 the first year and \$166,000 the second year is appropriated from the economic development fund for payment of dues to the Midwest Technology Development Institute.

\$120,000 the first year and \$120,000 the second year is appropriated from the economic development fund for a grant to Minnesota Project Innovation. The Minnesota project innovation shall report quarterly to the house committee on future and technology and to the senate finance committee.

Subd. 8. Financial Management

\$ 50,000	\$ 50,000
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This appropriation is from the economic development fund.

Notwithstanding Minnesota Statutes, sec-

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tion 116J.873, the city of Babbit may request, and the commissioner may approve, an economic recovery grant in excess of \$500,000 for the purpose of completing a waste tire recycling plant.

\$3,500,000 the first year and \$3,500,000 the second year is appropriated from the economic development fund for economic recovery grants under Minnesota Statutes, section 116J.873.

Subd. 9. Policy Analysis

\$ 852,300                      \$ 850,600

\$150,000 the first year and \$150,000 the second year is available to the commissioner to contract for consultant services for the development of a trade model.

Subd. 10. Productivity and Quality

\$ 100,000                      \$ 100,000

This appropriation is for the Minnesota council on productivity and quality. \$50,000 of the appropriation is available immediately after the appointment of the council. The commissioner shall place the remainder in a separate account and release money from that account to the council only as an equal match for nonstate gifts and grants verified by the commissioner. Up to three-fifths of the required nonstate match may be the value, as determined by the council, of consulting services provided to businesses or labor organizations through the council.

Sec. 27. WORLD TRADE CENTER BOARD

The unexpended balance of the appropriation in Laws 1985, First Special Session chapter 13, section 29, for the world trade center board is available until June 30, 1989.

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

Sec. 28. HOUSING FINANCE  
AGENCY

Subdivision 1. Total

Appropriation	\$9,526,700	\$9,526,700
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Approved Complement - 129

Spending limit on cost of general administration of agency programs:

1988	1989
\$ 6,235,000	\$ 6,547,000

This appropriation is for transfer to the housing development fund for the programs specified.

\$150,000 the first year and \$150,000 the second year are for home sharing programs under Minnesota Statutes, section 462A.05, subdivision 24.

\$990,000 the first year and \$990,000 the second year are for home ownership assistance under Minnesota Statutes, section 462A.21, subdivision 8.

\$2,225,000 the first year and \$2,225,000 the second year are for home ownership, home improvement, and multifamily bond leveraging interest rate write-downs under Minnesota Statutes, sections 462A.21, subdivisions 4b and 8a.

\$1,885,000 the first year and \$1,885,000 the second year are for tribal Indian housing programs under Minnesota Statutes, section 462A.07, subdivision 14, of which \$125,000 the first year and \$125,000 the second year are for a demonstration program to make off-reservation loans in combination with bond proceeds from the agency.

\$235,000 the first year and \$235,000 the second year are for urban Indian housing programs under Minnesota Statutes, section 462A.07, subdivision 15, to be

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distributed by the agency without regard to any allocation formula.

\$3,716,700 the first year and \$3,716,700 the second year are for housing rehabilitation and accessibility loans under Minnesota Statutes, sections 462A.05, subdivisions 14a and 15a.

\$500,000 is appropriated to the housing development fund created in section 462A.20 for grants for residential housing for low income persons living alone. The agency may pay the costs and expenses for the development and operation of this program out of this appropriation.

\$75,000 the first year and \$75,000 the second year are for temporary housing programs under Minnesota Statutes, section 462A.05, subdivision 20.

Sec. 29. STATE PLANNING

AGENCY		5,283,500	5,221,500
	1988	1989	
Approved Complement -	112	112	
General -	78.5	78.5	
Special Revenue -	4.5	4.5	
Motor Vehicle Transfer -	3	3	
Revolving -	22	22	
Federal -	4	4	
	Summary by Fund		
General	\$ 4,729,800	\$ 4,568,100	
Special Revenue	\$ 357,500	\$ 457,200	
Motor Vehicle Transfer	\$ 196,200	\$ 196,200	

Two positions paid from the motor vehicle transfer fund are in the unclassified service.

\$377,000 the first year and \$377,000 the second year are for regional planning grants to regional development commissions organized under Minnesota Statutes, sections 462.381 to 462.396.

Until June 30, 1989, for state and federal

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grants distributed by state agencies to regions of the state not having a regional development commission, the state agency administering the grant program may assess the program for administrative costs incurred by the agency that normally are incurred by the commission.

\$22,000 the first year and \$22,000 the second year are for the Council of Great Lakes Governors.

The state planning director shall coordinate state policy related to children. The director shall periodically issue reports related to the status and needs of Minnesota children.

Sec. 30. MINNESOTA  
RESOURCES FUND

Subdivision 1. Total Appropriation	8,114,000	8,127,000
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Approved complement - 37

The appropriations in this section are from the Minnesota resources fund.

The commissioner of finance shall transfer \$162,300 the first year and \$162,500 the second year of this appropriation to the general fund.

The commissioner of finance, upon recommendation of the legislative commission on Minnesota resources, shall allocate this reduction among the programs and activities in this section.

As the cash flow of the Minnesota resources fund permits, the commissioner of finance shall transfer from the unencumbered balance in the Minnesota resources fund and credit it to the general fund.

The amounts that may be spent from

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this appropriation for each activity are more specifically described in the following subdivisions.

For all appropriations in this section, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2. Legislative Commission

on Minnesota Resources	250,000	250,000
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For the biennium ending June 30, 1989, the commission shall review the work programs and progress reports required under this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives, and other appropriate committees. During the biennium, the commission shall establish oversight committees to continue review of a variety of natural resource subject areas as it believes necessary to carry out its legislative charge.

Subd. 3. Department of Natural

Resources	2,867,000	2,870,000
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Approved complement - 28

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Groundwater Management

\$300,000	\$300,000
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Approved complement - 1

The appropriation is to determine the relationship between ground and surface water use, flow, and quality impacts near rivers.

(b) Water Allocation and Conservation

\$200,000	\$200,000
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

## Approved complement - 6

The appropriation is to develop an instream flow program including hydrologic and biologic components and to determine specific protected flow requirements for allocation and development decisions.

## (c) Accelerated Land Exchange

\$125,000	\$125,000
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## Approved complement - 3

The appropriation is to accelerate land exchange transactions so larger amounts of land change hands, including multiple public agency exchanges and state park trust land title transfers. This includes accelerated improvement of land records and development of a submerged land management program.

## (d) Marketing Department Services

\$135,000	\$135,000
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## Approved complement - 3

The appropriation is to examine the information expectations and needs of the public regarding natural resource management and outdoor recreation use, and to develop a marketing plan to insure that DNR facilities and programs offer services that reflect market interest.

## (e) Ridgeline Trail

\$190,000	\$190,000
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## Approved complement - 1

The appropriation is for a grant to the Superior hiking trail association for planning, development, and limited easement acquisition of a trail that follows the ridgeline overlooking Lake Superior. Local contributions of donated perpetual easements, volunteer labor, materials, and ongoing operations and mainte-

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nance responsibility will supplement the grant. The use of conservation corps resources is strongly encouraged. Up to \$60,000 is available to the department for planning and administrative assistance.

(f) Mississippi River Management

\$135,000                      \$136,000

Approved complement - 4

The appropriation is to provide an interdisciplinary management team to better coordinate planning and implementation of state and federal initiatives on the Minnesota, St. Croix, and Mississippi rivers.

(g) Brighton Beach Breakwater

\$235,000                      \$235,000

The appropriation is for development of a breakwater in conjunction with a state public access on locally-owned land to meet increased recreation demand and provide safer fishing and boating opportunities.

(h) Fish and Wildlife Comprehensive Planning

\$130,000                      \$130,000

Approved complement - 3

The appropriation is to continue development of the long range fish and wildlife comprehensive plan, develop and implement a cost accounting performance reporting process, refine public involvement, implement action planning, work planning, and budgeting for all work and funds of the division of fish and wildlife. The commissioner shall pursue 75 percent reimbursement and deposit the receipts into the Minnesota resources fund federal reimbursement account, if permissible under federal law.

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

(i) Forest Wildlife Habitat Inten-  
sification

\$ 80,000

\$ 80,000

## Approved complement - 2

The appropriation provides staff to assist with forestry unit planning to insure fish and wildlife considerations are fully addressed.

## (j) Swan Lake Area Wildlife Project

\$975,000

\$976,000

## Approved complement - 1

The appropriation is for an initial project to dramatically increase wildlife populations by focusing on private land cost sharing, acquisition and development of diverse lands, and application of innovative management techniques, thereby bolstering the local economy through increased wildlife based recreation. All gifts, match reimbursements, or other receipts are appropriated for this purpose.

All acquisition of land may be no greater than 100 percent of the appraised value.

## (k) County Biological Survey

\$ 87,000

\$ 88,000

## Approved complement - 2

The appropriation is for a survey of rare plants, animals, and habitats using combinations of existing forestry, soils, and habitat data on a county-by-county basis. Private match is appropriated.

## (l) Glacial Drift Geochemistry

\$100,000

\$100,000

## Approved complement - 2

The appropriation is to extend geochem-

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

ical techniques to additional areas in order to evaluate the potential existence of strategic minerals, using the aeromagnetic survey as a guide for targeting efforts.

(m) Regeneration Growth Inventory

\$ 25,000	\$ 25,000
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The appropriation is for a grant to Beltrami county to inventory young timber stands and develop revised growth models that will indicate the feasibility of increased or decreased harvesting.

(n) Conservation Corps

\$150,000	\$150,000
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The appropriation is for acceleration of the corps work with a new emphasis on county forest and recreation projects.

The appropriation must be equally matched from the county and local units of government where the conservation corps work takes place.

Subd. 4. Pollution Control Agency	491,000	492,000
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Approved complement - 3

The amounts that may be spent from this appropriation for each activity are as follows:

(a) Handbooks of Best Management

Practices

\$ 30,000	\$ 30,000
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Approved complement - 1

The appropriation is to develop a catalogue of structural and nonstructured nonpoint source pollution best management practices and training programs for primary users. Federal match is appropriated.

(b) Nonpoint Source Pollution Model

\$ 40,000	\$ 40,000
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The appropriation is for additional development of the AGNPS model in order to emphasize analyses of watershed pollutants in the areas of off-site erosion impacts, pesticides, groundwater, economic analysis, urban compatibility, and annualization. Federal match is appropriated.

(c) Garvin Brook Final Evaluation

\$ 75,000                      \$ 75,000

Approved complement - 1

The appropriation is to conduct follow-up monitoring, testing, and evaluation and to report on the practices installed since the 1981 initiation of the project. Federal money available is appropriated.

(d) Lake Runoff Management Evaluation

\$196,000                      \$197,000

The appropriation is for a grant to the metropolitan council for evaluation, documentation, and reporting on the effectiveness of various runoff management practices on lake protection.

(e) Mercury Toxicity

\$150,000                      \$150,000

Approved complement - 1

The appropriation is to examine lakes, streams, and fish in order to determine the source of and mitigation measures for mercury contamination. Federal money available is appropriated.

Subd. 5. State Planning Agency	512,000	513,000
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The amounts that may be spent from this appropriation for each activity are as follows:

(a) Pilot Comprehensive Local Water Planning

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

\$450,000

\$450,000

The appropriation is for the environmental quality board for a water planning project to make up to eight grants to local units of government with the required nonstate one-to-one match. This includes up to \$70,000 for information services to be provided by the land management information center. All state agencies shall provide information and assist these county efforts as appropriate. The rulemaking provisions of Minnesota Statutes, chapter 14, do not apply to the award of grants under this paragraph.

(b) Support for Soil and Water Management

\$ 62,000

\$ 63,000

The appropriation is for the environmental quality board to make a grant to the international coalition to provide an understandable basin-wide perspective on soils and waters for improved public knowledge and enhancement of local planning efforts in the Red River basin. The freshwater foundation is requested to assist the project as feasible.

Subd. 6. Department of Agriculture

245,000

245,000

(a) Biological Control of Pests

Approved complement - 5

The appropriation is for research to develop the natural enemies needed to control several plant and animal pests as an alternative to pesticides. Seasonal staffing as needed is anticipated.

Subd. 7. Minnesota Historical

Society

173,000

177,000

The amounts that may be spent from this appropriation for each activity are as follows:

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

## (a) Historical Data Base

\$ 50,000	\$ 50,000
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The appropriation is to organize and automate the collections, increase public awareness, and significantly improve management of these rare materials. Available private money is appropriated.

## (b) Environmental Oral History

\$ 22,000	\$ 23,000
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The appropriation is to complete the project initiated in 1985 while people who are important to environmental history are still available.

## (c) Geographic Resource Marketing

\$ 22,000	\$ 23,000
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The appropriation is to accelerate marketing and interpretation of important geographic resources for purposes of preservation, tourism, and public use.

## (d) Heritage Trails

\$ 22,000	\$ 23,000
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The appropriation is for a project to interpret and preserve historic trails for public use tourism.

## (e) Indian History Grants in Aid

\$ 35,000	\$ 35,000
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The appropriation is for grants to preserve and develop the Battle Point and Kathio sites on an equal match basis with the reservations.

## (f) Farm Economy Record

\$ 22,000	\$ 23,000
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The appropriation is for a project to record the changes in the farm economy and the effects on the social fabric and general economy.

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

Subd. 8. University of Minnesota	3,026,000	3,030,000
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The amounts that may be spent from this appropriation for each activity are as follows:

(a) Optimize Winter Lake Aeration

\$ 49,000	\$ 49,000
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The appropriation is for the St. Anthony Falls Hydraulics laboratory to determine optimum selection, sizing, and operation of lake aeration equipment and techniques.

(b) Gas Permeable Membrane Water Treatment

\$ 87,000	\$ 88,000
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The appropriation is for the civil and mineral engineering department to research and develop novel technologies for removal of contaminants from water. If this work results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

(c) Dioxins in Bleached Kraft Pulp

\$150,000	\$150,000
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The appropriation is for the natural resources research institute to develop biodegradation techniques for decontamination of soils and sludge containing dioxins produced through bleached kraft pulp manufacture and to improve the data base on dioxin contamination. Federal and private moneys are appropriated.

(d) Engineering Solutions to Water Problems

\$350,000	\$350,000
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The appropriation is for the St. Anthony Falls Hydraulics laboratory to devel-

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

op engineering methods for pollutant transport, river erosion and sedimentation, selection of lake management techniques, and evaluation of effects of ice on flooding.

(e) Groundwater Quality Impacts from Agriculture

\$155,000                      \$156,000

The appropriation is for the soils department to quantify the nitrogen and pesticides that move through soil under the effects of various agricultural practices and to determine the effects of transformation and breakdown products.

(f) Simple Water Assay

\$ 25,000                      \$ 25,000

The appropriation is for the Gray freshwater biological institute to develop a low cost and readily useable test to detect various water pollutants. The appropriation is contingent upon at least an equal private match from the freshwater foundation, which is appropriated. If this work results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

(g) Accelerated Soil Survey

\$700,000                      \$700,000

The appropriation is for the agricultural experiment station for the sixth biennium of a seven biennium effort to provide the appropriate detailed survey based on the adopted federal, state, and local cost share. It may be spent only in counties where the survey was underway or the agreement signed and survey scheduled by July 1, 1988.

(h) Biomass Cash Crop Nursery

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



## Establishment

\$ 92,000	\$ 92,000
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The appropriation is for the Crookston campus to establish poplar nurseries with local growers and small demonstration plots at Waseca and Lamberton.

## (i) Undrained Peatlands for Short

## Rotation Forestry

\$ 58,000	\$ 58,000
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The appropriation is for the natural resources research institute to determine the feasibility of using undrained peat for poplar and willow plantations as an alternative to the environmental impacts from conventional drainage land preparation techniques.

## (j) Compost and CoCompost Research

\$ 87,000	\$ 88,000
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The appropriation is for the soils department to identify methods that optimize produce quality and to determine management practices and application rates for use of compost.

## (k) Gamefish Growth Enhancement

\$321,000	\$322,000
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The appropriation is for the fish and wildlife department to produce fish with increased growth rates using genetic engineering. If this work results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

## (l) Evaluation of Mosquito Control

## Activities on Waterfowl

\$ 60,000	\$ 60,000
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The appropriation is for the department

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

of fish and wildlife to study impacts on the food resources of marshes related to waterfowl reproduction and duckling survival. The university must attempt to secure an equal funding match from the metropolitan mosquito control commission. The freshwater foundation is requested to assist by coordinating this work with other related studies on waterfowl.

(m) Ash as a Lime or Fertilizer Source

\$ 35,000                      \$ 35,000

The appropriation is for the extension service to determine the potential of wood and related ash as a soil amendment that is environmentally safe and economically viable for alfalfa and other crops.

(n) Aeromagnetic Mapping

\$400,000                      \$400,000

The appropriation is to the state geological survey for the fifth biennium of a six biennium effort to electronically acquire and interpret geophysical data, including groundtruth drilling.

(o) Industrial Minerals: Clay

\$200,000                      \$200,000

The appropriation is for the mineral resources research center to test known clay resources for potential industrial resources and test the feasibility of producing high grade kaolin products from Redwood Falls area clay.

(p) Future Timber Supply Scheduling

Techniques

\$ 73,000                      \$ 73,000

The appropriation is for the college of forestry to link strategic and operational planning by refining growth projection and planning models and to thereby help capture greater economic and biologic potentials from forests.

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

## (q) Biotechnology Applications in Forestry

\$ 84,000	\$ 84,000
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The appropriation is for the college of forestry to complete the basic research on regeneration, emphasizing tissue culture, and on bioprocessing of lignin.

## (r) Sludge Ash Pilot Project

\$100,000	\$100,000
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The appropriation is to the mineral resources research center for a pilot plant test of new processing techniques for the ash from incinerated sewage sludge, and to assess the potential of total disposal through a route to a commercial product. The match from the metropolitan waste control commission is appropriated. If this work results in a patent and subsequent royalties, the university shall repay 50 percent of the royalties received, net of patent servicing costs, until the entire appropriation is repaid, into the Minnesota resources fund.

Subd. 9. State University Board	50,000	50,000
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## (a) Nonenergy Peat Development

The appropriation is for Bemidji state university to accelerate the investigation of extracting high value commercial products from peat.

## Subd. 10. Appropriation Adjustment

The commissioner of finance, upon recommendation of the legislative commission on Minnesota resources, shall reduce the appropriations for the projects funded by this section by \$100,000 in fiscal year 1988 and \$100,000 in fiscal year 1989. This reduction shall be reapportioned to the commissioner of natural resources to establish a control program for the weed *lythrum salicaria*

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

(purple loosestrife) in cooperation with the department of agriculture.

**Subd. 11. Appropriation Adjustment**

The commissioner of finance, upon recommendation of the legislative commission on Minnesota resources, shall adjust the appropriations for the projects funded by this section by \$40,000 in fiscal year 1988 and \$40,000 in fiscal year 1989. The reduction shall be reappropriated to the commissioner of natural resources to fund a land and water conservation fund coordination position. The commissioner is authorized one complement position.

**Subd. 12. Compatible Data**

During the biennium, the data collected by projects funded under this section that has common value for natural resource planning must be provided and integrated into the Minnesota land management information system's geographic and summary data bases according to published data compatibility guidelines. Costs associated with this data delivery must be borne by the activity receiving funding under this section. This requirement applies to all projects funded under this section, including but not limited to projects under subdivision 3, clauses (a), (b), (c), (h), (k), (l), and (m), subdivision 4, clause (b), subdivision 5, clause (a), and subdivision 8, clauses (e), (g), and (n).

**Subd. 13. Work Programs**

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation must submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided in this subdivision

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

may be spent unless the commission has approved the pertinent work program. Upon request from the commission, the agency head shall submit an evaluation by July 1, 1988, as to whether the program should be incorporated in the next agency budget.

Subd. 14. Complement Temporary

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their positions must be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons is authorized.

Subd. 15. Federal Reimbursement Account	500,000	500,000
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This appropriation is for the spending purposes in the natural resources federal reimbursement account in Minnesota Statutes, section 86.72.

Sec. 31. LABOR AND INDUSTRY

Subdivision 1. Total

Appropriation	1988	1989	16,673,000	16,505,500
Approved Complement -	373	373		
General -	69	69.0		
Special Revenue -	65	65		
Federal -	42.5	42.5		
Workers' Compensation -	196.5	196.5		
	Summary by Fund			
General	\$ 7,491,000	\$ 7,540,900		
Worker's Comp.	\$ 7,722,700	\$ 7,619,100		
Special Revenue	\$ 1,459,300	\$ 1,345,500		

The amounts that may be spent from

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

this appropriation for each program are specified in the following subdivisions.

