

The complement of the agency is increased by six positions, two of which are full-time temporary in the unclassified service, to develop an automated data base. When the data base is operational, the unclassified positions terminate and the approved complement of the agency is reduced accordingly.

Sec. 44. **REPEALER.**

Minnesota Statutes 1986, sections 115A.14, subdivision 6; and 115A.90, subdivision 4; Minnesota Statutes 1987 Supplement, sections 115A.14, subdivision 5; 115A.41; 116.55; and 116M.07, subdivision 14, are repealed.

Sec. 45. **INSTRUCTIONS TO REVISOR.**

The revisor of statutes is directed to change the words "agency" and "pollution control agency" wherever they appear in sections 115A.90 to 115A.914 to "board" in Minnesota Statutes 1988.

Sec. 46. **EFFECTIVE DATE.**

Sections 14, 15, 22, 23, 29, 31 to 34, 37, 40, 41, and 43 are effective the day following final enactment. Section 26, subdivision 2, is effective July 1, 1989. Section 28 is effective April 1, 1989. Section 35 is effective July 1, 1988.

Approved April 28, 1988

CHAPTER 686—H.F.No. 2344

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 fees; authorizing suburban Hennepin regional park district to acquire land for Lake Minnetonka regional park without local consent; amending Minnesota Statutes 1986, sections 3.9223, subdivision 5; 3.9225, subdivision 5; 3.9226, subdivision 5; 10A.01, by adding a subdivision; 10A.25, subdivision 10; 10A.31, subdivision 5; 14.07, subdivisions 1 and 2; 14.47, subdivision 8; 15A.082, subdivision 3; 16B.24, subdivisions 9 and 10; 17.105, subdivision 4; 18.191; 85.012, by adding a subdivision; 89.001, by adding a subdivision; 89.01, by adding a subdivision; 89.19; 116.18, by adding a subdivision; 116.48, by adding subdivisions; 116J.615, by adding a subdivision; 222.63, subdivisions 2 and 4; 296.16, by adding a subdivision; 296.421, by adding a subdivision; and 611.215, by adding a subdivision; Minnesota Statutes 1987 Supplement, sections 3.885; 3C.035, subdivision 2; 3C.11, subdivision 2; 3C.12, subdivision 7; 8.15; 14.08; 41A.065, subdivision 8; 43A.08, subdivision 1a; 85.055, subdivision 1; 105.44, subdivision 10; 115C.02, subdivision 13; 116C.712, subdivision 5; 116J.941, subdivision 1; 116J.966, subdivision 1; 116O.03, subdivision 2; 116O.04, subdivision 1; 116O.06, subdivision 1; 161.52; 480.236; 480.241, subdivision 2; and 611.24; Laws 1985, First Special Session chapter 15, section 4, subdivision 6; Laws 1986, chapter 441, section 14; Laws 1987, chapter 348, section 48, subdivision 3; Laws 1987, chapter 357, section 27, subdivision 2; and Laws

New language is indicated by underline, deletions by ~~strikeout~~.

1987, chapter 404, sections 20, subdivision 6; and 22, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 4; 89; and 115C; repealing Minnesota Statutes 1986, sections 3C.055; 3C.057; 5.13; 10A.32, subdivision 3b; and 16A.625; and Laws 1987, chapter 358, section 31.

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

ARTICLE 1

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 "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, 1988, or June 30, 1989, respectively.

SUMMARY BY FUND			
	1988	1989	TOTAL
General	\$ 3,542,600	\$18,495,900	\$22,038,500
Special Revenue	519,300	1,006,900	1,526,200
Game and Fish	95,000	-0-	95,000
Workers' Compensation	135,000	-0-	135,000
Metro Landfill			
Abatement	8,500	40,800	49,300
Metro Landfill			
Contingency	8,500	40,800	49,300
Water Pollution			
Control	50,000	100,000	150,000
TOTAL	\$ 4,358,900	\$19,684,400	\$24,043,300

APPROPRIATIONS
Available for the Year
Ending June 30
1988 1989
\$ \$

Sec. 2. LEGISLATURE

(a) Legislative Coordinating Commission 60,000

This appropriation is added to the appropriation in Laws 1987, chapter 404, section 2, and shall be used to pay the dues associated with the state of Minnesota's membership in the National Conference of State Legislatures State and Local Legal

Center. Any unencumbered balance at the end of the first year shall be available for the second year.