Subd. 2. Employment Standards

\$ 909,900                      \$ 907,400

Subd. 3. Workers' Compensation

Regulation and Enforcement

\$ 4,065,300                      \$ 4,019,900

This appropriation is from the special compensation fund.

Until June 30, 1989, the commissioner of labor and industry may provide a workers' compensation insurer or self-insured employer direct computer access to public workers' compensation data on file with the commissioner, upon receipt of a fee in an amount determined by the commissioner to be sufficient to cover the direct and indirect costs of providing the access. Fee receipts must be deposited in the state treasury and credited to a special account and are appropriated to the commissioner to pay the costs of providing the access.

Subd. 4. Workers' Compensation

State Claims Management

\$1,714,600                      \$1,771,300

\$310,500 the first year and \$322,900 the second year are for payment of peace officer survivor benefits under Minnesota Statutes, section 176B.04. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 5. Workers' Compensation

Special Compensation Fund

\$3,904,800                      \$3,903,800

Of this appropriation \$1,404,800 the first year and \$1,403,800 the second year are from the special compensation fund.

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

\$2,500,000 the first year and \$2,500,000 the second year are for reimbursement of the special compensation fund under Minnesota Statutes, section 176.183, subdivision 2.

\$197,000 the first year and \$197,000 the second year is from the special compensation fund for enforcement of the mandatory insurance requirements contained in Minnesota Statutes, chapter 176. This appropriation includes money to pay for an investigator to assist the department in its insurance enforcement efforts.

Subd. 6. Code Enforcement

\$ 1,409,600	\$ 1,295,800	
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This appropriation is from the special revenue fund.

Subd. 7. OSHA

\$ 1,237,900	\$ 1,234,700	
	Summary by Fund	
General	\$ 1,188,200	\$1,185,000
Special Revenue	\$ 49,700	\$ 49,700

\$49,700 the first year and \$49,700 the second year are from the special revenue fund for passenger elevator inspection.

Subd. 8. General Support

\$2,234,300	\$2,232,200	
	Summary by Fund	
General	\$ 853,000	\$ 852,400
Workers' Comp.	\$1,381,300	\$1,379,800

Subd. 9. Information Management

Services

\$ 1,196,600	\$ 1,140,400	
	Summary by Fund	
General	\$ 325,300	\$ 324,800
Workers' Comp.	\$ 871,300	\$ 815,600

Sec. 32. WORKERS' COMPENSATION COURT OF APPEALS

755,200

738,500

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

## Approved Complement - 15

This appropriation is from the workers' compensation special compensation fund.

Sec. 33. MEDIATION SERVICES	1,570,100	1,618,600
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## Approved Complement - 26

\$237,500 the first year and \$287,500 the second year are for grants to area labor-management committees. The unencumbered balance remaining in the first year does not cancel but is available for the second year.

Sec. 34. PUBLIC EMPLOYMENT RELATIONS BOARD	60,600	60,500
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## Approved Complement - 1

## Sec. 35. MILITARY AFFAIRS

## Subdivision 1. Total

Appropriation	6,301,100	6,303,400
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## Approved Complement - 322.8

General - 136.8

Federal - 186.0

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

## Subd. 2. Maintenance of Training

## Facilities

\$ 4,990,900	\$ 4,981,900
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\$100,000 the first year and \$100,000 the second year are for six general fund positions to support the federal construction program.

\$100,000 the first year and \$100,000 the second year is for repairs and renovations. If the appropriation for either

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year is insufficient the appropriation for the other year is available for it.

Subd. 3. General Support

\$1,310,200                      \$1,321,500

\$75,000 the first year and \$75,000 the second year are for expenses of military forces ordered to active duty under Minnesota Statutes, chapter 192. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 36. VETERANS AFFAIRS

Subdivision 1. Total

Appropriation	15,554,300	15,250,800
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Approved Complement - 408.5

General - 41.0

Special - 367.5

	Summary by Fund	
General	\$ 7,554,300	\$ 7,250,800
Transfers to		
Other Direct	(\$ 5,068,300)	(\$ 4,765,200)
Special Revenue	\$13,068,300	\$12,765,200

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Veterans Benefits and

Services

\$2,486,000                      \$2,485,600

During the biennium, in administering veterans benefits programs the commissioner shall ensure that veterans participate in all federally funded benefit programs to the maximum extent possible before receiving assistance under state funded programs.

\$988,100 the first year and \$988,100 the second year are for emergency financial and medical needs of veterans. For the

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biennium ending June 30, 1989, the commissioner shall limit financial assistance to veterans and dependents to six months, unless recipients have been certified as ineligible for other benefit programs. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 3. Veterans Homes

\$ 13,068,300	\$ 12,765,200		
	Summary by Fund		
General	\$ 5,068,300	\$ 4,765,200	
Transfers to			
Other Direct	(\$ 5,068,300)	(\$ 4,765,200)	
Special Revenue	\$13,068,300	\$12,765,200	

The appropriation from the general fund is for transfer by the commissioner of finance to the special revenue fund to support appropriations from the special revenue fund that are not fully supported by income from the federal government and charges to residents.

\$200,000 of unencumbered balances in the appropriations in Laws 1985, First Special Session chapter 13, section 37, subdivision 2, specified for emergency financial and medical needs of veterans is transferred to the fiscal year 1987 Minneapolis Veterans Home program budget for emergency repairs and equipment needed to correct cited deficiencies at the home.

Sec. 37. HUMAN RIGHTS	2,574,700	2,593,100
Approved Complement - 65		
Sec. 38. INDIAN AFFAIRS COUNCIL	329,300	308,900
Approved Complement - 9		
General - 7		
Federal - 2		
\$25,000 the first year and \$25,000 the		

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

second year is for the purpose of enabling the council to carry out the tasks of identifying, relocating or preserving the Indian burial grounds as required by Minnesota Statutes, section 307.08. The council is to work cooperatively with the Minnesota state historical society in performing these tasks.

During the biennium, the data collected by this activity that has common value for natural resource planning must be provided and integrated into the Minnesota land management information system's geographic and summary data bases according to published data compatibility guidelines. Costs associated with this data delivery must be borne by this activity.

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 39. COUNCIL ON AFFAIRS		
OF SPANISH-SPEAKING PEOPLE	154,300	134,500

Approved Complement - 3

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be

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raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 40. COUNCIL ON BLACK

MINNESOTANS	168,700	148,700
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Approved Complement - 3.5

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 41. COUNCIL ON ASIAN-PACIFIC MINNESOTANS

	150,000	130,000
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Approved Complement - 3

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 42. COUNCIL FOR THE

HANDICAPPED	438,900	419,500
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Approved Complement - 10

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

An additional \$20,000 from the general fund is available for allotment by the commissioner of finance to the council during the biennium only upon demonstration of a dollar-for-dollar match with nonpublic contributions. Up to one-quarter of the nonpublic match requirement may be met with in-kind contributions. Nonpublic contributions may be raised by the council in either year of the biennium. All funds not receiving a nonpublic match shall cancel to the general fund at the end of the biennium.

Sec. 43. SALARY SUPPLEMENT

19,699,600      42,569,100

Subdivision 1. Appropriations

Except as limited by the direct appropriations made in this section, the amounts necessary to pay compensation and economic benefit increases covered by this section are appropriated from the various funds in the state treasury from which salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1988, and June 30, 1989. In the case of salaries that are paid from one fund, but that fund is reimbursed by another fund, the amounts necessary to make these reimbursements are also appropriated.

(a) General Fund

\$14,453,000      \$30,358,000

(b) Game and Fish Fund

\$ 568,500      \$1,149,200

(c) Trunk Highway Fund

\$5,118,900      \$10,348,800

(d) Highway User Tax Distribution Fund

\$ 144,300      \$ 291,700

(e) Workers' Compensation

\$ 208,200      \$ 421,400

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

### Subd. 2. Increases Covered

The compensation and economic benefit increases covered by this section are those paid to classified and unclassified employees and officers in the executive, judicial, and legislative branches of state government, and to employees of the Minnesota historical society who are paid from state appropriations, if the increases are required by existing law or authorized by law during the 1987 session of the legislature or by appropriate resolutions for employees of the legislature, or are given interim approval by the legislative commission on employee relations under Minnesota Statutes, sections 3.855 and 43A.18 or 179A.22, subdivision 4.

The salary increases recommended by the compensation council on December 18, 1986, for legislators, judges, and constitutional officers are modified, so that the rate of increase that goes into effect on January 1, 1989, and January 1, 1990, must be five percent each year.

The commissioner of finance shall transfer to the appropriations for agencies in the legislative and judicial branches and for the constitutional officers the amounts certified as necessary for each agency by its chief financial officer. For the purposes of this paragraph, the secretary of the senate is the chief financial officer for the senate, the chairman of the legislative coordinating commission for legislative commissions, the chief justice of the supreme court for agencies in the judicial branch, and the elected constitutional officer for each constitutional office.

The salaries for positions listed in Minnesota Statutes, section 15A.081, subdivision 1, which were given interim approval by the legislative commission

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on employee relations on March 31, 1987, are ratified, retroactive to January 16, 1987.

The salary increase for a position listed in Minnesota Statutes, section 15A.081, subdivision 1, must not be more than five percent for each year of the biennium ending June 30, 1989.

Within the provisions of the managerial plan approved under Minnesota Statutes, section 43A.18, an agency may not authorize aggregate performance increases for its managers that exceed an average of three percent in each year of the biennium ending June 30, 1989. A salary increase given in a lump sum is included within this limit. If an agency has fewer than three managers, it may exceed this average by one percent.

By January 1, 1989, the commissioner of employee relations must assess managerial pay practices among the categories of agencies as grouped in Minnesota Statutes, section 15A.081, and among the metropolitan council and metropolitan commissions and boards. Managers within agencies of the executive branch not listed in section 15A.081 must also be compared. This assessment must be reported to the chairs of the committees of house appropriations, senate finance, and the legislative commission on employee relations.

The metropolitan council or a metropolitan commission or board may not authorize aggregate performance increases for its managers that exceed an average of three percent in each year of the biennium ending June 30, 1989. A salary increase given in a lump sum is included within this limit. If an agency has fewer than three managers, it may exceed this average by one percent.

#### Subd. 3. Notice

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

During the biennium, the commissioner of finance shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.

Sec. 44. GENERAL CONTINGENT ACCOUNTS

1,450,000                      750,000

The appropriations in this section must be spent with the approval of the governor after consultation with the legislative advisory commission under Minnesota Statutes, section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Summary by Fund

General	\$750,000	\$750,000
Special Revenue	\$500,000	\$ 0
Workers' Comp.	\$200,000	\$ 0

The appropriation from the general fund is only available to the extent that the unreserved fund balance of the general fund on July 1, 1987, is greater than was estimated at the time this act was enacted.

Sec. 45. TORT CLAIMS

318,500                      318,500

To be spent by the commissioner of finance.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Summary by Fund

General	\$ 303,000	\$ 303,000
Game and Fish	\$ 15,500	\$ 15,500

Sec. 46. MINNESOTA STATE

RETIREMENT SYSTEM

4,970,000                      5,216,000

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



The amounts estimated to be needed for each program are as follows:

## (a) Legislators

\$2,155,000	\$2,161,000
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Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.11.

## (b) Judges

\$2,650,000	\$2,875,000
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Under Minnesota Statutes, sections 490.106; and 490.123, subdivision 1.

## (c) Constitutional Officers

\$ 142,000	\$ 157,000
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Under Minnesota Statutes, sections 352C.031, subdivision 5; 352C.04, subdivision 3; and 352C.09, subdivision 2.

## (d) State Employee Supplemental Benefits

\$ 23,000	\$ 23,000
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Under Minnesota Statutes, section 352.73.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

## Sec. 47. PUBLIC EMPLOYEES

RETIREMENT ASSOCIATION	30,000	30,000
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This appropriation is for supplemental benefits under Minnesota Statutes, section 353.83.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

## Sec. 48. MINNEAPOLIS EMPLOYEES RETIREMENT FUND

10,654,000	11,375,000
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The appropriation is to the commissioner of finance for payment to the Minneapolis employees retirement fund under

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

Minnesota Statutes, section 422A.101, subdivision 3.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 49. POLICE AND FIRE

AMORTIZATION AID	7,537,000	7,537,000
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The appropriation is to the commissioner of finance for state aid to amortize the unfunded liability of local police and salaried firefighters' relief associations, under Minnesota Statutes, section 423A.02. If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 50. UNIVERSITY OF MINNESOTA	372,900	372,400
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This appropriation is for use by the St. Anthony Falls hydraulics laboratory.

This appropriation must not be allocated by the commissioner of finance to the University of Minnesota until the commissioner has made an annual determination that the federal money available each fiscal year is less than the amount that was available in fiscal year 1987. The amount of the allocation, when added to the federal money available, must not exceed the amount of federal money received in fiscal year 1987.

Sec. 51. FISCAL YEAR 1987 APPROPRIATIONS

Subdivision 1. Appropriations

The sums set forth in columns designated "APPROPRIATIONS" are appropriated from the General Fund, or any other fund designated, to the agencies and for the purposes specified in this section, to be available for fiscal year 1987.

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

## Summary by Fund

	1987
General	\$3,325,900
Special Revenue	395,000
Trunk Highway	284,800
Workers' Compensation	18,300

## APPROPRIATION

	1987
Subd. 2. Trial Courts	\$ 413,900

This appropriation is added to the appropriation in Laws 1985, First Special Session chapter 13, section 5, subdivision 2, for district and county judges.

Subd. 3. Attorney General	584,800
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\$300,000 is added to the appropriation in Laws 1985, First Special Session chapter 13, section 14, subdivision 5, and remains available until the bankruptcy proceeding involving LTV Corporation and Reserve Mining is resolved.

\$284,800 is appropriated from the trunk highway fund for transfer by the commissioner of finance to the general fund on June 30, 1987, in order to reimburse the general fund for legal services to trunk highway fund purposes in fiscal years 1985, 1986, and 1987.

Subd.4. Pollution Control Agency	490,000
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This appropriation is for environmental impact statements and is available until June 30, 1988. Koch Refining Company shall reimburse the general fund for the cost of conducting the environmental impact statement on their land farm project.

Subd. 5. Labor and Industry	1,032,000
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This appropriation is to pay the reinsurance premium for the workers' compensation state employee claims management program and is added to the appropri-

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tion in Laws 1985, First Special Session chapter 13, section 32.

Subd. 6. Workers' Compensation

Court of Appeals

18,300

This appropriation is from the workers' compensation special compensation fund and is added to the appropriation in Laws 1985, First Special Session chapter 13, section 33.

Subd. 7. Veterans Affairs

395,000

This appropriation from the special revenue fund is to provide salaries for nursing staff, patients' food, and workers' compensation payments and is added to the appropriation in Laws 1985, First Special Session chapter 13, section 37.

Subd. 8. Transfer of Lands

790,000

To be disbursed by the commissioner of finance and to remain available until the transfer of lands authorized by Laws 1984, chapter 539, and Laws 1986, chapter 429 is completed.

Of this amount, up to \$650,000 is for condemnation awards related to reimbursement of the permanent school fund for up to 1,500 acres of school and other trust fund lands that must be condemned in order to complete the transfer authorized by Laws 1984, chapter 539 and Laws 1986, chapter 429. The remaining amount may be used for costs and other expenses associated with the condemnation and transfer.

Payment or reimbursement must not be made from this appropriation until the state of Minnesota and the United States have entered into a land transfer agreement under the terms of the White Earth Land Settlement Act of 1985, Public Law Number 99-264, Statutes at Large, volume 100, page 61.

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

\$50,000 is to reimburse the White Earth Band of Chippewa Indians for actual costs incurred in developing, supporting, and implementing the White Earth Land Claim Settlement Act, Public Law 99-264. Payments must be made by the commissioner of finance upon submission of invoices, bills, or statements certified by the chairman of the White Earth tribal council to be actual costs incurred in developing, supporting, and implementing the settlement act, and upon review and approval of the submissions by the attorney general.

Subd. 9. Firefighting

The amount necessary to pay for emergency firefighting expenses is added to the appropriation in Laws 1985, First Special Session chapter 13, section 23, subdivision 7, for the purposes of firefighting.

Subd. 10. Superconducting Supercollider

\$300,000 is appropriated from the general fund for fiscal year 1987 to a contingency account in the governor's office for the purpose of preparing an application to the Department of Energy for Minnesota to become the site of the superconducting supercollider. The governor's office shall seek out private funding and shall make use of the full services of the state planning agency in preparing the application. This appropriation is available until January 1, 1988.

Sec. 52. **POSTRETIREMENT ADJUSTMENT; LUMP SUM PAYMENTS.**

Subdivision 1. COVERED RETIREMENT FUNDS. The following retirement funds shall pay the postretirement adjustment provided for in this section:

- (1) public employees retirement fund;
- (2) public employees police and fire fund;
- (3) teachers retirement fund;

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

(4) state patrol retirement fund;

(5) state employees retirement fund of the Minnesota state retirement system; and

(6) Minneapolis employees retirement fund.

Subd. 2. ENTITLEMENT. A person receiving a retirement annuity, disability benefit, or surviving spouse's annuity or benefit from a retirement fund named in subdivision 1 is entitled to receive the postretirement adjustment provided for in this section if the annuity or benefit the person is receiving is:

(1) an annuity or benefit from the fund named in subdivision 1, clause (4), computed under the laws in effect before June 1, 1973;

(2) an annuity or benefit from the funds named in subdivision 1, clause (1), (2), (3), or (5), computed under the laws in effect before July 1, 1973;

(3) an annuity from the fund named in subdivision 1, clause (6), computed under the laws in effect before March 5, 1974;

(4) a "\$2 bill and annuity" annuity from the fund named in subdivision 1, clause (6); or

(5) an annuity or benefit from the fund named in subdivision 1, clause (5), computed under the metropolitan transit commission-transit operating division employees retirement fund document in effect before January 1, 1978.

Subd. 3. AMOUNT OF ADJUSTMENT. Each retirement fund named in subdivision 1 shall pay the postretirement adjustments provided for in this section to each person eligible for an annuity or benefit on November 30, 1987, or November 30, 1988, and entitled to an adjustment under subdivision 2. An adjustment for an individual recipient must be a lump sum payment in an amount equal to \$20 in 1987 and \$20 in 1988 for each full year of allowable service credited to the recipient by the fund. Adjustments are payable on December 1, 1987, to recipients eligible for an annuity or benefit on November 30, 1987, and on December 1, 1988, to recipients eligible for an annuity or benefit on November 30, 1988. Nothing in this section authorizes a fund to pay an adjustment to an estate. Notwithstanding Minnesota Statutes, section 356.18, a fund shall pay the adjustments provided for in this section without being requested to do so unless an intended recipient files a written notice with the fund requesting that the adjustment not be paid.

Subd. 4. TERMINAL AUDIT. Each retirement fund named in subdivision 1, as soon as practical after payment of the December 1, 1988, postretirement adjustment, shall calculate the amount of any appropriation apportioned to it in excess of the amount required to pay the adjustments, report its calculation in writing to the commissioner of finance, and return any excess amount to the general fund. The commissioner of finance shall verify the calculation reported by each fund.

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

Subd. 5. APPROPRIATION. \$10,899,000 is appropriated from the general fund to the retirement funds named in subdivision 1, to pay the postretirement adjustments provided for in subdivision 3. The appropriation is apportioned as follows:

	<u>Fiscal Year</u> 1988	<u>Fiscal Year</u> 1989
<u>Public employees retirement fund</u>	<u>\$1,822,000</u>	<u>\$1,713,000</u>
<u>Public employees police and fire fund</u>	<u>78,000</u>	<u>73,000</u>
<u>Teachers retirement fund</u>	<u>1,532,000</u>	<u>1,443,000</u>
<u>State patrol retirement fund</u>	<u>67,000</u>	<u>63,000</u>
<u>State employees retirement fund</u>	<u>1,280,000</u>	<u>1,230,000</u>
<u>Minneapolis employees retirement fund</u>	<u>820,000</u>	<u>778,000</u>

#### Sec. 53. TRANSFERS.

Subdivision 1. GENERAL PROCEDURE. If the appropriation in this act to an agency in the executive branch is specified by program, the agency may transfer unencumbered balances among the programs specified in that section after getting the approval of the commissioner of finance. The commissioner shall not approve a transfer unless the commissioner believes that it will carry out the intent of the legislature. The transfer must be reported immediately to the committee on finance of the senate and the committee on appropriations of the house of representatives. If the appropriation in this act to an agency in the executive branch is specified by activity, the agency may transfer unencumbered balances among the activities specified in that section using the same procedure as for transfers among programs.

Subd. 2. CONSTITUTIONAL OFFICERS. A constitutional officer need not get the approval of the commissioner of finance but must notify the committee on finance of the senate and the committee on appropriations of the house of representatives before making a transfer under subdivision 1.

Subd. 3. TRANSFER PROHIBITED. If an amount is specified in this act for an item within an activity, that amount must not be transferred or used for any other purpose.

#### Sec. 54. MASTER LEASE.

During the biennium ending June 30, 1989, for agencies to whom appropriations are made in this act, the master lease, as authorized in Minnesota Statutes, section 16A.85, may only be used to finance large equipment with a capital value of more than \$100,000 and a useful life of more than ten years, and for equipment already purchased under an existing lease-purchase agreement. The commissioner of finance must consult with the chairs of the senate finance committee and house appropriations committee before entering into a lease-purchase of equipment by a state agency in this act. This requirement does not apply to purchases by the commissioner of administration made with money from an internal services fund.

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

**Sec. 55. STUDY OF MANAGEMENT OF VETERANS HOMES.**

**Subdivision 1. STUDY ESTABLISHED.** The commissioner of administration shall conduct or arrange for a study of the management and operation of the Minnesota Veterans Homes. The purpose of the study is to provide the legislature with an accurate assessment of the management of the home and a comprehensive appraisal of any deficiencies or problems that need to be addressed. It is the intent of the legislature to assure that the care and services provided to the veterans in these homes is of high quality and that the quality of life for the veterans is enhanced and maintained while residing in the home.

**Subd. 2. STUDY GUIDELINES.** The study shall evaluate the following: the role and responsibilities of the governing body, administrator, and management staff at the home; the relationships between the governing body, administrator and management staff located in each home; the span of control and authority delegated to the management staff at the home; the effectiveness of the management practices at the home; the direct care and other support personnel staffing patterns and assignments throughout all units in the home; the admission criteria and practices; the assessment of the care and service needs of the residents; the utilization of state operated veterans homes compared to the utilization of community based and operated long-term care facilities for the veteran population; the relationship of the home with the federal Veterans Administration regulatory programs; the relationship with the federal regulatory programs with the state regulatory programs; the programmatic and fiscal advantages or disadvantages of medical assistance certification for the veterans home; the utilization of a preadmission screening program for the home; and any other factors that are necessary for an accurate and complete assessment of the role, operation, and management of the home.

**Subd. 3. REPORT.** The commissioner of administration may contract with a person or organization knowledgeable in long-term health care facility management. The commissioners of health and human services shall assist the commissioner of administration in conducting this study. The commissioner of administration shall report to the legislature with specific findings and recommendations by February 1, 1988.

**Subd. 4. ASSESSMENTS.** The commissioner of veterans affairs shall complete an assessment of the care and services needed by all residents of all units in the homes. These assessments shall be conducted in accordance with the procedures used by the department of health for the assignment of resident case mix reimbursement classifications. These assessments shall be completed for all residents by September 1, 1987, and for all residents admitted after that date or the date of completion of the assessments whichever comes first. The commissioner of health shall provide the commissioner of veterans affairs with any necessary assistance required to train staff to perform these assessments. The assessments shall be available to the commissioners of health, human services, and administration for the purpose of completing the management study of the veterans home.

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



**Sec. 56. INCREASED RENTAL COSTS OR SPACE.**

An agency or department head must consult with the chairs of the house appropriations and senate finance committees before entering into any agreement that would cause an agency's rental costs to increase by ten percent or more per square foot or would increase the number of square feet of office space rented by the agency by 25 percent or more in any fiscal year.

**Sec. 57. BUILDING FUND APPROPRIATION; TRANSFER.**

Subdivision 1. Notwithstanding any other law, the commissioner of administration may transfer unencumbered balances existing on May 15, 1987, in a project account for the building fund appropriations listed in subdivision 2 to the project enumerated in Laws 1983, chapter 344, section 2(j). The money transferred under this section is appropriated for the purposes for which it is transferred and may be used for the retention of outside technical and legal expertise in the matter of the resolution of any claims that arose out of the project to which the original appropriation was made. The commissioner must report to the chairs 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 1973, chapter 777, section 14(c); Laws 1973, chapter 778, section 5(1); Laws 1976, chapter 348, section 2, subdivision 2; Laws 1978, chapter 791, section 2(k); Laws 1978, chapter 791, section 2(t); Laws 1978, chapter 792, section 4(a) and 4(f) and 15(a); Laws 1979, chapter 338, section 6; and Laws 1981, chapter 4, section 2, subdivision 8 and section 6; and Laws 1981, chapter 361, section 2(a); and Laws 1981, chapter 362, section 3; and Laws 1982, chapter 639, section 7.

**Sec. 58. INVESTIGATIVE ACTIVITIES.**

A six-member joint legislative committee shall investigate the investigative activities of the department of natural resources and the bureau of criminal apprehension. The committee consists of three house members, including one member of the minority caucus, appointed by the speaker of the house, and three senate members, including one member of the minority caucus, appointed pursuant to the rules of the senate. The committee shall review the manner in which the investigative activities are carried out and the budget for the activities. The committee shall conclude its work by December 31, 1988.

Sec. 59. Minnesota Statutes 1986, section 2.722, subdivision 1, is amended to read:

Subdivision 1. **DESCRIPTION.** Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; ~~nine~~ 13

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judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 13 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; 22 judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

4. Hennepin; 24 53 judges;

5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

6. Carlton, St. Louis, Lake, and Cook; ~~six~~ 15 judges;

7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; 49 20 judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; 24 30 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and other places designated by the chief judge of the district.

Sec. 60. Minnesota Statutes 1986, section 3.30, subdivision 2, is amended to read:

Subd. 2. MEMBERS; DUTIES. ~~The chair of the senate committee on taxes and tax laws; the chair of the senate committee on finance; the chair of the house committee on taxes and tax laws; and the chair of the house committee on appropriations shall constitute the legislative advisory commission. The governor shall preside over the meetings of the commission but shall not be a member thereof. The majority leader of the senate or a designee, the chair of the senate committee on finance, and the chair of the senate division of finance responsible for overseeing the items being considered by the commission, the speaker of the house of representatives or a designee, the chair of the house committee on~~

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appropriations, and the chair of the division of the house appropriations committee responsible for overseeing the items being considered by the commissioner constitute the legislative advisory commission. The division chair of the finance committee in the senate and the division chair of the appropriations committee in the house shall rotate according to the items being considered by the commission. If any of the legislative members elect not to serve on the commission, the house of which they are members, if in session, shall select some other member for such vacancy. If the legislature is not in session, vacancies in the legislative membership of the commission shall be filled by the last speaker of the house or, if the speaker be not available, by the last chair of the house rules committee, in case of a house vacancy, and by the last senate committee on committees or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of finance shall act as secretary of the commission and shall keep a permanent record and minutes of its proceedings, which shall be public records. The commissioner of finance shall transmit, under the provisions of section 3.195, a report to the next legislature of all actions of said commission. The members of the commission shall receive traveling and subsistence expenses in attending meetings of the commission. The commission shall meet from time to time upon the call of the governor or upon the call of the secretary at the request of three or more of its members.

Sec. 61. Minnesota Statutes 1986, section 3.303, subdivision 5, is amended to read:

Subd. 5. The commission shall represent the legislature and assist state agencies in making arrangements for the accommodation and appropriate recognition of individuals or groups visiting Minnesota as direct or indirect representatives of foreign governments, other states, or any of the subdivisions or agencies of foreign governments or other states; and provide other services determined by the commission. The commission may make grants, employ staff and obtain office space, equipment, and supplies necessary to perform the designated duties.

Sec. 62. Minnesota Statutes 1986, section 3.85, subdivision 12, is amended to read:

Subd. 12. **VALUATIONS AND REPORTS TO LEGISLATURE.** (a) The commission shall contract with an established actuarial consulting firm to conduct annual valuations and financial adequacy studies for the funds specified in (b). The contract shall also include provisions for performing cost analyses of proposals for changes in benefit and funding policies.

(b) The plans which shall be included in the contract for valuation and analysis are:

- (1) the Statewide Teachers Retirement Association;
- (2) the General Plan, Minnesota State Retirement System;
- (3) the Correctional Plan, Minnesota State Retirement System;

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- (4) the State Patrol Plan, Minnesota State Retirement System;
- (5) the Judges Plan, Minnesota State Retirement System;
- (6) the Minneapolis Employees Retirement Fund;
- (7) the General Plan, Public Employees Retirement Association;
- (8) the Police and Fire Plan, Public Employees Retirement Association;
- (9) the Duluth Teachers Retirement Association;
- (10) the Minneapolis Teachers Retirement Association;
- (11) the St. Paul Teachers Retirement Association; ~~and~~
- (12) the Legislator's Retirement Plan; and
- (13) the Elective State Officers Retirement Plan.

(c) The contract shall include the following:

(1) Every year beginning in fiscal year 1986, the contract shall specify completion of standard valuations for the preceding fiscal year with contents as described in section 356.215, subdivisions 4 to 4k; and cash flow forecasts through the amortization target date. For funds using a calendar year valuation period the first valuation shall be for the period ending December 31, 1985.

(2) Every four years, beginning in fiscal year 1988, the contract shall specify completion of an experience study for the four-year period ending June 30 of the preceding fiscal year. The experience study shall evaluate the appropriateness of continuing to use for future valuations the assumptions relating to: individual salary progression; rate of return on investments; payroll growth; mortality; withdrawal; disability; retirement; and any other experience-related factor that could impact the future financial condition of the retirement funds.

(d) The commission shall annually prepare a report to the legislature summarizing the results of the valuations and cash flow projections and shall include with its report recommendations concerning the appropriateness of the support rates to achieve proper funding of the retirement funds by the required funding dates. It shall also, within two months of the completion of the quadrennial experience studies, prepare a report to the legislature on the appropriateness of the valuation assumptions listed in paragraph (c), clause (2).

(e) The commission shall assess the retirement plans specified in paragraph (b) other than clauses (12) and (13) the cost of their actuarial valuations and of their experience studies. The assessment shall be that part of the amount of contract compensation with the actuarial consulting firm retained by the commission specified for these functions that bears the same relationship that the total active, deferred, inactive, and benefit recipient membership of the retirement plan bears to the total active, deferred, inactive, and benefit recipient membership of all retirement plans specified in paragraph (b). The assessment

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shall be made upon the completion of the actuarial valuations and the experience studies. The amount of the assessment is appropriated from the retirement fund applicable to the retirement plan. Receipts from assessments shall be deposited in the state treasury and credited to the general fund.

**Sec. 63. [3.885] LEGISLATIVE COMMITTEE ON PLANNING AND FISCAL POLICY.**

Subdivision 1. MEMBERSHIP. The legislative committee on planning and fiscal policy consists of 18 members of the senate and the house of representatives appointed by the legislative coordinating commission. Vacancies on the committee are filled in the same manner as original appointments. The committee shall elect a chair and a vice-chair from among its members. The chair alternates between a member of the senate and a member of the house in January of each odd-numbered year.

Subd. 2. COMPENSATION. Members of the committee are compensated in the manner provided by section 3.101.

Subd. 3. STAFF. The committee may hire staff necessary to carry out its duties and may also use other legislative staff. The legislative coordinating commission shall provide office space and administrative support to the committee. The commissioners of finance and revenue shall supply the committee with information upon request of the chair. The state planning agency shall report to the committee, and the committee may make recommendations to the state planning agency.

Subd. 4. DUTIES. The committee shall study and evaluate the actual and projected expenditures by state government, the actual and projected sources of revenue that support these expenditures, and the various options available to meet the state's future fiscal needs. In performing this duty the committee shall consider, among other things:

(1) the relative dependence on state tax revenues, federal funds, and user fees to support state-funded programs, and whether the existing mix of revenue sources is appropriate, given the purposes of the programs;

(2) the relative percentages of state expenditures that are devoted to major programs such as education, assistance to local government, aid to individuals, state agencies and institutions, and debt service; and

(3) the role of the legislature in overseeing state government expenditures, including legislative appropriation of money from the general fund, legislative appropriation of money from funds other than the general fund, state agency receipt of money into revolving and other dedicated funds and expenditure of money from these funds, and state agency expenditure of federal funds.

As necessary, the committee shall recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures

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devoted to major programs, and in the role of the legislature in overseeing state government expenditures. The committee may also make recommendations for changes in the design or continuing operation of programs. The committee's recommendations must consider the long-term needs of the state. The recommendations must not duplicate work done by standing committees of the senate and house of representatives.

The committee shall report to the legislature on its activities and recommendations by January 15 of each odd-numbered year.

Sec. 64. Minnesota Statutes 1986, section 3C.035, subdivision 1, is amended to read:

Subdivision 1. **DEADLINES.** A department or agency intending to urge the legislature to adopt a bill shall deliver the drafting request for the bill to the revisor of statutes by ~~December~~ November 1 before the regular session of the legislature at which adoption will be urged. A commissioner or agency head, however, may deliver a drafting request later by certifying to the revisor, with supporting facts, that the request is an emergency, relates to a matter that could not reasonably have been foreseen before ~~December~~ November 1, or for which there is other reasonable justification for delay. The completed bill draft, in a form ready for introduction, must be delivered by the revisor to a senator or representative as directed by the department or agency. If the draft was requested after ~~December~~ November 1, it must be accompanied by a copy of the commissioner's certification to the revisor.

Sec. 65. Minnesota Statutes 1986, section 3C.035, subdivision 2, is amended to read:

Subd. 2. **COSTS.** Agencies shall include in their budgets amounts to pay for bill drafting services provided by the revisor of statutes. The revisor shall assess agencies for the actual cost of bill drafting services rendered to them on requests delivered to the revisor by ~~December~~ November 1. The revisor shall assess agencies for ~~120 percent of~~ double the actual cost of bill drafting services rendered to them on requests delivered to the revisor after ~~December~~ November 1. The revisor shall also assess an agency for the actual cost or ~~120 percent of~~ double the actual cost, as appropriate, for drafting a request that a senator or representative submits to the revisor's office on behalf of the agency. The revisor may not assess a department or agency for the costs related to drafting affecting an agency if the request for drafting originated from within the legislature. Receipts from the assessment must be deposited in the state treasury and credited to the revisor's account.

Sec. 66. Minnesota Statutes 1986, section 3C.11, subdivision 2, is amended to read:

Subd. 2. **PAMPHLETS.** The revisor's office shall compose, print, and deliver pamphlets containing parts of Minnesota Statutes, parts of Minnesota Rules, or combinations of parts of the statutes and rules as may be necessary for

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the use of public officers and departments. The revisor's office shall use a standard form for the pamphlets. The cost of composition, printing, and delivery of the pamphlets, together with a reasonable fee for the revisor's services, is to be borne by the office or department requesting them. The printing must be limited to actual needs as shown by experience or other competent proof. Revenue from the revisor's fee must be deposited in the revisor's account.

Sec. 67. Minnesota Statutes 1986, section 3C.12, subdivision 7, is amended to read:

Subd. 7. **SALE PRICE.** The revisor shall fix the a reasonable sale price of an edition of Minnesota Statutes, supplement to Minnesota Statutes, or edition of Laws of Minnesota ~~according to the limits of this subdivision.~~ The sale price for a newly published edition of Minnesota Statutes is the actual cost of composition, printing, binding, and distribution of all books ordered, but not less than \$75. The sale prices of each newly published edition of the Laws of Minnesota and supplement to Minnesota Statutes are not less than the actual cost of composition, printing, binding, and distribution of all books ordered, but not less than \$10. Revenue from the sale of the Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota must be deposited in the revisor's account.

Sec. 68. **[5.14] TRANSACTION SURCHARGE.**

The secretary of state may impose a surcharge of \$5 on each transaction involving over-the-counter expedited service, other than simple copying requests, that takes place at the office of the secretary of state.

Sec. 69. Minnesota Statutes 1986, section 8.15, is amended to read:

**8.15 ATTORNEY GENERAL COSTS.**

The attorney general in consultation with the commissioner of finance shall assess executive branch agencies ~~the cost of a fee for~~ legal services rendered to them. The assessment against appropriations from other than the general fund must be the full amount of the ~~cost~~ fee. The assessment against appropriations supported by fees must be included in the fee calculation. Unless appropriations are made for ~~these fee supported~~ costs, no payment by the agency is required. The assessment against appropriations from the general fund not supported by fees must be ~~one-fourth~~ one-half of the ~~cost~~ fee. Receipts from assessments must be deposited in the state treasury and credited to the general fund.

Sec. 70. Minnesota Statutes 1986, section 14.08, is amended to read:

**14.08 REVISOR OF STATUTE'S APPROVAL OF RULE FORM.**

(a) Two copies of a rule adopted pursuant to the provisions of section 14.26 or 14.32 shall be submitted by the agency to the attorney general. The attorney general shall send one copy of the rule to the revisor on the same day as it is submitted by the agency under section 14.26 or 14.32. Within five days after

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receipt of the rule, excluding weekends and holidays, the revisor shall either return the rule with a certificate of approval of the form of the rule to the attorney general or notify the attorney general and the agency that the form of the rule will not be approved.

If the attorney general disapproves a rule, the agency may modify it and the agency shall submit two copies of the modified rule to the attorney general who shall send a copy to the revisor for approval as to form as described in this paragraph.

(b) One copy of a rule adopted after a public hearing shall be submitted by the agency to the revisor for approval of the form of the rule. Within five working days after receipt of the rule, the revisor shall either return the rule with a certificate of approval to the agency or notify the agency that the form of the rule will not be approved.

(c) If the revisor refuses to approve the form of the rule, the revisor's notice shall revise the rule so it is in the correct form.

(d) The attorney general and the revisor of statutes shall assess an agency for the actual cost of processing rules under this section. The agency shall pay the revisor's assessments using the procedures of section 3C.056. The agency shall pay the attorney general's assessments using the procedures of section 8.15. Each agency shall include in its budget money to pay the revisor's and the attorney general's assessments. Receipts from the assessment must be deposited in the state treasury and credited to the revisor's account or the general fund as appropriate.

Sec. 71. Minnesota Statutes 1986, section 14.26, is amended to read:

**14.26 ADOPTION OF PROPOSED RULE; SUBMISSION TO ATTORNEY GENERAL.**

If no hearing is required, the agency shall submit to the attorney general the proposed rule and notice as published, the rule as proposed for adoption, any written comments received by the agency, and a statement of need and reasonableness for the rule. The agency shall give notice to all persons who requested to be informed that these materials have been submitted to the attorney general. This notice shall be given on the same day that the record is submitted. If the proposed rule has been modified, the notice shall state that fact, and shall state that a free copy of the proposed rule, as modified, is available upon request from the agency. The rule and these materials shall be submitted to the attorney general within 180 days of the day that the comment period for the rule is over or the rule is automatically withdrawn. The agency shall report its failure to adopt the rules and the reasons for that failure to the legislative commission to review administrative rules, other appropriate legislative committees, and the governor.

Even if the 180-day period expires while the attorney general reviews the

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rule, if the attorney general rejects the rule, the agency may resubmit it after taking corrective action. The resubmission must occur within 30 days of when the agency receives written notice of the disapproval. If the rule is again disapproved, the rule is withdrawn. An agency may resubmit at any time before the expiration of the 180-day period. If the agency withholds some of the proposed rule, it may not adopt the withheld portion without again following the procedures of sections 14.14 to 14.28, or 14.29 to 14.36.

The attorney general shall approve or disapprove the rule as to its legality and its form to the extent the form relates to legality, including the issue of substantial change, and determine whether the agency has the authority to adopt the rule and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rule within 14 days. If the rule is approved, the attorney general shall promptly file two copies of it in the office of the secretary of state. The secretary of state shall forward one copy of each rule to the revisor of statutes. If the rule is disapproved, the attorney general shall state in writing the reasons and make recommendations to overcome the deficiencies, and the rule shall not be filed in the office of the secretary of state, nor published until the deficiencies have been overcome. The attorney general shall send a statement of reasons for disapproval of the rule to the agency, the chief administrative law judge, the legislative commission to review administrative rules, and to the revisor of statutes.

The attorney general shall assess an agency for the actual cost of processing rules under this section. The agency shall pay the attorney general's assessments using the procedures of section 8.15. Each agency shall include in its budget money to pay the attorney general's assessment. Receipts from the assessment must be deposited in the state treasury and credited to the general fund.