(b) Legislative Auditor

100,000

This appropriation is to cover the cost of auditing the University of Minnesota's physical plant operations. The University of Minnesota is liable to the legislative auditor for the total cost and expenses of the audit, including the salaries paid to the examiners while actually engaged in making the examination. The legislative auditor shall bill the university either monthly or at the conclusion of the audit. Collections received for the audits must be credited to the general fund to reimburse it for this appropriation.

The office of the legislative auditor program evaluation division shall conduct an evaluation of the Minnesota housing finance agency's programs. The study shall include, but not be limited to, an evaluation of the criteria used to qualify potential buyers as low income. The auditor shall prepare a report for presentation to the legislature by January 1, 1989, indicating its findings, observations, and recommendations relative to the agency's ability to meet the current demand for low income housing.

Sec. 3. SUPREME COURT

(a) Trial Courts Information System	133,400	387,800
(b) Study of Tape Recording	25,000	

The supreme court administrator shall study and report to the legislature by January 1, 1989, on the costs and benefits to litigants of the use of video or audio tape recording of civil litigation and administrative hearings instead of stenotype and transcription recordings of those proceedings. The study shall also include the equipment cost recovery of alternative recording systems.

(c) Family Farm Legal Assistance

The report submitted by each family farm legal assistance provider to the supreme court and the legislature by January 15, 1989, under Minnesota Statutes, section 480.256, shall include a plan to prioritize the legal assistance provided to family farmers under Minnesota Statutes, sections 480.250 to 480.254, and to recommend which services to continue. The report must also include alternative plans to provide all or part of the family farm legal assistance from non-state money.

Sec. 4. BOARD OF PUBLIC DEFENSE

(a) Space Rental 15,000

This appropriation is for rental of office space and is added to the appropriation in Laws 1987, chapter 404, section 7.

(b) Intergovernmental Relations 55,000

The person hired for this position shall be knowledgeable in criminal defense procedures and criminal defense investigation. The new position shall include in its duties the provision of counsel on legislative proposals during legislative sessions. The state public defender, at the request of the administrator, shall fully cooperate with and assist the administrator with respect to these duties.

The approved complement of the board of public defense is increased by one in fiscal year 1989.

Sec. 5. GOVERNOR

Office of Jobs Policy 115,000

The office of jobs policy must be transferred to the governor's office and remain there and is not subject to further transfer under Minnesota Statutes, section 16B.37.

Sec. 6. ADMINISTRATION

(a) 911 Emergency Telephone Service 119,300 488,900

This appropriation is from the special

revenue fund and is added to the appropriation in Laws 1987, chapter 404, section 16, subdivision 3.

(b) System Architecture Conference 12,000

This appropriation is to the information policy office to plan and conduct a system architecture conference for legislators and key executive branch personnel. This appropriation is an addition to the appropriation in Laws 1987, chapter 404, section 16, subdivision 3.

(c) Distributive Computing Study 150,000

This appropriation is to establish not less than three experimental computer centers to demonstrate the effectiveness of a distributive computing model for a wide range of computer applications in the field of education, including financial and student management. No district may apply for less than \$20,000 or more than \$50,000 for the purposes of this program. For the purposes of this section, the reporting requirements of section 121.936, subdivision 1, and the data standards of section 121.932, subdivision 5, must be maintained, but all other requirements, except financial obligations, will be waived. The information policy office will evaluate the experimental centers, prepare a study, and report to the legislature by January 1, 1990, making recommendations concerning the feasibility of expanding the concept of individual computer centers statewide. This appropriation is added to the appropriation in Laws 1987, chapter 404, section 16, subdivision 3.