Sec. 72. Minnesota Statutes 1986, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

	Salary Range
	Effective
	July 1, 1983
	1987
<del>Commissioner of education;</del>	\$57,500-\$70,000
<u>Commissioner of finance;</u>	<u>\$57,500-\$78,500</u>
<del>Commissioner of finance education;</del>	
Commissioner of transportation;	
Commissioner of human services;	
<u>Commissioner of revenue;</u>	
Executive director, state board of investment;	

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Commissioner of administration;	\$50,000- <del>\$60,000</del> <u>\$67,500</u>
Commissioner of agriculture;	
Commissioner of commerce;	
Commissioner of corrections;	
Commissioner of jobs and training;	
Commissioner of employee relations;	
Commissioner of energy and economic development;	
Commissioner of health;	
Commissioner of labor and industry;	
Commissioner of natural resources;	
<del>Commissioner of revenue;</del>	
Commissioner of public safety;	
Chair, waste management board;	
Chief administrative law judge; office of administrative hearings;	
Director, pollution control agency;	
Director, state planning agency;	
Executive director, housing finance agency;	
Executive director, public employees retirement association;	
Executive director, teacher's retirement association;	
Executive director, state retirement system;	
Chair, metropolitan council;	
Chair, regional transit board;	
Coordinator of full productivity and opportunity;	
Commissioner of human rights;	<del>\$40,000-\$52,500</del> <u>\$42,500-\$60,000</u>
Director, department of public service;	
Commissioner of veterans' affairs;	
Director, bureau of mediation services;	
Commissioner, public utilities commission;	
Member, transportation regulation board.	

Sec. 73. Minnesota Statutes 1986, section 15A.081, subdivision 7, is amended to read:

Subd. 7. **PART-TIME METROPOLITAN OFFICERS.** The governor shall set the salary rate within the range set forth below for the following part-time positions, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

Effective  
July 1, ~~1985~~  
1987

Chair, metropolitan airports

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

commission	\$15,000-\$25,000
Chair, metropolitan waste control commission	<u>\$25,000-\$35,000</u>

Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.

Sec. 74. Minnesota Statutes 1986, section 15A.081, subdivision 7b, is amended to read:

Subd. 7b. **HIGHER EDUCATION OFFICERS.** The state university board, the state board for community colleges, the state board of vocational technical education, and the higher education coordinating board shall set the salary rates for, respectively, the chancellor of the state universities, the chancellor of the community colleges, the state director of vocational technical education, and the executive director of the higher education coordinating board. At least 30 days before the respective board adopts a salary increase according to this subdivision, the board shall submit the proposed salary increase to the legislative commission on employee relations for its review approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2. Salary rates for the positions specified in this subdivision may not exceed 95 percent of the salary set for the governor under subdivision 6.

Sec. 75. Minnesota Statutes 1986, section 15A.083, subdivision 4, is amended to read:

Subd. 4. **RANGES FOR OTHER JUDICIAL POSITIONS.** Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. The supreme court shall set the salary of the state court administrator and the salaries of district court administrators. The salary of the state court administrator or a district court administrator may not exceed the salary of a district court judge. If district court administrators die, the amounts of their unpaid salaries for the months in which their deaths occur must be paid to their estates. The salaries of the district administrators of the second, fourth, and sixth judicial districts may be supplemented by the appropriate county board in an amount not to exceed \$10,000 per year. The salary supplement may be made effective only until January 1, 1988. The salary of the state public defender shall be 95 percent of the salary of the attorney general.

Salary or Range
Effective
July 1,
<del>1983</del>
<u>1987</u>

Board on judicial

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

standards

executive director

~~32,000-44,000~~ \$34,000-\$48,000

Sec. 76. Minnesota Statutes 1986, section 16A.127, subdivision 8, is amended to read:

Subd. 8. **EXEMPTION.** This section does not apply to the community college system, state universities, or the state board of vocational technical education. Except for federal funds, this section does not apply to the department of natural resources for agency indirect costs.

Sec. 77. **[16A.284] APPROPRIATIONS TO CONSTITUTIONAL OFFICERS.**

If an appropriation for a constitutional officer for either fiscal year of a biennium is insufficient, the appropriation for the other fiscal year of the biennium is available for it.

Sec. 78. Minnesota Statutes 1986, section 16A.85, is amended by adding a subdivision to read:

Subd. 6. BUDGET OFFSET. The commissioner of finance shall reduce the operating budgets of state agencies that use the master lease program. The amount of the reduction is the difference between the budgeted purchase price of the equipment and the actual master lease payments.

Sec. 79. Minnesota Statutes 1986, section 16B.20, subdivision 2, is amended to read:

Subd. 2. **ADVISORY COUNCIL.** A small business procurement advisory council is created. The council consists of 13 members appointed by the commissioner of administration. A chair of the advisory council shall be elected from among the members. The appointments are subject to the appointments program provided by section 15.0597. The terms and removal of members are as provided in section 15.059, but members do not receive per diem or expenses.

Sec. 80. Minnesota Statutes 1986, section 16B.41, is amended to read:

**16B.41 STATE INFORMATION SYSTEMS ADVISORY TASK FORCE MANAGEMENT OFFICE.**

The commissioner may appoint a state information systems advisory task force to help the department develop and coordinate a state information services master plan and make recommendations to the commissioner concerning the progress, direction, and needs of the state's computerization effort. The task force expires and the terms, compensation, and removal of members are as provided in section 15.059.

Subdivision 1. ESTABLISHMENT AND PURPOSE. An office of information systems management is created. The office shall develop and establish a

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

policy and standards for state agencies to follow for the development, purchase, and training for information systems. The purpose of the office is to develop, promote, and coordinate a state technology, architecture, standards and guidelines, information needs analysis techniques, contracts for the purchase of equipment and services, and training of state agency personnel on these issues.

Subd. 2. RESPONSIBILITIES. The office has the following duties:

(a) The office must develop and establish a state information architecture to ensure that further state agency development and purchase of information systems equipment and software is directed in such a manner that individual agency information systems complement and do not needlessly duplicate or needlessly conflict with the systems of other agencies. The development of this information architecture must include the establishment of standards and guidelines to be followed by state agencies. The commissioner of administration must establish interim standards and guidelines by August 1, 1987. The office must establish permanent standards and guidelines by July 1, 1988. On January 1, 1988, and every six months thereafter, any state agency that has purchased information systems equipment or software in the past six months, or that is contemplating purchasing this equipment or software in the next six months, must report to the office and to the chairs of the house appropriations committee and the senate finance committee on how the purchases or proposed purchases comply with the applicable standards and guidelines.

(b) The office shall assist state agencies in the planning and management of information systems so that an individual information system reflects and supports the state agency's and the state's mission, requirements, and functions.

(c) Beginning July 1, 1988, the office must review and approve all agency requests for legislative appropriations for the development or purchase of information systems equipment or software. Requests may not be included in the governor's budget submitted to the legislature, beginning with the budget submitted in January 1989, unless the office has approved the request.

(d) Each biennium the office must rank in order of priority agency requests for new appropriations for development or purchase of information systems equipment or software. The office must submit this ranking to the legislature at the same time, or no later than 14 days after, the governor submits the budget message to the legislature.

(e) Beginning July 1, 1989, the office must define, review, and approve major purchases of information systems equipment to (1) ensure that the equipment follows the standards and guidelines of the state information architecture; (2) ensure that the equipment is consistent with the information management principles adopted by the information policy council; (3) evaluate whether or not the agency's proposed purchase reflects a cost-effective policy regarding volume purchasing; and (4) ensure the equipment is consistent with other systems in other state agencies so that data can be shared among agencies, unless the office determines that the agency purchasing the equipment has special needs justifying the inconsistency. The commissioner of finance may not allot funds appropriated for major purchases of information systems equipment until the office reviews and approves the proposed purchase.

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

(f) The office shall review the operation of information systems by state agencies and provide advice and assistance so that these systems are operated efficiently and continually meet the standards and guidelines established by the office.

Subd. 3. The office shall function as a division of the department of administration. The commissioner of administration shall appoint an interim office director and other interim staff and provide the necessary administrative support to the office. The employees and director shall serve in the unclassified service through June 30, 1988. On July 1, 1988, the employee positions established by this section, except the position of director, shall be placed in the classified service. The position of director shall remain in the unclassified service.

Subd. 4. ADVISORY TASK FORCE. The commissioner ~~may~~ must appoint a state information systems advisory task force to help the department develop and coordinate a state information services master plan architecture that is consistent with the information management direction developed by the information policy council, and make recommendations to the commissioner concerning the progress, direction, and needs of the state's computerization effort information systems. The task force must include representatives of state agencies, the supreme court, higher education systems, librarians, and private industry. The task force must also have two members of the house of representatives appointed by the speaker of the house and two members of the senate appointed by the senate committee on committees. No more than one member from the house of representatives and one from the senate shall be chosen from the same political party. The task force expires and the terms, compensation, and removal of nonlegislative members are as provided in section 15.059.

Sec. 81. Minnesota Statutes 1986, section 16B.42, subdivision 4, is amended to read:

Subd. 4. FUNDING. Appropriations and other funds made available to the council for staff, operational expenses, and grants must be administered through the department of administration. Fees charged to local units of government for the administrative costs of the council and revenues derived from royalties, reimbursements, or other fees from software programs, systems, or technical services arising out of activities funded by current or prior state appropriations must be credited to an account in the special revenue fund and are appropriated to the council for the purposes enumerated in subdivision 2. General fund appropriations for the council may also be credited by the commissioner of administration to the account in the special revenue fund. The unencumbered balance of an appropriation for grants in the first year of a biennium does not cancel but is available for the second year of the biennium.

Sec. 82. Minnesota Statutes 1986, section 18.171, subdivision 1, is amended to read:

Subdivision 1. **TERMS.** For the purposes of sections 18.181 to 18.271 and

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

18.281 to ~~18.311~~ 18.315 the terms defined in subdivisions 2 to 7 and section 3, have the meanings given to them.

Sec. 83. Minnesota Statutes 1986, section 18.171, subdivision 5, is amended to read:

Subd. 5. **NOXIOUS WEEDS.** "Noxious weeds" means the annual, biennial, and perennial plants which are deemed by the commissioner, by commissioner's order, to be injurious to public health, public roads, crops, livestock and other property. The commissioner's orders under this subdivision are not subject to chapter 14.

Sec. 84. Minnesota Statutes 1986, section 18.171, is amended by adding a subdivision to read:

Subd. 8. LAND. "Land" includes wetlands and public waters.

Sec. 85. **[18.182] PENALTY FOR SALE OF PURPLE LOOSESTRIFE.**

A person who sells purple loosestrife, lythrum salicaria, is guilty of a misdemeanor.

Sec. 86. Minnesota Statutes 1986, section 18.241, subdivision 2, is amended to read:

Subd. 2. **RULES REGARDING TRANSPORTATION.** Except as provided in section 21.74, when any person desires to transport along a public highway materials containing seeds or other propagating parts of leafy spurge, horse nettle, Austrian field cress, field bindweed, perennial pepper grass, wild radish, sow thistle, Canada thistle, hoary alyssum, purple loosestrife, or any other noxious weed designated by the commissioner, the person shall secure from a local or state weed inspector, or county agricultural inspector, a written permit for the transportation of such material. All duly constituted weed inspectors may issue such permits to persons residing or operating within their respective weed jurisdictions to regulate the transportation of such material and to require proper treatment, cleaning, sterilization or destruction of any such material which has been or is about to be transported or deposited to prevent the growing or scattering of any weed seeds or other propagating parts contained therein. Copies of all permits issued under this section shall be immediately sent to the commissioner.

Except as provided in section 21.74, no grain seed, screenings, hay forage, straw, soil, gravel, sand, or refuse and other materials containing seeds and other propagating parts of leafy spurge, horse nettle, Austrian field cress, field bindweed, perennial pepper grass, wild radish, sow thistle, Canada thistle, hoary alyssum, purple loosestrife, or any other noxious weeds designated by the commissioner shall be transported upon any public highway unless it be in sacks, bales, boxes or other containers sufficiently tight and closed or covered with canvas or otherwise to prevent seeds and other propagating parts of such weeds from blowing or scattering along the highway or on other lands or water.

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Scattering and dumping on land or in water of grain, seed, and screenings containing seeds and other propagating parts of noxious weeds in excess of legal limits of weed seeds per pound in agricultural seed, and of soil, gravel, rubbish, trash, and other materials containing seeds or other propagating parts of noxious weeds in harmful amounts as determined by rule of the commissioner is prohibited unless such material is processed, treated, or buried sufficiently deep to destroy viable seeds and other propagating parts which they contain down to the limits provided by this section.

Sec. 87. Minnesota Statutes 1986, section 18.291, is amended to read:

**18.291 COMMISSIONER MAY QUARANTINE AND DESTROY WEEDS.**

When from investigation or otherwise, it appears to the commissioner that upon any tract of ~~agricultural~~ land there is an infestation of noxious weeds beyond the ability of the land occupant or owner to eradicate, upon request of the owner, or upon the commissioner's own motion, the commissioner shall take such steps as are necessary to prevent further spread of such weed growths. To this end, the commissioner shall quarantine such portion of each tract of land as may be so infested and put into immediate operation the necessary means for the eradication of such weed growths.

Sec. 88. Minnesota Statutes 1986, section 18.311, is amended to read:

**18.311 EXPENSES.**

The expenses of field operations, including cost of chemicals and other materials employed in weed eradication, except machinery and other equipment, shall be paid from the fund provided for this purpose. This fund shall be reimbursed not later than January first, of each year, 20 percent thereof by the county ~~and~~, ten percent thereof by the town in which the land so quarantined and improved is situated, and ten percent thereof by the landowner involved.

When the infestations of noxious weeds, against which the activities of the commissioner are directed, are found located on the sides of public highways, the expenses of eradication shall be paid, 50 percent by the state from the fund provided for this purpose, 50 percent from the funds provided for the maintenance of the state highway department, if the infestation is on a state highway, 50 percent by the county, if the infestation is on a county or state aid road, and 50 percent by the town, if the infestation is on a town road or cartway.

When infestations of noxious weeds, against which the activities of the commissioner are directed, are found located within the corporate limits of a municipality or on property used by a municipality, the expense of the eradication of such weeds shall be paid as follows: 50 percent thereof by the state from the funds provided for this purpose and 50 percent by the municipality from its general revenue fund.

Sec. 89. **[43A.316] PUBLIC EMPLOYEES INSURANCE PLAN.**

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



Subdivision 1. INTENT. The legislature finds that the creation of a state-wide plan to provide public employees and other eligible persons with life insurance and hospital, medical, and dental benefit coverage through provider organizations would result in a greater utilization of government resources and would advance the health and welfare of the citizens of the state.

Subd. 2. DEFINITIONS. For the purpose of this section, the terms defined in this subdivision have the meaning given them.

(a) COMMISSIONER. "Commissioner" means the commissioner of employment relations.

(b) EMPLOYEE. "Employee" means (1) a person who is a public employee within the definition of section 179A.03, subdivision 14, and is employed by an eligible employer or (2) a person employed by a labor organization or employee association certified as an exclusive representative of employees of an eligible employer or by another public employer approved by the commissioner.

(c) ELIGIBLE EMPLOYER. "Eligible employer" means

(1) a public employer within the definition of section 179A.03, subdivision 15, that is a town, county, city, school district as defined in section 120.02, educational cooperative service unit as defined in section 123.58, intermediate district as defined in section 136C.02, subdivision 7, cooperative center for vocational education as defined in section 123.351, regional management information center as defined in section 121.935, or an education unit organized under the joint powers action, section 471.59; or

(2) an exclusive representative of employees, as defined in paragraph (b); or

(3) another public employer approved by the commissioner.

(d) EXCLUSIVE REPRESENTATIVE. "Exclusive representative" means an exclusive representative as defined in section 179A.03, subdivision 8.

(e) LABOR-MANAGEMENT COMMITTEE. "Labor-management committee" means the committee established by subdivision 4.

(f) PLAN. "Plan" means the statewide public employees insurance plan created by subdivision 3.

Subd. 3. PUBLIC EMPLOYEE INSURANCE PLAN. There is created the "public employee insurance plan." The commissioner shall be the administrator of the plan. The commissioner shall model the plan after the plan established in section 43A.18, subdivision 2, but may modify that plan, in consultation with the labor management committee.

Subd. 4. LABOR-MANAGEMENT COMMITTEE. There is created a labor-management committee of ten members appointed by the commissioner. The labor-management committee shall consist of five members who represent

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employees, including at least one retired employee, and five members who represent eligible employers. The commissioner shall consult with the labor-management committee in major decisions that affect the plan. The committee shall study issues relating to the insurance plan including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency.

Subd. 5. PUBLIC EMPLOYEE PARTICIPATION. Participation in the plan is subject to the conditions in this subdivision.

(a) Each exclusive representative for an eligible employer determines whether the employees it represents shall participate in the plan. The exclusive representative must give the employer notice of intent to participate at least 90 days before the expiration date of the collective bargaining agreement preceding the collective bargaining agreement that covers the date of entry into the plan. The exclusive representative and the eligible employer shall give notice to the commissioner of the determination to participate in the plan at least 90 days prior to entry into the plan. Entry into the plan shall be according to a schedule established by the commissioner.

(b) Employees not represented by exclusive representatives may become members of the plan upon a determination of an eligible employer to include these employees in the plan. Either all or none of the employer's unrepresented employees must participate. The eligible employer shall give at least 90 days' notice to the commissioner prior to entering the plan. Entry into the plan shall be according to a schedule established by the commissioner.

(c) Participation in the plan shall be for a three-year term if coverage begins in an even-numbered year and a four-year term if coverage begins in an odd-numbered year. Participation is automatically renewed for an additional four-year term unless the exclusive representative, or the employer for unrepresented employees, gives the commissioner notice of withdrawal at least 90 days prior to expiration of the participation period. A group that withdraws must wait two years before rejoining. An exclusive representative, or employer for unrepresented employees, may also withdraw if premiums increase 50 percent or more from one insurance year to the next.

(d) The exclusive representative shall give the employer notice of intent to withdraw to the commissioner at least 90 days before the expiration date of a collective bargaining agreement that includes the date on which the term of participation expires.

(e) Each participating eligible employer shall notify the commissioner of names of individuals who will be participating within two weeks of the commissioner receiving notice of the parties' intent to participate. The employer must also submit other information as required by the commissioner for administration of the plan.

Subd. 6. COVERAGE. By January 1, 1989, the commissioner shall announce the benefits of the plan. The plan shall include employee hospital, medical,

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ental, and life insurance for employees and hospital and medical benefits for dependents. Health maintenance organization options and other delivery system options shall be provided if they are available, cost effective, and capable of servicing the number of people covered in the plan. Participation in optional coverages may be provided by collective bargaining agreements. For employees not represented by an exclusive representative, the employer may offer the optional coverages to eligible employees and their dependents provided in the plan.

Subd. 7. PREMIUMS. The proportion of premium paid by the employer and employee is subject to collective bargaining. If, at the beginning of the coverage period, no collective bargaining agreement has been finalized, the increased dollar costs, if any, from the previous year is the sole responsibility of the individual participant until a collective bargaining agreement states otherwise. Premiums, including an administration fee, shall be established by the commissioner. Each eligible employer shall pay monthly the amounts due for employee benefits including the amounts under subdivision 8 to the commissioner on or before the dates established by the commissioner. Failure to pay may result in cancellation of the benefits.

Subd. 8. CONTINUATION OF COVERAGE. (a) A participating employee who is laid off or is on unrequested leave may elect to continue the plan coverage. This coverage is at the expense of the employee unless otherwise provided by a collective bargaining agreement. Premiums for these employees shall be established by the commissioner. Coverage continues until one of the following occurs:

(1) the employee is reemployed and eligible for health care coverage under a group policy; or

(2) the insurance continuation periods required by state and federal laws expire.

(b) A participating employee who retires and is receiving an annuity or is eligible for and has applied for an annuity under chapter 352, 352B, 352C, 352D, 353, 354, 354A, 356, 422A, 423, 423A, 424, or 490 is eligible to continue participation in the plan. Any employer's contribution must cease when the retiree reaches age 65. These employees, and employees who have already retired prior to the group from which they retired entering the plan, are eligible to participate as long as their group continues to participate. This participation is at the retiree's expense unless a collective bargaining agreement provides otherwise. An employer shall notify an employee of this option no later than the effective date of retirement. The retired employee shall notify the employer within 30 days of the effective date of retirement of intent to exercise this option.

The spouse of a deceased retired employee may purchase the benefits provided at premiums established by the commissioner if the deceased retired employee received an annuity under chapter 352, 353, 354, 354A, 356, 422A,

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423, 423A, or 424 and if the spouse was a dependent under the retired employee's coverage under this section at the time of the death of the retired employee. Coverage under this clause shall be coordinated with relevant insurance benefits provided through the federally sponsored Medicare program.

(c) The plan benefits shall continue in the event of strike permitted by section 179A.18, if the exclusive representative chooses to have coverage continue and the employee pays the total monthly premiums when due.

(d) A person who desires to participate under paragraphs (a) to (c) shall notify the eligible employer or former employer of intent to participate according to rules established by the commissioner. The eligible employer shall notify the commissioner, and coverage shall begin as soon as the commissioner permits.

Persons participating under these paragraphs shall make appropriate premium payments in the time and manner established by the commissioner.

Subd. 9. INSURANCE TRUST FUND. An insurance trust fund is established in the state treasury. The deposits consist of the premiums received from employers participating in the plan. All money in the fund is appropriated to the commissioner to pay insurance premiums, approved claims, refunds, administrative costs, and other related service costs. The commissioner shall reserve an amount of money to cover the estimated costs of claims incurred but unpaid. The state board of investment shall invest the money according to section 11A.24. Investment income and losses attributable to the fund shall be credited to the fund.

Sec. 90. Minnesota Statutes 1986, section 69.021, subdivision 5, is amended to read:

**Subd. 5. CALCULATION OF STATE AID.** The amount of state aid available for apportionment shall be two percent of the fire, lightning, sprinkler leakage and extended coverage premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report and two percent of the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report. The amount for apportionment in respect to firefighter's state aid shall not be greater or lesser than the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Firetown Premium Report after subtracting the amount required to pay the state auditor's costs and expenses of the audits or exams of the firefighters relief associations. The total amount for apportionment in respect to police state aid shall not be greater or lesser than the amount of premium taxes paid to the state upon the premiums reported to the commissioner by insurers on the Minnesota Aid to Police Premium Report after subtracting the amount required to pay the state auditor's costs and expenses of the audits or exams of the police relief associations. The amount for apportionment in respect to police state aid shall be distributed to the municipalities maintaining police departments and to the county on the basis of the number of active peace officers, as certified

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pursuant to section 69.011, subdivision 2, clause (b). The commissioner shall calculate the percentage of increase or decrease reflected in the apportionment over or under the previous year's available state aid using the same premiums as a basis for comparison.

Sec. 91. Minnesota Statutes 1986, section 84.01, subdivision 3, is amended to read:

Subd. 3. Subject to the provisions of Laws 1969, chapter 1129, and to other applicable laws the commissioner shall organize the department and employ ~~two~~ three assistant commissioners, ~~both~~ each of whom shall serve at the pleasure of the commissioner in the unclassified service, one of whom shall have responsibility for coordinating and directing the planning of every division within the agency, and such other officers, employees, and agents as the commissioner may deem necessary to discharge the functions of the department, define the duties of such officers, employees, and agents and to delegate to them any of the commissioner's powers, duties, and responsibilities subject to the control of, and under the conditions prescribed by, the commissioner. Appointments to exercise delegated power shall be by written order filed with the secretary of state.

Sec. 92. Minnesota Statutes 1986, section 84.0272, is amended to read:

#### 84.0272 PROCEDURE IN ACQUIRING LANDS.

When the commissioner of natural resources is authorized to acquire lands or interests in lands the procedure set forth in this section shall apply. The commissioner of natural resources shall first prepare a fact sheet showing the lands to be acquired, the legal authority for their acquisition, and the qualities of the land that make it a desirable acquisition. The commissioner of natural resources shall cause the lands to be appraised. An appraiser shall before entering upon the duties of office take and subscribe an oath to faithfully and impartially discharge the duties as appraiser according to the best of the appraiser's ability and that the appraiser is not interested directly or indirectly in any of the lands to be appraised or the timber or improvements thereon or in the sale thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of the appraisal. The commissioner of natural resources shall not agree to pay more than ~~ten percent above~~ the appraised value. New appraisals may be made at the discretion of the commissioner of natural resources.

Sec. 93. **[84.0855] SPECIAL RECEIPTS; APPROPRIATION.**

Money received by the commissioner of natural resources as fees for seminars or workshops, for the sale of publications, maps, or to buy supplies for the use of volunteers, may be credited to one or more special accounts in the state treasury and is appropriated to the commissioner for the purposes for which the money was received.

Sec. 94. **[84.0856] FLEET MANAGEMENT ACCOUNT.**

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

The commissioner of natural resources may bill organizational units within the department of natural resources for the costs of providing them with equipment. Costs billed may include acquisition, licensing, insurance, maintenance, repair, and other direct costs as determined by the commissioner. Receipts and interest earned on the receipts shall be credited to a special account in the state treasury and are appropriated to the commissioner to pay the costs for which the billings were made.

Sec. 95. **TRANSFER OF TRANSACTIONS.**

All transactions related to the equipment purchased by the commissioner of natural resources under the installment plan for fiscal year 1987 may be transferred to the fleet management account.

Sec. 96. Minnesota Statutes 1986, section 84.091, subdivision 3, is amended to read:

Subd. 3. **LICENSE FEES.** (a) The fees for the following licenses, to be issued to residents only, are:

- (1) for harvesting wild rice, ~~\$10~~ \$12.50;
  - (2) for buying and selling wild ginseng, \$5;
  - (3) for a wild rice dealer's license to buy and sell 50,000 pounds or less, \$70; and
  - (4) for a wild rice dealer's license to buy and sell more than 50,000 pounds, \$250.
- (b) The weight of the wild rice shall be determined in its raw state.

Sec. 97. Minnesota Statutes 1986, section 84.83, subdivision 3, is amended to read:

Subd. 3. **PURPOSES FOR THE ACCOUNT.** The money deposited in the account and interest earned on that money may be expended only as appropriated by law for the following purposes:

- (1) For a grant-in-aid program to counties and municipalities for construction and maintenance of snowmobile trails;
- (2) For acquisition, development and maintenance of state recreational snowmobile trails;
- (3) For snowmobile safety programs; and
- (4) For the administration and enforcement of sections 84.81 to 84.90.

Sec. 98. **[84.961] PRAIRIE LAND MANAGEMENT.**

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

Subdivision 1. NATIVE PRAIRIE VALUES. The commissioner of natural resources must recognize the value of native prairie land by taking into consideration the wildlife, scientific, erosion control, educational, and recreational benefits of native prairie.

Subd. 2. PLANNING. The commissioner must plan for management, development, and restoration of:

(1) prairie land under the commissioner's jurisdiction; and

(2) prairie landscape reserves, comprised of an integrated network of protected prairie lands, prairie restoration sites, and private prairie lands.

Subd. 3. PRAIRIE LANDSCAPE RESERVES. The commissioner must develop and manage permanent prairie landscape reserves to maintain the native plant and animal populations, landscape features, and habitat types that are characteristic of intact native prairie ecosystems. Management practices may include haying and grazing.

Subd. 4. PRAIRIE BIOLOGIST. The position of prairie biologist is established in the department of natural resources to plan, develop, and manage native prairie reserves and prairie land under this section. The prairie biologist shall be located within the central part of the prairie region and be under the supervision of the scientific and natural areas program.

#### Sec. 99. [84.963] PRAIRIE PLANT SEED PRODUCTION AREAS.

The commissioner of natural resources shall study the feasibility of establishing private or public prairie plant seed production areas within prairie land locations. If prairie plant seed production is feasible, the commissioner may aid the establishment of production areas. The commissioner may enter cost-share or sharecrop agreements with landowners having easements for conservation purposes of ten or more years on their land to commercially produce prairie plant seed of Minnesota origin. The commissioner may only aid prairie plant seed production areas on agricultural land used to produce crops before December 23, 1985, and cropped three out of five years between 1981 and 1985.

Sec. 100. Minnesota Statutes 1986, section 85.30, is amended to read:

#### 85.30 STATE PARK MAINTENANCE FUND.

Any balance remaining in the state park finance fund after all the obligations and appropriations hereinbefore made payable therefrom have been met shall be transferred to the state park maintenance fund. Interest earned on money in the state park maintenance fund accrues to the fund and is available for expenditure upon appropriation.

Sec. 101. Minnesota Statutes 1986, section 85.41, is amended to read:

#### 85.41 USER FEES.

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

Subdivision 1. **ON PERSON.** While skiing on cross country ski trails, a person between the ages of 16 and 64 years shall carry in immediate possession a valid cross country ski license pass. A landowner who grants an easement for a grant-in-aid ski trail is not required to have a license pass when skiing on the landowner's property.

Subd. 2. **LICENSE AGENTS.** County auditors are appointed agents of the commissioner for the sale of ~~annual~~ cross country ski ~~licenses and daily permits~~ passes. A county auditor may appoint subagents within the county or within adjacent counties to sell ~~licenses and permits~~ passes. Upon appointment the auditor shall notify the commissioner of the name and address of the subagent. The auditor may revoke the appointment of a subagent at any time. Upon demand of the commissioner, the auditor shall revoke a subagent's appointment. The auditor shall furnish ~~license and permit pass~~ blanks on consignment to any subagent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the blanks to be consigned to that subagent. The county auditor shall be responsible for all blanks issued to, and user fees received by agents, except in St. Louis county or in a county where the county auditor does not retain fees paid for license purposes. In these counties, the responsibilities imposed upon the county auditor are imposed upon the county. The commissioner may promulgate additional rules pursuant to section ~~98-50~~ 97A.485, subdivision ~~2~~ 11.

Any resident desiring to sell ~~annual~~ cross country ski ~~licenses and daily permits~~ passes may either purchase for cash or obtain on consignment ~~license and permit pass~~ blanks from a county auditor in groups of not less than ten individual blanks. In selling ~~licenses~~ passes, the resident shall be deemed a subagent of the county auditor and the commissioner, and shall observe all rules promulgated by the commissioner for the accounting and handling of licenses pursuant to section ~~98-50~~ 97A.485, subdivision ~~40~~ 11.

The county auditor shall promptly deposit all monies received from the sale of ~~licenses and permits~~ passes with the county treasurer, and shall promptly transmit any reports required by the commissioner, plus 96 percent of the price to each ~~annual~~ licensee pass holder, exclusive of the issuing fee, for each ~~annual~~ license pass sold or consigned by the auditor and subsequently sold to a licensee pass holder during the accounting period. The county auditor shall retain as a commission four percent of all ~~annual~~ license pass fees, excluding the issuing fee for ~~licenses~~ passes consigned to subagents and the issuing fee on passes sold by the auditor to pass holders.

Unsold blanks in the hands of any subagent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner. Any blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the subagent possessing the same or to whom they are charged shall be accountable.

Subd. 3. **EXEMPTIONS.** Participants in cross country ski races and official

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school activities and residents of a state or local government operated correctional facility are exempt from the ~~license pass~~ requirement in subdivision 1 if a special use permit has been obtained by the organizers of the event or those in an official capacity in advance from the agency with jurisdiction over the cross country ski trail. Permits shall require that permit holders return the trail and any associated facility to its original condition if any damage is done by the permittee. Limited permits for special events may be issued and shall require the removal of any trail markers, banners, and other material used in connection with the special event.

Subd. 4. **FORM.** The department shall provide forms and blanks to all agents authorized to issue ~~licenses and daily permits passes~~ by the commissioner. ~~The daily permit shall attach to the skier's clothing to visibly identify the holder as a licensed skier, and be easily transferable from garment to garment by means of a device prescribed by the commissioner in consultation with the advisory task force.~~ The ~~annual license pass~~ shall be with the skier and a ~~sticker~~ shall be placed on the skier's ski poles to identify the holder as a licensed skier available for inspection by any peace or conservation officer. The ~~license and permit pass~~ shall include the applicant's name and other information deemed necessary by the commissioner.

Subd. 5. **AGENT'S FEE.** The fee for an ~~annual a~~ cross country ski ~~license~~ and a ~~daily permit pass~~ shall be increased by the amount of an issuing fee of 50 cents per ~~license pass~~. The issuing fee may be retained by the seller of the ~~license or permit pass~~. A ~~license or permit pass~~ shall indicate the amount of the fee that is retained by the seller. This subdivision does not apply to any ~~license or permit pass~~ sold by the state.

Sec. 102. Minnesota Statutes 1986, section 85.42, is amended to read:

#### 85.42 USER FEE.

The fee for an annual cross country ski ~~license pass~~ is \$5 for an individual ~~license pass~~, or \$7.50 for a combination husband and wife ~~license pass~~. The fee for a three-year pass is \$14 for an individual pass or \$21 for a combination husband and wife pass. This fee shall be collected at the time the ~~license pass~~ is purchased. Three-year passes are valid for three years beginning the previous July 1. Annual ~~licenses passes~~ are valid ~~from~~ for one year beginning the previous July 1 through June 30 of the following year. ~~Licenses Passes~~ are not transferable.

The cost for a daily cross country skier ~~permit pass~~ is \$1. This fee shall be collected at the time the ~~permit pass~~ is purchased. The daily ~~permit pass~~ is valid only for the date designated on the ~~permit pass~~ form.

Sec. 103. Minnesota Statutes 1986, section 85.43, is amended to read:

#### 85.43 DISPOSITION OF RECEIPTS; PURPOSE.

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

Fees from cross country ski ~~licenses and permits~~ passes shall be deposited in the state treasury and credited to a cross country ski account and ~~may be expended only as are appropriated by law~~ to the commissioner of natural resources for:

(a) grants-in-aid for cross country ski trails sponsored by local units of government and special park districts as provided in section 85.44; and

(b) maintenance, winter grooming, and associated administrative costs for cross country ski trails under the jurisdiction of the commissioner.

Sec. 104. Minnesota Statutes 1986, section 85.45, is amended to read:

**85.45 PENALTY.**

No person may ski on a public cross country ski trail, including a grant-in-aid cross country ski trail, without a valid ~~annual~~ cross country ski ~~license or daily permit pass~~. Effective July 1, 1984, any person who violates the provision of this section is guilty of a petty misdemeanor. ~~Any person who violates the provisions of this section before July, 1984, shall be issued a warning statement.~~

Sec. 105. Minnesota Statutes 1986, section 85A.02, subdivision 5a, is amended to read:

Subd. 5a. **EMPLOYEES.** (a) The board shall appoint an administrator who shall serve as the executive secretary and principal administrative officer of the board and, subject to its approval, the administrator shall operate the Minnesota zoological garden and enforce all rules and policy decisions of the board. The administrator must be chosen solely on the basis of training, experience, and other qualifications appropriate to the field of zoo management and development. The board shall set the compensation for the administrator within the limits established for the commissioner of ~~human rights~~ agriculture in section 15A.081, subdivision 1. The administrator shall perform duties assigned by the board and shall serve in the unclassified service at the pleasure of the board. The board, with the participation of the private sector, shall appoint a development director in the unclassified service or contract with a development consultant to establish mechanisms to foster community participation in and community support for the Minnesota zoological garden. The board may employ other necessary professional, technical, and clerical personnel.

(b) The board may contract with individuals to perform professional services and may contract for the purchases of necessary species exhibits, supplies, services, and equipment.

Sec. 106. Minnesota Statutes 1986, section 85A.04, subdivision 1, is amended to read:

Subdivision 1. **DEPOSIT.** All receipts from the operation of the Minnesota zoological garden shall be deposited in the state treasury and credited to a zoo fund; ~~and are~~. Investment income and investment losses attributable to invest-

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ment of the zoo fund must be credited to the zoo fund. Money in the zoo fund is appropriated to the board for the operation of the Minnesota zoological garden.

Sec. 107. [86.78] CONTROL OF PURPLE LOOSESTRIFE.

Subdivision 1. DEFINITION. For the purpose of this section, "purple loosestrife" means *lythrum salicaria*.

Subd. 2. ESTABLISHMENT OF CONTROL PROGRAM. The commissioner of natural resources shall coordinate a control program to curb the growth of purple loosestrife. The commissioners of agriculture and transportation must aid and cooperate with the commissioner of natural resources to establish, implement, and enforce the control program.

Sec. 108. Minnesota Statutes 1986, section 88.065, is amended to read:

88.065 EQUIPMENT FURNISHED.

Subject to applicable provisions of state laws respecting purchases, the commissioner of natural resources may purchase for and furnish to any governmental subdivisions of the state authorized to engage in forest fire prevention or suppression materials or equipment therefor, and may transport, repair and renovate forest fire prevention and suppression materials and equipment for governmental subdivisions of the state. The commissioner may use any funds available for the purchase of forest fire prevention or suppression equipment or for its repair, transportation and renovation under federal grants, if permitted by the terms thereof, or under state appropriations, unless otherwise expressly provided. Except as otherwise authorized or permitted by federal or state laws or regulations, the governmental subdivision receiving any such materials or ~~equipment or repair or renovation~~ services shall reimburse the state for the cost. All moneys received in reimbursement shall be credited to the fund from which the purchase, transportation, repair, or renovation was made, and are hereby reappropriated annually and shall be available for the same purpose as the original appropriation.

Sec. 109. [89.016] FOREST CAMPGROUNDS.

The commissioner must hold a public meeting before closing a campground in a state forest for a camping season. The public meeting must be held near the state forest where the campground is to be closed.

Sec. 110. Minnesota Statutes 1986, section 92.46, subdivision 1, is amended to read:

92.46 LANDS AS CAMPGROUNDS.

Subdivision 1. PUBLIC CAMPGROUNDS. (a) The director may designate suitable portions of the state lands withdrawn from sale and not reserved, as provided in section 92.45, as permanent state public campgrounds. The director

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may have the land surveyed and platted into lots of convenient size, and lease them for cottage and camp purposes under terms and conditions the director prescribes, subject to the provisions of this section.

(b) A lease may not be made for a term more than 20 years. The lease may allow renewal, from time to time, for additional terms of no longer than 20 years each. The lease may be canceled by the commissioner 90 days after giving the person leasing the land written notice of violation of lease conditions. The lease rate shall be based on the appraised value of leased land as determined by the commissioner of natural resources. The appraised value shall be the value of the leased land without any private improvements and must be comparable to similar land without any improvements within the same county.

(c) By July 1, 1986, the commissioner of natural resources shall adopt rules under chapter 14 to establish procedures for leasing land under this section. The rules shall be subject to review and approval by the commissioners of revenue and administration prior to the initial publication pursuant to chapter 14 and prior to their final adoption. The rules must address at least the following:

- (1) method of appraising the property;
- (2) determination of lease rates; and
- (3) an appeal procedure for both the appraised values and lease rates.

(d) All money received from these leases must be credited to the fund to which the proceeds of the land belong.

Notwithstanding section 16A.125 or any other law to the contrary, 50 percent of the money received from the lease of permanent school fund lands leased pursuant to this subdivision shall be deposited into the permanent school trust fund. However, in fiscal years 1986, 1987, 1988, and 1989 up to 50 percent of, 1990, 1991, and 1992, the money received from the lease of permanent school fund lands that would otherwise be deposited into the permanent school trust fund ~~may be used~~ is hereby appropriated to survey, appraise, and pay associated selling costs of lots as required in section 92.67, subdivision 3. The money appropriated may not be used to pay the cost of surveying lots not scheduled for sale. Any money designated for deposit in the permanent school fund that is not needed to survey, appraise, and pay associated selling costs of lots, as required in section 92.67, shall be deposited in the permanent school trust fund. The commissioner shall add to the appraised value of any lot offered for sale the costs of surveying, appraising, and selling the lot, and shall deposit the costs recovered in the permanent school fund and any other contributing funds in proportion to the contribution from each fund. In no case may the commissioner add to the appraised value of any lot offered for sale an amount more than \$700 for the costs of surveying and appraising the lot. Notwithstanding section 92.67, subdivision 4, as to requests for sale of lakeshore lots received before January 1, 1987, the commissioner shall hold the sale before October 31, 1987,

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if possible, and, if not possible, the lots shall be offered for sale at the next sale in the succeeding year.

Sec. 111. Minnesota Statutes 1986, section 92.67, subdivision 1, is amended to read:

Subdivision 1. **SALE REQUIREMENT.** Notwithstanding section 92.45 or any other law, at the request of a lessee the commissioner of natural resources shall sell state property bordering public waters that is leased for the purpose of a private cabin under section 92.46 ~~and recommended to be sold under the inventory prepared pursuant to Laws 1985, First Special Session chapter 14, article 17, section 4.~~ Requests for sale must be made prior to July 1, 1991, and the commissioner shall complete all requested sales by July 1, 1992. The lessee making the request may designate the lesser of \$500 or the lease payment in the year the request is made to be used as part of the down payment. The sale shall be made in accordance with laws providing for the sale of trust fund land except as modified by the provisions of this section.

Sec. 112. Minnesota Statutes 1986, section 92.67, subdivision 3, is amended to read:

Subd. 3. **APPOINTMENT OF APPRAISERS; ALLOCATION OF APPRAISAL AND SURVEY COSTS.** (a) ~~The commissioner of natural resources shall provide the lessee requesting the sale with a list of all appraisers approved by the commissioner of administration for the appraisal of property for the state. The lessee requesting the sale may select a person from the list who meets the minimum appraisal standards established by the federal farmers home administration or the federal veterans administration to appraise the property to be sold. If more than one lessee of a cabin site lot leased by the commissioner under section 92.46 within a platted area requests the sale of a leased lot, all requesting lessees may jointly agree upon an appraiser from the list. If the lessee or lessees do not select an appraiser, the commissioner of natural resources shall select the appraiser.~~

(b) The costs of appraisal shall be allocated by the commissioner to the lots offered for sale and the successful bidder on each lot shall reimburse the commissioner for the appraisal costs allocated to the lot bid upon up to \$700 for each lot appraised. If there are no successful bidders on a lot, the commissioner is responsible for the appraisal cost allocated to that lot.