(d) Interactive Technologies 20,000

This appropriation is to the information policy office to facilitate, with technical expertise, efforts to move the legislature towards the usage of more interactive technologies. The information policy office will draft a plan to improve citizen input and to improve the efficiency

and operations of the legislature. This appropriation is added to the appropriation in Laws 1987, chapter 404, section 16, subdivision 3.

(e) Twin Cities Regional Cable

40,000

This appropriation is for a grant to Twin Cities Regional Cable Channel, Inc. for programming. \$20,000 of this grant is to be matched dollar for dollar from contributions from nonstate sources. \$20,000 of the grant is to be used for legislative programming. All legislative programming done under this grant must be accessible to local cable stations at cost of video tape for distribution. This appropriation is added to the appropriation in Laws 1987, chapter 404, section 16, subdivision 5.

(f) Soybean Oil Ink Study

2,500

This appropriation is to study the feasibility of using ink with a soybean oil base for printing done by the commissioner, by other state agencies, and by private vendors under contract to agencies in all branches of state government. The study must include the cost implications to the state of using ink with a soybean oil base, the types of printing jobs that can and cannot be done effectively with this ink, and any transitional steps that would have to be taken to implement the use of ink with a soybean oil base. The commissioner shall report the results of the study to the legislature by January 1, 1989. This appropriation is to be matched with money from other nonstate sources. This appropriation is added to the appropriation in Laws 1987, chapter 404, section 16, subdivision 5.

(g) Community Service and Volunteer Initiatives

50,000

The department of administration's authorized general fund complement is increased by one position.

This appropriation is added to the appropriation in Laws 1987, chapter 404, section 16, subdivision 5 and is only available if the community services program for school districts established in article 4, section 4, of a bill styled as H.F. No. 2245 are enacted into law. The commissioner shall ensure that this initiative is consistent and coordinated with the volunteer program in that section of H.F. No. 2245.

The approved complement of the department of administration is increased by two special revenue fund positions in fiscal year 1989.

(h) Study of Leasing Office Space

The commissioner of administration shall complete phase II of the study comparing the costs of leasing office space in privately owned buildings versus construction of new office buildings to house state departments and agencies. This study must include a report to the legislature by January 1, 1989, that addresses the feasibility of lease-purchase options, includes considerations of life-cycle costing, and provides recommendations for a state policy relative to housing of state offices in the twin cities metropolitan area.

(i) Surplus Property

The commissioner shall study the feasibility of making state surplus property from the departments of transportation, corrections, natural resources, and public safety available to Indian communities at no cost and shall report the findings, including an evaluation of the program currently being conducted in the department of natural resources, to the legislature by January 1, 1989.

(j) Capitol Space Planning

350,000

This appropriation is to plan for the use of senate space in the capitol building.

(k) State Office Building

75,000

This appropriation is to install computer cabling and a telephone system for senate offices in the state office building.

(l) Capitol Restoration 220,000

This appropriation is to fix the leaking dome under the roof of the capitol.

(m) Rent Differential 1,711,000

This appropriation is for the increased rent differential associated with the department of human services office relocation and consolidation and lost rental income associated with the department of revenue's office relocation.

The legislature estimates that \$450,000 of this appropriation will be offset by general fund nondedicated receipts from the federal government.

Sec. 7. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

Landscaping and Parking Improvements 675,000

Any unencumbered balance remaining after the first year does not cancel and is available for the second year.

Sec. 8. FINANCE

Gas Tax Refunds

Until June 30, 1989, refunds received from the federal government for excise taxes paid on motor vehicle fuels are appropriated, in the year the refund is received, to the state agency that paid the tax.

Sec. 9. EMPLOYEE RELATIONS

(a) Public Employees' Insurance Plan 116,000

This appropriation is added to the appropriation for the same purpose in Laws 1987, chapter 404, section 19, subdivision 5, and is likewise repayable within five years.

The approved complement of the department of employee relations is increased by four positions in fiscal year 1989.

(b) Health Insurance Costs 6,450,000

This appropriation is from the general fund for transfer to the employee insurance trust fund.

\$4,593,300 is appropriated in fiscal year 1989 from the funds from which salaries are paid, other than the general fund, for transfer to the employee insurance trust fund. The commissioner of finance shall allocate this appropriation among the several funds in proportion to the health insurance costs that are otherwise paid from each fund. If the balance in a fund is insufficient to support this additional appropriation without requiring any layoffs or reductions in any other appropriation from the fund, the commissioner of finance shall submit a request to the 1989 regular session to cover the deficiency with an appropriation from the general fund.

The regents of the University of Minnesota shall pay \$3,956,700 from money previously appropriated for operations and maintenance of the university to the commissioner of employee relations for credit to the employee insurance trust fund.

(c) Dependent Care Expenses

Until June 30, 1989, the commissioner of employee relations may use FICA savings generated from the dependent care expense account program to pay for the administrative costs of the program.

(d) Managers Plan

Notwithstanding Laws 1987, chapter 404, section 43, subdivision 2, within the provisions of the managerial plan approved under Minnesota Statutes, section 43A.18, an agency may not exceed a four percent average for aggregate performance increases for its managers.

Sec. 10. REVENUE

(a) Charitable Gambling Tax Enforcement

194,300

This appropriation is added to the appropriation for tax compliance in Laws 1987, chapter 404, section 20, subdivision 6.

The approved complement of the department of revenue is increased by four positions in fiscal year 1989.

(b) Metropolitan Landfill Administration

In fiscal year 1988 \$8,500 is appropriated from the metropolitan landfill abatement fund and \$8,500 is appropriated from the metropolitan landfill contingency action fund to the department of revenue for the purpose of reimbursing the department for costs incurred by the department in administering Minnesota Statutes, section 473.843, during fiscal year 1988.

\$40,800 in fiscal year 1989 is appropriated from the metropolitan landfill contingency action fund and in fiscal year 1989 \$40,800 is appropriated from the metropolitan landfill abatement fund to the department of revenue for the purpose of administering Minnesota Statutes, section 473.843.

Sec. 11. NATURAL RESOURCES

(a) Forest Nurseries	400,000	490,000
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This appropriation is from the forest management fund and is added to the appropriation in Laws 1987, chapter 404, section 22, subdivision 4.

(b) Hybrid Aspen Operational Studies	80,000
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This appropriation is added to the appropriation in Laws 1987, chapter 404, section 22, subdivision 4. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

(c) Statewide Forest Inventory and Analysis	270,000
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Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

(d) Oak Wilt Control

\$64,000 appropriated to the commissioner of natural resources for oak wilt control in Laws 1987, chapter 404, section 22, subdivision 4, for fiscal year 1988 does not cancel and is available for fiscal year 1989.

(e) Thief Lake Wildlife Management Area

50,000

This appropriation is to construct an observation deck and picnic area at Thief Lake wildlife management area. This appropriation is from the general fund and is an addition to the funds appropriated in Laws 1987, chapter 404, section 22, subdivision 7.

(f) Red Lake Wildlife Management Area

8,000

This appropriation is to rehabilitate the Norris Tower picnic site on the Red Lake wildlife management area. This appropriation is added to the appropriation in Laws 1987, chapter 404, section 22, subdivision 7.

(g) Rochester Wildlife Lands

The commissioner shall study and report to the legislature by January 1, 1989, the feasibility of a land exchange with Olmsted county for the wildlife lands located adjacent to the former Rochester State Hospital facility.

(h) Tettegouche Camp Buildings

20,000

This appropriation is added to the appropriation in Laws 1987, chapter 404, section 22, subdivision 5, and must be used to conduct a study and report to the legislature by January 1, 1989, on alternative uses for the "Tettegouche Camp Buildings." The study must address the costs associated with each of the alternatives identified, including ongoing use of buildings.