(c) The commissioner shall survey a lot prior to offering it for sale. The commissioner is responsible for the survey cost.

(d) The lessee may stop the sale process after the appraisal but before the sale. The lessee must reimburse the commissioner for the cost of the appraisal if the sale is stopped.

Sec. 113. Minnesota Statutes 1986, section 92.67, subdivision 4, is amended to read:

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Subd. 4. **TIMING OF SALES.** (a) The commissioner shall offer lakeshore cabin site lots for sale pursuant to written request and in accordance with the following schedule:

(1) as to requests received before January 1, 1987, the sale shall be held in June, July, or August 1987;

(2) as to requests received each calendar year after December 31, 1986, the sale shall be held in June, July, or August of the year after the request is received;

(3) notwithstanding clause (2), the commissioner may offer a lot for sale in the year the request is received if the commissioner will offer for sale in that year other lots platted with the late requested lot.

(b) The last sales shall be held in 1992. Lots not sold the first year offered may be reoffered in a succeeding year, following reappraisal if it is determined necessary by the commissioner.

(c) If a person other than the lessee purchases the leased lakeshore cabin site, the purchaser must make payment in full to the lessee at the time of the sale for the appraised value of any improvements. Failure of a successful bidder to comply with this provision voids the sale and the property must be rebid, if possible, at the same sale.

Sec. 114. Minnesota Statutes 1986, section 92.67, is amended by adding a subdivision to read:

Subd. 5a. ADDING LANDS; ZONING CONFORMANCE. Whenever possible, the commissioner may add trust fund lands to the lots offered for sale to provide conformance with zoning requirements. The added lands must be included in the appraised value of the lot.

Sec. 115. [93.221] MINERAL LEASE ACCOUNT.

The mineral lease account is created as an account in the state treasury for disposal of certain mineral lease money. Interest accruing from investment of the account remains with the account. Money in the mineral lease account is appropriated to the commissioner of natural resources for mineral diversification.

Sec. 116. Minnesota Statutes 1986, section 93.335, subdivision 4, is amended to read:

Subd. 4. **RENTAL AND ROYALTIES, ANNUAL DISTRIBUTION; APPROPRIATION.** If the lands or minerals and mineral rights covered by any such permit or lease are held by the state in trust for the taxing districts, the rentals and royalties paid under any such permit or lease shall be distributed annually by the commissioner of finance on the first day of September as follows: 20 percent to the ~~general fund of the state~~ mineral lease account established in the state treasury under section 93.221, and 80 percent to the respective counties, in which the lands lie, to be apportioned among the taxing districts

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interested therein as follows: county, three-ninths; town, or city, two-ninths; and school district, four-ninths.

There is hereby appropriated from such moneys in the state treasury not otherwise appropriated to such persons or political subdivisions as are entitled to payment herein, an amount sufficient to make the payment.

Sec. 117. Minnesota Statutes 1986, section 97A.061, subdivision 1, is amended to read:

Subdivision 1. **APPLICABILITY; AMOUNT.** (a) The commissioner shall annually make a payment from the ~~general game and fish~~ fund to each county having public hunting areas and game refuges. This section does not apply to state trust fund land and other state land not purchased for game refuge or public hunting purposes. The payment shall be the greatest of:

(1) 35 percent of the gross receipts from all special use permits and leases of land acquired for public hunting and game refuges;

(2) 50 cents per acre on land purchased actually used for public hunting or game refuges; or

(3) three-fourths of one percent of the appraised value of purchased land actually used for public hunting and game refuges.

(b) The payment must be reduced by the amount paid under subdivision 3 for croplands managed for wild geese.

(c) The appraised value is the purchase price for five years after acquisition. The appraised value shall be determined by the county assessor every five years after acquisition.

Sec. 118. Minnesota Statutes 1986, section 97A.065, subdivision 2, is amended to read:

Subd. 2. **FINES AND FORFEITED BAIL.** (a) Fines and forfeited bail collected from prosecutions of violations of the game and fish laws, sections 84.09 to 84.15, and 84.81 to 84.88, chapter 34B, and any other law relating to wild animals, and aquatic vegetation must be paid to the treasurer of the county where the violation is prosecuted. The county treasurer shall submit one-half of the receipts to the commissioner and credit the balance to the county general revenue fund except as provided in ~~paragraph~~ paragraphs (b) and (c).

(b) The commissioner must reimburse a county, from the game and fish fund, for the cost of keeping prisoners prosecuted for violations under this section if the county board, by resolution, directs: (1) the county treasurer to submit all fines and forfeited bail to the commissioner; and (2) the county auditor to certify and submit monthly itemized statements to the commissioner.

(c) The county treasurer shall indicate the amount of the receipts that are

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assessments or surcharges imposed under section 609.101 and shall submit all of those receipts to the commissioner. The receipts must be credited to the game and fish fund to provide peace officer training for persons employed by the commissioner who are licensed under section 626.84, subdivision 1, clause (c), and who possess peace officer authority for the purpose of enforcing game and fish laws.

Sec. 119. Minnesota Statutes 1986, section 97A.105, subdivision 1, is amended to read:

Subdivision 1. **LICENSE REQUIREMENTS.** A person may breed and propagate fur-bearing animals, game birds, bear, moose, elk, caribou, or deer only on privately owned or leased land and after obtaining a license. Any of the permitted animals on a game farm may be sold to other licensed game farms. "Privately owned or leased land" includes waters that are shallow or marshy, are not actually navigable, and are not of substantial beneficial public use. Before an application for a license is considered, the applicant must enclose the area to sufficiently confine the animals to be raised in a manner approved by the commissioner. A license may be granted only if the commissioner finds the application is made in good faith with intention to actually carry on the business described in the application and the commissioner determines that the facilities are adequate for the business.

Sec. 120. Minnesota Statutes 1986, section 97A.445, subdivision 1, is amended to read:

Subdivision 1. **ANGLING; TAKE A KID FISHING WEEKEND.** A resident over age 18 may take fish by angling without a license during ~~the second~~ one Saturday and Sunday of the angling season designated by order of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the Saturday and Sunday as "Take a Kid Fishing Weekend."

Sec. 121. **[97A.472] PLACE OF SALE OF NONRESIDENT LICENSES; RESTRICTION.**

The commissioner shall not sell or issue in any place outside this state a nonresident license to take fish in this state.

Sec. 122. Minnesota Statutes 1986, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **RESIDENT HUNTING.** Fees for the following licenses, to be issued to residents only, are:

- (1) for persons under age 65 to take small game, \$7 \$9;
- (2) for persons age 65 or over, ~~\$3.50~~ \$4.50;
- (3) to take turkey, ~~\$10~~ \$12.50;

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- (4) to take deer with firearms, ~~\$15~~ \$20;
  - (5) to take deer by archery, ~~\$15~~ \$20;
  - (6) to take moose, for a party of not more than four persons, ~~\$200~~ \$250;
- and
- (7) to take bear, ~~\$25~~ \$30.

Sec. 123. Minnesota Statutes 1986, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **NONRESIDENT HUNTING.** Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take small game, ~~\$46~~ \$51;
- (2) to take deer with firearms, \$100;
- (3) to take deer by archery, \$100;
- (4) to take bear, \$150;
- (5) to take turkey, \$30; and
- (6) to take raccoon, bobcat, fox, coyote, or lynx, ~~\$100~~ \$125.

Sec. 124. Minnesota Statutes 1986, section 97A.475, subdivision 6, is amended to read:

Subd. 6. **RESIDENT FISHING.** Fees for the following licenses, to be issued to residents only, are:

- (1) to take fish by angling, for persons under age 65, \$6.50 ~~\$9.50~~;
- (2) to take fish by angling, for persons age 65 and over, \$4;
- (3) to take fish by angling, for a combined license for a married couple, ~~\$10.50~~ \$13.50; and
- (3) (4) to take fish by spearing from a dark house, ~~\$7.50~~ \$12; and
- (5) to take fish by angling for a period of 24 hours from the time of issuance, \$4.50. No trout stamp is required when angling for trout or salmon under this 24-hour angling license.

Sec. 125. Minnesota Statutes 1986, section 97A.475, subdivision 7, is amended to read:

Subd. 7. **NONRESIDENT FISHING.** Fees for the following licenses, to be issued to nonresidents, ~~shall be~~ are:

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- (1) to take fish by angling, ~~\$16~~ \$18;
- (2) to take fish by angling limited to seven consecutive days, ~~\$13~~ \$15;
- (3) to take fish by angling for three days, ~~\$10~~ \$12; ~~and~~
- (4) to take fish by angling for a combined license for a family, ~~\$27.50~~ \$30.50;
- (5) to take fish by angling for a period of 24 hours from the time of issuance, \$4.50. No trout stamp is required when angling for trout or salmon under this 24-hour angling license; and
- (6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days, \$22.50.

Sec. 126. Minnesota Statutes 1986, section 97A.475, subdivision 8, is amended to read:

Subd. 8. **MINNESOTA SPORTING.** The commissioner shall issue Minnesota sporting licenses to residents only. The licensee may take fish by angling and small game. The fee for the license is:

- (1) for an individual, ~~\$12~~ \$13.50; and
- (2) for a combined license for a married couple to take fish and for one spouse to take small game, ~~\$16~~ \$19.50.

Sec. 127. Minnesota Statutes 1986, section 97A.475, subdivision 9, is amended to read:

Subd. 9. **FISHING SURCHARGE.** The fees for the following licenses must be increased by a surcharge of \$2.50:

- (1) resident angling, under subdivision 6, clauses (1) ~~and (2)~~, (3), and (5);
- (2) nonresident angling, under subdivision 7;
- (3) Minnesota sporting, under subdivision 8;
- (4) nonresident fish houses, under subdivision 12; and
- (5) to net fish for domestic use, under subdivision 13.

Sec. 128. Minnesota Statutes 1986, section 97A.475, subdivision 11, is amended to read:

Subd. 11. **FISH HOUSES AND DARK HOUSES; RESIDENTS.** Fees for the following licenses are:

- (1) for a fish house or dark house that is not rented, ~~\$5~~ \$8; and

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(2) for a fish house or dark house that is rented, ~~\$15~~ \$18.

Sec. 129. Minnesota Statutes 1986, section 97A.475, subdivision 12, is amended to read:

Subd. 12. **FISH HOUSES; NONRESIDENT.** The fee for a fish house license for a nonresident is ~~\$15~~ \$19.50.

Sec. 130. Minnesota Statutes 1986, section 97A.475, subdivision 13, is amended to read:

Subd. 13. **NETTING WHITEFISH AND CISCOES FOR PERSONAL CONSUMPTION.** The fee for a license to net whitefish and ciscoes in inland lakes and international waters for personal consumption is, for each net, ~~\$3~~ \$5.

Sec. 131. Minnesota Statutes 1986, section 97A.475, subdivision 20, is amended to read:

Subd. 20. **TRAPPING LICENSE.** The fee for a license to trap fur-bearing animals is:

(1) for persons over age 13 and under age 18, ~~\$3.50~~ \$5; and

(2) for persons age 18 and older, ~~\$13~~ \$16.

Sec. 132. Minnesota Statutes 1986, section 97A.485, subdivision 6, is amended to read:

Subd. 6. **LICENSES TO BE SOLD AND ISSUING FEES.** (a) Persons authorized to sell licenses under this section must sell the following licenses for the license fee and the following issuing fees:

(1) to take deer with firearms and by archery, the issuing fee is \$1;

(2) Minnesota sporting, the issuing fee is \$1; and

(3) to take bear and small game, for a person under age 65 to take fish by angling or for a person of any age to take fish by spearing, and to trap furbearing animals, the issuing fee is ~~75 cents~~ \$1.

(b) An issuing fee ~~for a stamp~~ may not be collected when for a stamp is issued simultaneously with the related small game, fishing, or sporting license. ~~Only one issuing fee may be collected when selling more than one stamp in the same transaction after the end of the season for which the stamp was issued.~~

(c) The auditor or subagent shall keep the issuing fee as a commission for selling the licenses.

(d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

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(e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

(f) The fee for an angling license paid by a resident 65 years of age or over must be refunded to the licensee upon request to the commissioner, if the request is made within 30 days of the sale. The commissioner shall design a system on the license for this purpose.

**Sec. 133. [97A.502] DEER KILLED BY MOTOR VEHICLES.**

Notwithstanding section 97A.055, any deer killed by a motor vehicle on a public road must be removed by the road authority, as defined by section 160.02, subdivision 9. The commissioner of natural resources must provide to all road authorities standard forms for statistical purposes and the tracking of wild animals.

Sec. 134. Minnesota Statutes 1986, section 97C.211, is amended by adding a subdivision to read:

Subd. 5. PRICE OF WALLEYE FRY. The commissioner may not sell walleye fry for less than fair market value, defined as the average price charged by private walleye fry wholesalers located in Minnesota.

**Sec. 135. [97C.402] RAINY RIVER SEASON.**

The fishing season on the Minnesota side of the Rainy River ends on February 28.

**Sec. 136. [115A.41] PURPOSE.**

The legislature recognizes the importance of maintaining the regulatory functions of the Minnesota pollution control agency in regard to solid waste management. The legislature also recognizes that in order to achieve the maximum benefit of state funding and funding from other sources that the technical and financial assistance involved in managing solid waste, including programs involving waste tires, including landfills and other methods of recycling, disposing, and storing solid wastes, should properly be transferred to the waste management board.

Sec. 137. Minnesota Statutes 1986, section 115A.42, is amended to read:

**115A.42 ESTABLISHMENT AND ADMINISTRATION.**

There is established a planning assistance program to provide technical and financial assistance to political subdivisions of the state for the purposes of encouraging and improving regional and local solid waste management planning activities and efforts and of furthering the state policies and purposes expressed in section 115A.02. The program shall be administered by the agency board pursuant to rules promulgated under chapter 14, except in the metropolitan area where the program shall be administered by the metropolitan council pursuant

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to chapter 473. The agency board and the metropolitan council shall ensure conformance with federal requirements and programs established pursuant to the Resource Conservation and Recovery Act of 1976 and amendments thereto.

Sec. 138. Minnesota Statutes 1986, section 115A.44, is amended to read:

**115A.44 FINANCIAL ASSISTANCE.**

Eligible recipients may receive grants for up to 50 percent of the cost of the planning activity, except that planning by a regional development commission and joint planning by two or more contiguous counties or political subdivisions located in two or more contiguous counties may receive grants for up to 100 percent of the cost of the planning activity. Financial assistance provided under the program may be used to employ staff, contract with other units of government or qualified consultants, and pay such other planning expenses as the agency board or metropolitan council may allow.

Sec. 139. Minnesota Statutes 1986, section 115A.45, is amended to read:

**115A.45 TECHNICAL ASSISTANCE.**

The agency board and metropolitan council shall provide for technical assistance for eligible recipients. The agency board and metropolitan council shall provide model plans for regional and local solid waste management. The agency board and metropolitan council may contract for the delivery of technical assistance by a regional development commission, any state or federal agency, or private consultants. The agency board shall prepare and publish an inventory of sources of technical assistance for solid waste planning, including studies, publications, agencies, and persons available.

Sec. 140. Minnesota Statutes 1986, section 115A.46, subdivision 1, is amended to read:

Subdivision 1. **GENERAL.** Plans shall address the state policies and purposes expressed in section 115A.02. Plans for the location, establishment, operation, maintenance, and postclosure use of facilities and facility sites, for ordinances, and for licensing, permit, and enforcement activities shall be consistent with the rules adopted by the agency pursuant to chapter 116. Plans shall address the resolution of conflicting, duplicative, or overlapping local management efforts. Plans shall address the establishment of joint powers management programs or waste management districts where appropriate. Plans shall address other matters as the rules of the agency board may require consistent with the purposes of sections 115A.42 to 115A.46. Political subdivisions preparing plans under sections 115A.42 to 115A.46 shall consult with persons presently providing solid waste collection, processing, and disposal services. Plans shall be approved by the agency board, or the metropolitan council pursuant to section 473.803. After initial approval, each plan shall be updated every five years and revised as necessary for further approval.

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Sec. 141. Minnesota Statutes 1986, section 115A.49, is amended to read:

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

There is established a program to encourage and assist cities, counties, and solid waste management districts in the development and implementation of solid waste management projects and to transfer the knowledge and experience gained from such projects to other communities in the state. The program must be administered to 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 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 areas where natural geologic and soil conditions are unsuitable for land disposal of solid waste; areas where the capacity of existing solid waste disposal facilities is determined by the ~~agency or the~~ board to be less than five years; and projects serving more than one local government unit.

Sec. 142. Minnesota Statutes 1986, section 115A.51, is amended to read:

**115A.51 APPLICATION REQUIREMENTS.**

Applications for assistance under the program shall demonstrate: (a) that the project is conceptually and technically feasible; (b) that affected political subdivisions are committed to implement the project, to provide necessary local financing, and to accept and exercise the government powers necessary to the project; (c) that operating revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources, together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project; (d) that the applicant has evaluated the feasible and prudent alternatives to disposal and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators. The ~~agency or the~~ board may require completion of a comprehensive solid waste management plan conforming to the requirements of section 115A.46, before accepting an application.

Sec. 143. Minnesota Statutes 1986, section 115A.52, is amended to read:

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

The ~~agency and the~~ board shall ensure the delivery of the technical assistance necessary for proper implementation of each 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,

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including studies, publications, agencies, and persons available. The ~~agency and the~~ board shall ensure statewide benefit from projects assisted under the program by developing exchange and training programs for local officials and employees and by using the experience gained in projects to provide technical assistance and education for other solid waste management projects in the state.

Sec. 144. Minnesota Statutes 1986, section 115A.53, is amended to read:

**115A.53 WASTE REDUCTION AND SEPARATION PROJECTS.**

The agency board shall provide technical assistance and grants to projects which demonstrate waste reduction; waste separation by generators, collectors, and other persons; and collection systems for separated waste. Activities eligible for assistance under this section include legal, financial, economic, educational, marketing, social, governmental, and administrative activities related to the implementation of the project. Preliminary planning and development, feasibility study, and conceptual design costs shall also be eligible activities, but no more than 20 percent of program funds shall be used to fund those activities. The rules of the agency board shall prescribe the level or levels of local funding required for grants under this section.

Sec. 145. Minnesota Statutes 1986, section 115A.917, is amended to read:

**115A.917 CERTIFICATE OF NEED.**

No new capacity for disposal of mixed municipal solid waste may be permitted in counties outside the metropolitan area without a certificate of need issued by the agency board indicating the agency's board's determination that the additional disposal capacity is needed in the county. A certificate of need may not be issued until the county has a plan approved under section 115A.46. If the original plan was approved more than five years before, the agency board may require the plan to be revised before a certificate of need is issued under this section. The agency board shall certify need only to the extent that there are no feasible and prudent alternatives to the additional disposal capacity, including waste reduction, source separation, and resource recovery, that would minimize adverse impact upon natural resources. Alternatives that are speculative or conjectural are not feasible and prudent. Economic considerations alone do not justify the certification of need or the rejection of alternatives.

Sec. 146. Minnesota Statutes 1986, section 116.41, subdivision 2, is amended to read:

Subd. 2. **TRAINING AND CERTIFICATION PROGRAMS.** The agency shall develop standards of competence for persons operating and inspecting various classes of disposal facilities. The agency shall conduct training programs for persons operating facilities for the disposal of waste and for inspectors of such facilities, and may charge such fees as are necessary to cover the actual costs of the training programs. All fees received shall be paid into the state treasury and credited to ~~the account created in section 415.03, subdivision 1,~~

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clause (j), for training water pollution control personnel, a separate waste disposal training account and are appropriated to the agency to pay expenses relating to the training of disposal facility personnel.

The agency shall require operators and inspectors of such facilities to obtain from the agency a certificate of competence. The agency shall conduct examinations to test the competence of applicants for certification, and shall require that certificates be renewed at reasonable intervals. The agency may charge such fees as are necessary to cover the actual costs of receiving and processing applications, conducting examinations, and issuing and renewing certificates. Certificates shall not be required for a private individual for landspreading and associated interim and temporary storage of sewage sludge on property owned or farmed by that individual.