(i) Paul Bunyan Trail

35,000

This appropriation is for a lease purchase agreement and for safety purposes

on the abandoned Burlington Northern railroad line between Baxter and Bemidji, Minnesota designated as the Paul Bunyan Trail by an act styled as H.F. No. 2155. This appropriation is added to the appropriation in Laws 1987, section 22, subdivision 6.

(j) Willard Munger Trail

Notwithstanding Minnesota Statutes, section 344.03, subdivision 1, as part of the settlement of a property line dispute on the Hinckley to Moose Lake segment of the Minnesota-Wisconsin Boundary State Trail (Willard Munger State Trail), the commissioner shall fence the state property boundary line located in T41N, R21W, section 13 in SE1/4 and NE1/4 of the SW1/4.

(k) Hill-Annex Mine State Park

298,000

\$270,000 of this appropriation is for pumping costs, including the purchase and installation of pumps, pipelines, and associated facilities. The commissioner of natural resources may seek additional matching money from organizations having access to historical preservation money to complement this appropriation. The commissioner of natural resources shall prepare a financial report on the use of this appropriation for the chairs of the house appropriations and senate finance committees no later than January 1, 1990.

\$28,000 of this appropriation is from the state parks maintenance and operations account in the special revenue fund. The approved complement of the department of natural resources is increased by two positions.

(l) Conservation Officer Salaries

109,200

\$95,000 is appropriated from the game and fish fund in fiscal year 1988 and \$14,200 is appropriated from the general fund in fiscal year 1988 and is added to the appropriation in Laws 1987, chap-

ter 404, section 22, subdivision 8, and is to be used to fund salary range compression for conservation officers resulting from an arbitration award. Any unencumbered balance for the first year shall be made available for the second year. Should the department be faced with holding conservation officer positions vacant because of funding constraints as a result of this arbitration, the department shall consider such factors as population density, enforcement issues, intensity of public use, and impact on the state's efforts to protect the state's natural resources in determining which positions will be held vacant. Beginning July 1, 1989, and after consideration of the report required by Laws 1987, chapter 404, section 58, those positions assigned to undercover activities shall be assigned the lowest priority and shall be eliminated before other conservation officer positions are held vacant.

(m) Hinckley Trail

The commissioner in cooperation with the commissioner of the Minnesota department of transportation shall study the feasibility of connecting St. Croix State Park and the Hinckley Trail via a MNDOT right-of-way and report to the legislature by January 1, 1989.

(n) Sunken Ships

The commissioner shall study the feasibility of expanding the boundaries of Split Rock Lighthouse state park or another more suitable state park on the North shore of Lake Superior to include sunken ships for underwater interpretation. The study shall include but not be limited to the legal ramifications of annexing such a site, the cost of such an annexation, the quality of the underwater diving experience that the site would offer and a potential timetable for acquisition. The commissioner shall report the study to the legislature by January 1, 1989.

(o) Emergency Firefighting

The amount necessary to pay for emergency firefighting expenses is added to the appropriation in Laws 1987, chapter 404, section 22, subdivision 4. The commissioner shall submit to the chairs of the senate finance and house of representatives appropriations committees by January 1, 1989, a report of firefighting expenditures, including recommendations for future funding of this activity.

(p) International Wolf Center

150,000

This appropriation is to be used as a grant to the International Wolf Center Committee for a review of the site selection process and planning and site preparation of an International Wolf Center. The review of the site selection process will be conducted by a select committee appointed by the chairs of the house appropriations and senate finance committees. The committee shall evaluate the process used in determining the proposed site for the Wolf Center and report its findings to the chairs of the house appropriations and senate finance committees no later than January 1, 1989. Any expenses associated with the select committee's activities shall be paid from this grant.