Sec. 147. Minnesota Statutes 1986, section 116C.712, is amended by adding a subdivision to read:

Subd. 5. ASSESSMENT. (a) A person, firm, corporation, or association in the business of owning or operating a nuclear fission electrical generating plant in this state shall pay an assessment to cover the cost of:

(1) monitoring the federal high-level radioactive waste program under the Nuclear Waste Policy Act, United States Code, title 42, sections 10101 to 10226;

(2) advising the governor and the legislature on policy issues relating to the federal high-level radioactive waste disposal program; and

(3) other general studies necessary to carry out the purposes of this subdivision.

The assessment must not be more than the appropriation to the state planning agency for these purposes.

(b) The state planning agency shall bill the owner or operator of the plant for the assessment at least 30 days before the start of each quarter. The assessment for the second quarter of each fiscal year must be adjusted to compensate for the amount by which actual expenditures by the state planning agency for the preceding year were more or less than the estimated expenditures previously assessed. The billing may be made as an addition to the assessments made under section 116C.69. The owner or operator of the plant must pay the assessment within 30 days after receipt of the bill. The assessment must be deposited in the state treasury and credited to the special revenue fund.

(c) The authority for this assessment terminates when the department of energy eliminates Minnesota from further siting consideration for high-level radioactive waste. The assessment required for any quarter must be reduced by the amount of federal grant money received by the state planning agency for the purposes listed in this section.

Sec. 148. Minnesota Statutes 1986, section 161.1419, subdivision 4, is amended to read:

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Subd. 4. ~~Members of the commission shall serve without Compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties of legislative members of the commission is as provided in section 3.101. Compensation of the remaining members is as provided in section 15.0575.~~ The commission may purchase supplies, employ part-time or full-time employees, and do all things reasonably necessary and convenient in carrying out the purposes of this section. ~~Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees.~~

Sec. 149. Minnesota Statutes 1986, section 168.012, subdivision 1c, is amended to read:

Subd. 1c. (a) The annual administrative fee for a tax-exempt vehicle under this section is \$5. The license plate fee for a tax-exempt vehicle, except a trailer, is \$10 for two plates per vehicle, payable only on the first tax-exempt registration of the vehicle. The registration period for a tax-exempt vehicle is biennial. The administrative fee is due on March 1 biennially and payable the preceding January 1, with validating stickers issued at time of payment.

(b) ~~The owner of a tax-exempt vehicle shall apply for tax-exempt license plates, and pay the administrative and plate fees, and the filing fee under section 168.33, subdivision 7, only to a deputy registrar in the county in which the vehicle is domiciled.~~

Sec. 150. Minnesota Statutes 1986, section 175A.07, subdivision 2, is amended to read:

Subd. 2. **PERSONNEL.** The judges of the workers' compensation court of appeals shall appoint in the manner provided by law all personnel required by the workers' compensation court of appeals. Law clerks are in the unclassified service. The commissioner of administration shall provide the court with necessary additional staff and administrative services, and the court shall reimburse the commissioner for the cost of these services.

Sec. 151. Minnesota Statutes 1986, section 176.611, subdivision 2, is amended to read:

Subd. 2. **STATE DEPARTMENTS.** Every department of the state, including the University of Minnesota, shall reimburse the fund for money paid for ~~the administration of its claims and the costs of administering the revolving fund~~ at such times and in such amounts as the commissioner of ~~the department of labor and industry~~ shall certify has been paid out of the fund on its behalf. The heads of the departments shall anticipate these payments by including them in their budgets. In addition, the commissioner of labor and industry, with the approval of the commissioner of finance, may require an agency to make advance payments to the fund sufficient to cover the agency's estimated obligation for a period of at least 60 days. Reimbursements and other money received by the commissioner of labor and industry under this subdivision must be credited to the state compensation revolving fund.

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

Sec. 152. Minnesota Statutes 1986, section 176.611, is amended by adding a subdivision to read:

Subd. 3a. LOANS. To maintain an ongoing balance sufficient to pay sums currently due for benefits and administrative costs, the commissioner of finance, upon request of the commissioner of labor and industry, may transfer money from the general fund to the state compensation revolving fund. Before requesting the transfer, the commissioner of labor and industry must decide there is not enough money in the fund for an immediate, necessary expenditure. The amount necessary to make the transfer is appropriated from the general fund to the commissioner of finance. The commissioner of labor and industry shall make schedules to repay the transferred money to the general fund. The repayment may not extend beyond five years.

Sec. 153. Minnesota Statutes 1986, section 176.611, subdivision 6a, is amended to read:

Subd. 6a. APPROPRIATIONS CONSTITUTING FUND. There is hereby appropriated from the general fund in the state treasury to the state compensation revolving fund the sum of \$967,690 to be used to pay claims of employees of the state. This appropriation together with the sum of \$74,013.12 heretofore appropriated from the trunk highway fund and \$2,395,986.88 heretofore appropriated from the general fund totals \$3,437,690 and constitutes The revolving fund consists of \$3,437,690 appropriated from the general fund and other funds.

Sec. 154. Minnesota Statutes 1986, section 197.481, subdivision 5, is amended to read:

Subd. 5. PERSONNEL. The commissioner may appoint a hearing officer to act in the commissioner's place and to employ such other personnel as are necessary to investigate facts in cases brought under this section. The affected political subdivision must bear all costs incurred by the commissioner under this section.

Sec. 155. Minnesota Statutes 1986, section 204B.11, subdivision 1, is amended to read:

Subdivision 1. **AMOUNT.** Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(a) for the office of governor, lieutenant governor, attorney general, state auditor, state treasurer, secretary of state, representative in congress, judge of the supreme court, judge of the court of appeals, judge of the district court, or judge of the county municipal court of Hennepin county, ~~\$150~~ \$200;

(b) for the office of senator in congress, ~~\$200~~ \$300;

(c) for office of senator or representative in the legislature, ~~\$50~~ \$75;

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(d) for a county office, \$50; and

(e) for the office of soil and water conservation district supervisor, \$20.

For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the state treasurer.

When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded.

Sec. 156. Minnesota Statutes 1986, section 214.04, subdivision 3, is amended to read:

Subd. 3. The executive secretary of each health-related and non-health-related board shall be the chief administrative officer for the board but shall not be a member of the board. The executive secretary shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive secretaries and other employees of the following boards shall be hired by the board, and the executive secretaries shall be in the unclassified civil service, except as provided in this subdivision:

- (1) dentistry;
- (2) medical examiners;
- (3) nursing;
- (4) pharmacy;
- (5) accountancy;
- (6) architecture, engineering, land surveying and landscape architecture;
- (7) barber examiners;
- (8) cosmetology;
- (9) electricity;
- (10) teaching; and
- (11) peace officer standards and training.

The board of medical examiners shall set the salary of its executive director, which may not exceed 95 percent of the top of the salary range set for the commissioner of health in section 15A.081, subdivision 1. In June of the year

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in which a salary increase is to be adopted, and at least 30 days before the board of medical examiners adopts a salary increase for its executive director, the board shall submit the proposed salary increase to the legislative commission on employee relations for its review approval, modification, or rejection in the manner provided in section 43A.18, subdivision 2.

The executive secretaries serving the remaining boards shall be hired by those boards, and shall be in the unclassified civil service except for part-time executive secretaries, who are not required to be in the unclassified service. Boards not requiring a full-time executive secretary may employ such services on a part-time basis. To the extent practicable the sharing of part-time executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive secretaries of the boards and employees of the attorney general, shall be classified civil service employees of the department servicing the board. To the extent practicable the commissioner shall insure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

Sec. 157. Minnesota Statutes 1986, section 221.67, is amended to read:

**221.67 SERVICE OF PROCESS.**

The use of any of the public highways of this state for the transportation of persons or property for compensation by a motor carrier in interstate commerce shall be deemed an irrevocable appointment by the carrier of the secretary of state to be the carrier's true and lawful attorney upon whom may be served all legal process in any action or proceeding brought under this chapter against the carrier or the carrier's executor, administrator, personal representative, heirs, successors or assigns. This use is a signification of agreement by the interstate motor carrier that any process in any action against the carrier or the carrier's executor, administrator, personal representative, heirs, successors, or assigns which is so served shall be of the same legal force and validity as if served upon the carrier personally. Service shall be made by serving a copy thereof upon the secretary of state or by filing a copy in the office of the secretary of state, together with payment of a fee of ~~\$15~~ \$25, and the service shall be sufficient service upon the absent motor carrier if notice of the service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at the defendant's last known address and the plaintiff's affidavit of compliance with the provisions of this section and sections 221.60, 221.65, and 221.68 is attached to the summons.

Sec. 158. Minnesota Statutes 1986, section 271.01, is amended by adding a subdivision to read:

**Subd. 1a. RETIRED JUDGES.** Upon the retirement of a judge of the tax court or the district court, the chief judge of the tax court may, with the retired judge's consent, assign the retired judge to hear any case properly assignable to a judge of the tax court and to act on it with the full powers of a judge of the tax

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court. A retired judge performing this service shall receive pay and expenses in the amount and manner provided by law for judges serving on the court, less the amount of retirement pay the judge is receiving under chapter 352 or 490.

Sec. 159. Minnesota Statutes 1986, section 273.1314, subdivision 16a, is amended to read:

Subd. 16a. **ZONE BOUNDARY REALIGNMENT.** The commissioner may approve specific applications by a municipality to amend the boundaries of a zone or of an area or areas designated pursuant to subdivision 9, paragraph (e) at any time. Boundaries of a zone may not be amended to create noncontiguous subdivisions. If the commissioner approves the amended boundaries, the change is effective on the date of approval. Notwithstanding the area limitation under section 273.1312, subdivision 4, paragraph (b), the commissioner may approve a specific application to amend the boundaries of an enterprise zone which is located within five municipalities and was designated in 1984, to increase its area to not more than 800 acres, and may approve an additional specific application to amend the boundaries of that enterprise zone to include a sixth municipality or to further increase its area to include all or part of the territory of a town that surrounds one of the five municipalities, or both.

Notwithstanding the area limitation under section 273.1312, subdivision 4, paragraph (b), the commissioner may approve a specific application to amend the boundaries of an enterprise zone that is located within four municipalities to include a fifth municipality. The addition of the fifth municipality may only be approved after the existing municipalities, by adoption of a resolution by each municipality's governing board, agree to the addition of the fifth municipality.

Sec. 160. Minnesota Statutes 1986, section 296.16, subdivision 1, is amended to read:

Subdivision 1. **INTENT.** All gasoline received in this state and all gasoline produced in or brought into this state except aviation gasoline and marine gasoline shall be determined to be intended for use in motor vehicles in this state.

Approximately ~~three-fourths~~ of one and one-half percent of all gasoline received in this state and ~~three-fourths~~ of one and one-half percent of all gasoline produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of motorboats on the waters of this state and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, ~~three-fourths~~ of one and one-half percent of such revenues is the amount of tax on fuel used in motorboats operated on the waters of this state.

Approximately three-fourths of one percent of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other

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than for aviation purposes, three-fourths of one percent of such revenues is the amount of tax on fuel used in snowmobiles operated in this state.

Approximately 0.15 of one percent of all gasoline received in or produced or brought into this state, except gasoline used for aviation purposes, is being used for the operation of all-terrain vehicles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax, 0.15 of one percent is the amount of tax on fuel used in all-terrain vehicles operated in this state.

Sec. 161. Minnesota Statutes 1986, section 296.421, subdivision 5, is amended to read:

Subd. 5. **COMPUTATION OF UNREFUNDED TAX.** The amount of unrefunded tax shall be a sum equal to ~~three-fourths of one percent~~ one and one-half percent of all revenues derived from the excise taxes on gasoline, except on gasoline used for aviation purposes, together with interest thereon and penalties for delinquency in payment, paid or collected pursuant to the provisions of sections 296.02 to 296.17. The amount of such tax shall be computed for each six-month period commencing January 1, 1961, and shall be paid into the state treasury on November 1 and June 1 following each six-month period.

Sec. 162. Minnesota Statutes 1986, section 298.22, subdivision 1, is amended to read:

Subdivision 1. (1) The office of commissioner of iron range resources and rehabilitation is created. The commissioner shall be appointed by the governor under the provisions of section 15.06.

(2) The commissioner may hold such other positions or appointments as are not incompatible with duties as commissioner of iron range resources and rehabilitation. The commissioner may appoint a deputy commissioner. All expenses of the commissioner, including the payment of such assistance as may be necessary, shall be paid out of the amounts appropriated by section 298.28. The compensation of the commissioner shall be set by the ~~governor~~ legislative coordinating commission and may not exceed the maximum salary set for the commissioner of administration under section 15A.081, subdivision 1.

(3) When the commissioner shall determine that distress and unemployment exists or may exist in the future in any county by reason of the removal of natural resources or a possibly limited use thereof in the future and the decrease in employment resulting therefrom, now or hereafter, the commissioner may use such amounts of the appropriation made to the commissioner of revenue in section 298.28 as are determined to be necessary and proper in the development of the remaining resources of said county and in the vocational training and rehabilitation of its residents. For the purposes of this section, "development of remaining resources" includes, but is not limited to, the promotion of tourism.

Sec. 163. Minnesota Statutes 1986, section 302A.011, subdivision 11, is amended to read:

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Subd. 11. **FILED WITH THE SECRETARY OF STATE.** "Filed with the secretary of state" means that an original of a document meeting the applicable requirements of this chapter, signed, and acknowledged or verified in the manner provided in chapter 358, and accompanied by a filing fee of ~~\$15~~ \$25, has been delivered to the secretary of state of this state. The secretary of state shall endorse on the original the word "Filed" and the month, day, year, and time of filing, record the document in the office of the secretary of state, and return the document to the person who delivered it for filing.

Sec. 164. Minnesota Statutes 1986, section 302A.153, is amended to read:

**302A.153 EFFECTIVE DATE OF ARTICLES.**

Articles of incorporation are effective and corporate existence begins when the articles of incorporation are filed with the secretary of state accompanied by a payment of ~~\$85~~ \$125, which includes a ~~\$70~~ \$100 incorporation fee in addition to the ~~\$15~~ \$25 filing fee required by section 302A.011, subdivision 11. Articles of amendment and articles of merger are effective when filed with the secretary of state or at another time within 30 days after filing if the articles of amendment so provide. Articles of merger must be accompanied by a fee of \$50, which includes a \$25 merger fee in addition to the \$25 filing fee required by section 302A.011, subdivision 11.

Sec. 165. Minnesota Statutes 1986, section 303.07, subdivision 2, is amended to read:

Subd. 2. **ANNUAL FEE.** The secretary of state shall collect an annual license fee from each foreign corporation holding a certificate of authority to transact business in this state. A foreign corporation shall pay ~~\$15~~ \$20 per \$100,000 or fraction thereof of its Minnesota taxable net income for the last taxable year ending prior to the payment of the fee. If the taxable year ended less than 75 days before the date the fee is received by the secretary of state, the taxable net income from the preceding taxable year shall determine the fee. In no event shall the annual license fee be less than ~~\$30~~ \$40. The corporation shall pay this fee by April 1 of each year.

Sec. 166. Minnesota Statutes 1986, section 303.13, subdivision 1, is amended to read:

Subdivision 1. **FOREIGN CORPORATION.** A foreign corporation shall be subject to service of process, as follows:

- (1) By service on its registered agent;
- (2) When any foreign corporation authorized to transact business in this state fails to appoint or maintain in this state a registered agent upon whom service of process may be had, or whenever any registered agent cannot be found at its registered office in this state, as shown by the return of the sheriff of the county in which the registered office is situated, or by an affidavit of attempted

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service by any person not a party, or whenever any corporation withdraws from the state, or whenever the certificate of authority of any foreign corporation is revoked or canceled, service may be made by delivering to and leaving with the secretary of state, or with any deputy or clerk in the corporation department of the secretary of state's office, three copies thereof and a fee of ~~\$15~~ \$25; provided, that after a foreign corporation withdraws from the state, pursuant to section 303.16, service upon the corporation may be made pursuant to the provisions of this section only when based upon a liability or obligation of the corporation incurred within this state or arising out of any business done in this state by the corporation prior to the issuance of a certificate of withdrawal.

(3) If a foreign corporation makes a contract with a resident of Minnesota to be performed in whole or in part by either party in Minnesota, or if a foreign corporation commits a tort in whole or in part in Minnesota against a resident of Minnesota, such acts shall be deemed to be doing business in Minnesota by the foreign corporation and shall be deemed equivalent to the appointment by the foreign corporation of the secretary of the state of Minnesota and successors to be its true and lawful attorney upon whom may be served all lawful process in any actions or proceedings against the foreign corporation arising from or growing out of the contract or tort. Process shall be served in duplicate upon the secretary of state, together with a fee of ~~\$15~~ \$25 and the secretary of state shall mail one copy thereof to the corporation at its last known address, and the corporation shall have 30 days within which to answer from the date of the mailing, notwithstanding any other provision of the law. The making of the contract or the committing of the tort shall be deemed to be the agreement of the foreign corporation that any process against it which is so served upon the secretary of state shall be of the same legal force and effect as if served personally on it within the state of Minnesota.

Sec. 167. Minnesota Statutes 1986, section 303.21, subdivision 3, is amended to read:

Subd. 3. **OTHER INSTRUMENTS.** A fee of ~~\$20~~ \$25 shall be paid to the secretary of state for filing any instrument, other than the annual report required by section 303.14, required or permitted to be filed under the provisions of this chapter. For filing the annual report a fee of \$20 must be paid to the secretary of state. The fee ~~fees~~ shall be paid at the time of the filing of the instrument.

Sec. 168. Minnesota Statutes 1986, section 317.67, subdivision 2, is amended to read:

Subd. 2. The secretary of state shall collect a fee of ~~\$15~~ \$25 for filing any instrument that is required to be filed under this chapter.

Sec. 169. Minnesota Statutes 1986, section 317.67, subdivision 3, is amended to read:

Subd. 3. **FILING FEE.** The secretary of state shall collect a fee of ~~\$25~~ \$35 from each new nonprofit corporation at the time of incorporation.

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Sec. 170. Minnesota Statutes 1986, section 322A.16, is amended to read:

**322A.16 FILING IN OFFICE OF SECRETARY OF STATE.**

(a) A signed copy of the certificate of limited partnership, of any certificates of amendment or cancellation or of any judicial decree of amendment or cancellation shall be delivered to the secretary of state. A person who executes a certificate as an agent or fiduciary need not exhibit evidence of the executor's authority as a prerequisite to filing. Unless the secretary of state finds that any certificate does not conform to law, upon receipt of a ~~\$10~~ \$25 filing fee and, in the case of a certificate of limited partnership, a ~~\$50~~ \$60 initial fee, the secretary shall:

(1) endorse on the original the word "Filed" and the day, month and year of the filing; and

(2) return the original to the person who filed it or a representative.

(b) Upon the filing of a certificate of amendment or judicial decree of amendment in the office of the secretary of state, the certificate of limited partnership shall be amended as set forth in the amendment, and upon the effective date of a certificate of cancellation or a judicial decree of it, the certificate of limited partnership is canceled.

Sec. 171. Minnesota Statutes 1986, section 322A.71, is amended to read:

**322A.71 ISSUANCE OF REGISTRATION.**

(a) If the secretary of state finds that an application for registration conforms to law and a ~~\$10~~ \$25 filing fee and a ~~\$50~~ \$60 initial registration fee has been paid, the secretary shall:

(1) endorse on the application the word "Filed," and the month, day and year of the filing thereof;

(2) file a duplicate original of the application; and

(3) issue a certificate of registration to transact business in this state.

(b) The certificate of registration, together with a duplicate original of the application, shall be returned to the person who filed the application or a representative of that person.

Sec. 172. Minnesota Statutes 1986, section 330.11, subdivision 3, is amended to read:

Subd. 3. Every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in any court of competent jurisdiction in this state by the service on the secretary of state of any summons, process, or pleadings authorized by the laws of the state of Minnesota. This consent shall stipulate that the service of such process or pleadings on

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the secretary of state shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant in the state of Minnesota. In case any summons, process, or pleadings are served upon the secretary of state, it shall be by duplicate copies, one of which shall be retained in the office of the secretary of state, and the other to be forwarded immediately by certified mail to the address of the applicant, as shown by the records of the secretary of state, against whom the summons, process, or pleadings may be divested. A fee of \$25 must be paid to the secretary of state for each service.

Sec. 173. Minnesota Statutes 1986, section 333.055, subdivision 3, is amended to read:

Subd. 3. The secretary of state shall charge and collect:

(a) For the filing of each certificate or amended certificate of an assumed name - \$15

(b) Certificate renewal fee - ~~\$6~~ \$15.

Sec. 174. Minnesota Statutes 1986, section 403.11, subdivision 1, is amended to read:

Subdivision 1. **EMERGENCY TELEPHONE SERVICE FEE.** (a) Each customer of a local exchange company is assessed a fee to cover the costs of ongoing maintenance and related improvements for trunking and central office switching equipment for minimum 911 emergency telephone service, plus administrative and staffing costs of the department of administration related to managing the 911 emergency telephone service program.

(b) The fee may not be less than eight cents nor more than 30 cents a month for each customer access line, including trunk equivalents as designated by the public utilities commission for access charge purposes. The fee must be the same for all customers.

(c) The fee must be collected by each utility providing local exchange telephone service. Fees are payable to and must be submitted to the commissioner of administration monthly before the 25th of each month following the month of collection, except that fees may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a month is due. Receipts must be deposited in the state treasury and credited to a 911 emergency telephone service account in the special revenue fund.

(d) The commissioner of administration, with the approval of the commissioner of finance, shall establish the amount of the fee within the limits specified and inform the utilities of the amount to be collected. Utilities must be given a minimum of 45 days notice of fee changes.

Sec. 175. Minnesota Statutes 1986, section 462A.05, is amended by adding a subdivision to read:

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**Subd. 28. GRANTS FOR HOUSING FOR LOW INCOME PERSONS LIVING ALONE.** The agency may make grants for residential housing to be used by low income persons living alone whose annual gross income does not exceed 150 percent of the poverty line as updated by the United States Office of Management and Budget. The grants may be made to cities, joint powers boards established by two or more cities, housing and redevelopment authorities created under sections 462.415 to 462.705, or nonprofit entities as defined by the agency. The occupants of the residential housing must be offered a written lease that complies with section 325G.31, offers the occupants the option to renew, and prohibits eviction of an occupant without good cause. Grants under this subdivision must not exceed 50 percent of the development costs for the residential housing, and must not be made for any residential housing that requires the occupants to accept board as well as lodging. In making grants, the agency shall determine the circumstances, terms, and conditions under which all or part of the grant will be repaid and the appropriate security if repayment is required.

Sec. 176. Minnesota Statutes 1986, section 462A.21, is amended by adding a subdivision to read:

**Subd. 4k. HOUSING DEVELOPMENT FUND.** The agency may make grants for residential housing for low income persons under section 176 from funds specifically appropriated by the legislature for that purpose and may pay the costs and expenses for the development and operation of the program.

Sec. 177. Minnesota Statutes 1986, section 473.351, is amended by adding a subdivision to read:

**Subd. 6. RESTRICTION.** A metropolitan area regional park receiving grant money for maintenance and operation costs must agree:

(1) to sell or promote licenses, passes, or registrations required to engage in recreational activities appropriate to the park or the site of the park when a building on the park site is staffed and open to the public; and

(2) to provide drinking water supplies adequate for the recreational uses of the park. Each implementing agency must consult with groups representing users of its parks to determine the adequacy of drinking water supplies.

Sec. 178. Minnesota Statutes 1986, section 480.15, is amended by adding a subdivision to read:

**Subd. 12.** The court administrator shall review plans submitted by a judicial district for office equipment under section 484.68, subdivision 3, clause (e), and shall determine eligibility for state funding or reimbursement for the equipment.

Sec. 179. **[480.236] SOFTWARE SALES.**

The supreme court may sell or license self-developed or vendor custom-

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

developed computer software products or systems through whatever sales method the supreme court, in its discretion, deems appropriate, in order to offset its software development costs. Prices for the software products or systems may be based on market considerations. Proceeds of the sale or licensing of software products or systems by the supreme court must be deposited in the state treasury and credited to a software sales account. Investment income and investment losses attributable to investment of the software sales account must be credited to the account. Money in the account is appropriated to the supreme court to operate and improve the trial court information system and other court information systems.

Sec. 180. Minnesota Statutes 1986, section 480.241, is amended to read:

**480.241 FILING FEE SURCHARGE IN CIVIL ACTIONS.**

**Subdivision 1. AMOUNT OF SURCHARGE; COLLECTION BY COURT ADMINISTRATORS.** A plaintiff, petitioner, defendant, respondent, intervenor or moving party in any district, county or municipal court civil action or civil proceeding in which an initial filing fee is payable by that party, except a marriage dissolution or conciliation court action, shall pay to the court administrator of district or county court or court administrator of the municipal courts of Hennepin county or Ramsey county a surcharge of \$10 in addition to the initial filing fee otherwise prescribed. For such a civil action or civil proceeding commenced on and after July 1, 1987, the surcharge is \$20. A plaintiff, defendant or moving party in any conciliation court action in which an initial filing fee is payable shall pay to the court administrator of conciliation court a surcharge of ~~\$1~~ \$2 in addition to the initial filing fee otherwise prescribed. Notwithstanding any other law or rule to the contrary, no surcharge shall be paid by any governmental unit of the state of Minnesota, any local unit of government, or agency thereof, when the governmental unit, local government, or agency thereof is a party to any civil action or civil proceeding in the municipal courts of Hennepin or Ramsey counties, or in any county court.

**Subd. 2. TRANSMITTAL OF SURCHARGE TO SUPREME COURT.** Notwithstanding any other law or rule to the contrary, all surcharges collected pursuant to subdivision 1 shall be transmitted monthly by the district, county and conciliation court court administrators and municipal court administrators to the supreme court for deposit in a legal services account in the special revenue fund. After June 30, 1989, two-thirds of the surcharge must be deposited in the legal services account in the special revenue fund and one-third must be deposited in the software sales account under section 480.236.

**Sec. 181. [480.245] JUDICIAL FEE IN CIVIL ACTIONS AND CONCILIATION COURTS.**

**Subdivision 1. AMOUNT OF FEE; COLLECTION BY COURT ADMINISTRATORS.** A plaintiff, petitioner, defendant, respondent, intervenor, or moving party in a civil action or civil proceeding in which an initial filing fee is payable by that party, except a marriage dissolution or conciliation court action, shall pay to the court administrator a judicial fee of \$5 in addition to the civil surcharge and the initial filing fee otherwise prescribed under section 480.241.

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A plaintiff, defendant, or moving party in a conciliation court action in which an initial filing fee is payable shall pay to the court administrator a judicial fee of \$1 in addition to the civil surcharge and the initial filing fee otherwise prescribed. A fee need not be paid by a governmental unit of the state of Minnesota, a local unit of government, or an agency of those units, when the governmental unit, local government, or agency is a party to a civil action or civil proceeding.

Subd. 2. TRANSMITTAL OF RECEIPTS. Fees collected under subdivision 1 must be paid to the state treasurer, deposited in the state treasury, and credited to the general fund.

Sec. 182. Minnesota Statutes 1986, section 480A.08, subdivision 3, is amended to read:

Subd. 3. **DECISIONS.** A decision shall be rendered in every case within 90 days after oral argument or after the final submission of briefs or memoranda by the parties, whichever is later. The chief justice or the chief judge may waive the 90-day limitation for any proceeding before the court of appeals for good cause shown. In every case, the decision of the court, including any written opinion containing a summary of the case and a statement of the reasons for its decision, shall be indexed and made readily available. The court of appeals may publish only those decisions that:

- (1) establish a new rule of law;
- (2) overrule a previous court of appeals' decision not reviewed by the supreme court;
- (3) provide important procedural guidelines in interpreting statutes or administrative rules;
- (4) involve a significant legal issue; or
- (5) would significantly aid in the administration of justice.

Unpublished opinions of the court of appeals are not precedential. Unpublished opinions must not be cited unless the party citing the unpublished opinion provides a full and correct copy to all other counsel at least 48 hours before its use in any pretrial conference, hearing, or trial. If cited in a brief or memorandum of law, a copy of the unpublished opinion must be provided to all other counsel at the time the brief or memorandum is served, and other counsel may respond.

Sec. 183. **[481.20] CLIENT SECURITY ACCOUNT.**

Fees received under rules or orders adopted by the supreme court governing a client security fund or account must be deposited in the state treasury and credited to a client security account. Investment income and investment losses attributable to investment of the client security account must be credited to the account. Money in the account is appropriated to the supreme court to pay the expenses of the client security board and claims approved by the board.

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

Sec. 184. Minnesota Statutes 1986, section 484.68, subdivision 3, is amended to read:

Subd. 3. **DUTIES.** The district administrator shall:

- (a) Assist the chief judge in the performance of administrative duties;
- (b) Manage the administrative affairs of the courts of the judicial district;
- (c) Supervise the court administrators and other support personnel, except court reporters, who serve in the courts of the judicial district;
- (d) Comply with the requests of the state court administrator for statistical or other information relating to the courts of the judicial district; ~~and~~
- (e) With the approval of the chief judge, determine the needs of the judges of the district for office equipment necessary for the effective administration of justice and develop a plan to make the equipment available to the judges of the district; the plan must be submitted to the state court administrator for approval and determination of eligibility for state funding under section 480.15, subdivision 12; and
- (f) Perform any additional duties that are assigned by law or by the rules of court.

Sec. 185. Minnesota Statutes 1986, section 484.68, subdivision 5, is amended to read:

Subd. 5. **BUDGET FOR OFFICE.** The office budget of the district administrator shall be set by the chief judge of the judicial district and apportioned among the counties of the district. The budget must include sufficient money for the staff authorized by this section and other staff and expenses authorized under law.

Sec. 186. ~~[484.74]~~ **ALTERNATIVE DISPUTE RESOLUTION.**

Subdivision 1. AUTHORIZATION. In litigation involving an amount in excess of \$50,000 in controversy, the presiding judge may, by order, direct the parties to enter nonbinding alternative dispute resolution. Alternatives may include private trials, neutral expert fact-finding, mediation, mini-trials, and other forms of alternative dispute resolution. The guidelines for the various alternatives must be established by the presiding judge and must emphasize early and inexpensive exchange of information and case evaluation in order to facilitate settlement.

Subd. 2. NEUTRAL; APPOINTMENT; REMOVAL. The judge shall appoint an impartial third-party neutral to conduct all proceedings held under subdivision 1. A party may file with the judge within five days of the notice of appointment of a neutral and serve on all other parties to the action a notice to remove the neutral. Upon receipt of the notice to remove, the judge shall assign another neutral. After a party has once disqualified a neutral as a matter of right, a substitute neutral may be disqualified by the party only by making an affirmative showing of prejudice to the judge.

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

Subd. 3. FEES. Subject to chapter 563, the neutral's fees and expenses must be borne by the parties on a basis determined to be fair and equitable by the presiding judge.

Subd. 4. APPLICATION. This section applies only to the fourth judicial district, which will serve as a pilot project to evaluate the effectiveness of alternative forms of resolving commercial and personal injury disputes. The state court administrator shall evaluate the pilot project and report the findings to the chairs of the house and senate judiciary committees by January 15, 1989.

Sec. 187. Minnesota Statutes 1986, section 540.152, is amended to read:

**540.152 SERVICE OF PROCESS ON UNIONS, GROUPS OR ASSOCIATIONS.**

The transaction of any acts, business or activities within the state of Minnesota by any officer, agent, representative, employee or member of any union or other groups or associations having officers, agents, members or property without the state on behalf of the union or other groups or associations or any of its members or affiliated local unions shall be deemed an appointment by the union or other groups or associations of the secretary of state of the state of Minnesota to be the true and lawful attorney of the union or other groups or associations, upon whom may be served all legal processes or notices in any action or proceeding against or involving the union or other groups or associations growing out of any acts, business or activities within the state of Minnesota resulting in damage or loss to person or property or giving rise to any cause of action under the laws of the state of Minnesota or to any matters or proceedings arising under the Minnesota Labor Relations Act. Such acts, business or activities shall be a signification of the agreement of the union or other groups or associations and its members that any process or notice in any action, matter or proceeding against or involving it, which is so served, shall be of the same legal force and validity as if served upon the union or other groups or associations and its members personally. Service of process or notice shall be made by filing a copy thereof in the office of the secretary of state, together with payment of a fee of ~~\$15~~ **\$25** and together with an affidavit stating that no officer or managing agent of the union or other group or association has been found in this state and setting forth an address to which the service shall be forwarded. The service shall be sufficient service upon the union or other groups or associations and its members. Notice of service and a copy of the process or notice shall, within ten days thereafter, be sent by mail by the person who caused it to be served on the union or other groups or associations at its last known address and an affidavit of compliance with the provisions of this chapter shall be filed with the court or other state agency or department before which the action, matter, or proceeding is pending.

Sec. 188. Minnesota Statutes 1986, section 543.08, is amended to read:

**543.08 SUMMONS, SERVICE UPON CERTAIN CORPORATIONS.**

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

If a private domestic corporation has no officer at the registered office of the corporation within the state upon whom service can be made, of which fact the return of the sheriff of the county in which that office is located, or the affidavit of a private person not a party, that none can be found in that county shall be conclusive evidence, service of the summons upon it may be made by depositing two copies, together with a fee of ~~\$15~~ \$25 with the secretary of state, which shall be deemed personal service upon the corporation. One of the copies shall be filed by the secretary, and the other forthwith mailed by the secretary to the corporation by certified mail, if the place of its main office is known to the secretary or is disclosed by the files in the office.

If the defendant is a foreign insurance corporation, the summons may be served by two copies delivered to the commissioner of commerce, who shall file one in the commissioner's office and forthwith mail the other postage prepaid to the defendant at its home office.

Sec. 189. Minnesota Statutes 1986, section 609.101, is amended to read:

**609.101 SURCHARGE ON FINES, ASSESSMENTS; MINIMUM FINES.**

**Subdivision 1. SURCHARGES AND ASSESSMENTS.** When a court sentences a person convicted of a felony, gross misdemeanor, or misdemeanor, other than a petty misdemeanor such as a traffic or parking violation, and if the sentence does not include payment of a fine, the court shall impose an assessment of not less than \$25 nor more than \$50. If the sentence for the felony, gross misdemeanor, or misdemeanor includes payment of a fine of any amount, including a fine of less than \$100, the court shall impose a surcharge on the fine of ten percent of the fine. This section applies whether or not the person is sentenced to imprisonment and when the sentence is suspended. The court may, ~~upon a showing of indigency or undue hardship upon the convicted person or the person's immediate family,~~ not waive payment or authorize payment of the assessment or surcharge in installments unless it makes written findings on the record that the convicted person is indigent or that the assessment or surcharge would create undue hardship for the convicted person or that person's immediate family; ~~however, if the court waives payment or authorizes payment in installments, it shall state in writing on the record the reasons for its action. If the court fails to waive or impose an assessment required by this section, the court administrator shall correct the record to show imposition of an assessment of \$25 if the sentence does not include payment of a fine, or if the sentence includes a fine, to show an imposition of a surcharge of 10 percent of the fine.~~

Except for assessments and surcharges imposed on persons convicted of violations described in section 97A.065, subdivision 2, the court shall collect and forward to the commissioner of finance the total amount of the assessment or surcharge and the commissioner shall credit all money so forwarded to a crime victim and witness account, which is established as a special account in the state treasury.

Money credited to the crime victim and witness account may be appropriated for but is not limited to the following purposes:

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



- (1) use for crime victim reparations under sections 611A.51 to 611A.68;
- (2) use by the crime victim and witness advisory council established under section 611A.71; and
- (3) to supplement the federally funded activities of the crime victim ombudsman under section 611A.74.

If the convicted person is sentenced to imprisonment, the chief executive officer of the correctional facility in which the convicted person is incarcerated may collect the assessment or surcharge from any earnings the inmate accrues for work performed in the correctional facility and forward the amount to the commissioner of finance, indicating the part that was imposed for violations described in section 97A.065, subdivision 2, which must be credited to the game and fish fund.

Subd. 2. MINIMUM FINES. Notwithstanding any other law:

(1) when a court sentences a person convicted of violating section 609.221, 609.267, or 609.342, it must impose a fine of not less than \$500 nor more than the maximum fine authorized by law;

(2) when a court sentences a person convicted of violating section 609.222, 609.223, 609.2671, 609.343, 609.344, or 609.345, it must impose a fine of not less than \$300 nor more than the maximum fine authorized by law; and

(3) when a court sentences a person convicted of violating section 609.2231, 609.224, or 609.2672, it must impose a fine of not less than \$100 nor more than the maximum fine authorized by law.

The court may not waive payment of the fine or authorize payment of it in installments unless the court makes written findings on the record that the convicted person is indigent or that the fine would create undue hardship for the convicted person or that person's immediate family.

The court shall collect the minimum fine mandated by this subdivision and forward 70 percent of it to a local victim assistance program that provides services locally in the county in which the crime was committed. The court shall forward the remaining 30 percent to the commissioner of finance to be credited to the crime victim and witness account established in subdivision 1. If more than one victim assistance program serves the county in which the crime was committed, the court may designate on a case-by-case basis which program will receive the fine proceeds, giving consideration to the nature of the crime committed, the types of victims served by the program, and the funding needs of the program. If no victim assistance program serves that county, the court shall forward 100 percent of the fine proceeds to the commissioner of finance to be credited to the crime victim and witness account. Fine proceeds received by a local victim assistance program must be used to provide direct services to crime victims. Fine proceeds credited to the crime victim and witness account may be

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appropriated to the crime victim and witness advisory council, and the council may use all or part of the proceeds for the purpose of providing grants to establish new victim assistance programs.

The minimum fine required by this subdivision is in addition to the surcharge or assessment required by subdivision 1, and is in addition to any term of imprisonment or restitution imposed or ordered by the court.

As used in this subdivision, "victim assistance program" means victim witness programs within county attorney offices or any of the following programs approved by the department of corrections: crime victim crisis centers, victim-witness programs, battered women shelters and nonshelter programs, and sexual assault programs.

Sec. 190. Minnesota Statutes 1986, section 626.861, subdivision 4, is amended to read:

Subd. 4. **PEACE OFFICERS TRAINING ACCOUNT.** Receipts from penalty assessments must be credited to a peace officers training account in the special revenue fund. Money credited to the peace officers training account may be appropriated for but not limited to the following purposes, among others:

(a) Up to ten percent may be provided for reimbursement to board approved skills courses in proportion to the number of students successfully completing the board's skills licensing examination.

(b) ~~Assessments related to violations described in section 97.49, subdivision 5, are appropriated to provide peace officer training for persons employed by the commissioner of natural resources who are licensed under section 626.84, subdivision 1, clause (e), and who possess peace officer authority for the purpose of enforcing game and fish laws.~~

(e) The balance may be used to pay each local unit of government an amount in proportion to the number of licensed peace officers and constables employed, at a rate to be determined by the board. The disbursed amount must be used exclusively for reimbursement of the cost of in-service training required under this chapter and chapter 214.

Sec. 191. **REPEALERS.**

Subdivision 1, Minnesota Statutes 1986, sections 3.099, subdivision 2; 3.9226, subdivision 8; 6.495, subdivision 2; 15A.081, subdivision 6; 15A.082, subdivision 5; 15A.083, subdivision 1; 92.67, subdivision 6; 116J.87; and 296.421, subdivision 5a are repealed.

Subd. 2, Minnesota Statutes 1986, section 473.351, subdivision 5, is repealed effective the day following final enactment.

Sec. 192. **EFFECTIVE DATES.**

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

Subdivision 1. Section 89 is effective July 1, 1987, provided the commissioner shall not implement the program until the legislature appropriates the necessary funds.

Subd. 2. (a) The additional judgeships authorized for judicial districts in section 59 are established as follows:

(1) one judgeship in the first judicial district, three judgeships in the fourth judicial district, and one judgeship in the tenth judicial district are effective on July 1, 1987;

(2) one judgeship in the first judicial district, three judgeships in the fourth judicial district, and one judgeship in the tenth judicial district are effective on July 1, 1988;

(3) one judgeship in the sixth judicial district is effective on January 1, 1989, and one judicial officer position in the sixth judicial district is terminated upon the appointment of a judge to fill this judgeship;

(4) one judgeship in the first judicial district, three judgeships in the fourth judicial district, one judgeship in the seventh judicial district, and one judgeship in the tenth judicial district are effective on July 1, 1989, if an appropriation is made; and

(5) one judgeship in the first judicial district, two judgeships in the fourth judicial district, and one judgeship in the tenth judicial district is effective on July 1, 1990, if an appropriation is made.

(b) Section 180 is effective on July 1, 1987.

Subd. 3. Except as provided in this section, sections 96, and 120 to 132 are effective for the licensing year beginning March 1, 1988, and for each licensing year after that date. The 24 hour resident and nonresident angling licenses and the nonresident married couple license are effective beginning June 1, 1987, and for each licensing year after that date.

Subd. 4. Sections 51, 63, 149, 178, 185, and 186 are effective the day following final enactment. The repeal of Minnesota Statutes 1986, section 473.351, subdivision 5, is effective the day following final enactment. Section 147 is effective June 1, 1988.

Approved June 12, 1987