(q) Wildlife Development

120,000

This appropriation is for the planning and engineering work on the visitor center and office building at Lac Qui Parle Wildlife Management Area. Notwithstanding Minnesota Statutes, chapter 16B, if there are no small businesses owned or operated by socially or economically disadvantaged persons located within 25 miles of this project site, the commissioner may award the amount required under Minnesota Statutes, chapter 16B, for set-aside procurement for the construction associated with this project to other small businesses within 25 miles of the project site.

Sec. 12. ZOOLOGICAL BOARD**(a) Exotic Species**

200,000

This appropriation is for a grant for the permanent exhibition of an exotic species that has a high visitor appeal, will serve to further the education mission of the zoological garden and has been exhibited successfully in other zoos.

(b) Marine Exhibit

1,200,000.

This appropriation is for a grant to the zoological garden for renovation of the water and filtration systems which serve the existing beluga whale facility. None of the grant money may be released until the zoo board has completed and submitted to the chair of the senate finance and chair of the house appropriations committees a final construction plan for the renovation of the beluga whale facility into a marine exhibit. The final construction plan must include a detailed plan by the zoological board for financing the remainder of the project. If the financing includes using funds from the zoological garden's reserve fund, the financing plan must include a plan for the replenishing of the reserve fund.

(c) Zoo Hours

The Minnesota zoological garden must be open to the public without charge for at least two days each month. However, the zoo may charge at any time for special services and for admission to special facilities for the education, entertainment, or convenience of visitors.

(d) Zoo Employees

The classified positions of zoo development director, zoo animal program director, zoo operations director, and senior veterinarian at the Minnesota zoological garden are abolished, effective July 1, 1988. The Minnesota zoological board may create similar positions in the unclassified service under Minnesota Statutes, section 43A.08, subdivision 1a, as amended by this act.

Sec. 13. POLLUTION CONTROL AGENCY

(a) Upgrading Health Lab

63,000

This appropriation shall be transferred to the Department of Health for upgrading laboratory facilities used for testing water quality samples and training associated staff. This appropriation is added to the appropriation in Laws 1987, chapter 404, section 24, subdivision 2.

(b) Emergency Responders Training Academy

35,000

This appropriation is for a grant to the Minnesota Emergency Responders Training Academy for hazardous materials handling training and is in addition to the money appropriated in Laws 1987, chapter 404, section 24, subdivision 4.

(c) Balance Canceled

\$2,500,000 of the unencumbered balance in the water pollution control fund must be canceled and transferred to the general fund on July 1, 1988.

(d) Municipal Litigation Loans

100,000

This appropriation is from the water pollution control fund for the municipal litigation loan program established by this act. Repayments of the loans shall be credited to the fund.

(e) Non-Ferrous Mineral Strategic Planning

150,000

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

The approved complement of the pollution control agency is increased by three positions.

\$23,300 of this appropriation is to the commissioner of natural resources.

(f) Wastewater Treatment Grants

\$6,000,000 of the money appropriated in Laws 1987, chapter 400, section 7, for construction of wastewater treatment facilities grants are for supplemental grants to those communities that have received wastewater treatment grants dur-

ing the period between October 1, 1984, and September 30, 1987. The supplemental grants are the first phase of an attempt to make the grant amounts awarded to these communities equitable with the grant amounts awarded to communities before and after these dates and must be distributed according to the conditions established by this act.

The pollution control agency shall develop criteria and a selection process for the distribution of wastewater treatment facilities grants for towns and unorganized areas. The commissioner shall study the lake water pollution problems associated with wastewater in those areas and report to the chairs of the house appropriations and senate finance committees with recommendations concerning how to address these areas before January 2, 1989.

(g) Thompson Township

50,000

This appropriation is from the water pollution control fund to Thompson township for planning, development, and construction of a facility or facilities to correct water well contamination. The pollution control agency must review and approve any facility or facilities proposed under this paragraph. Any unencumbered balance of this appropriation is available for the construction of facilities.

Sec. 14. TRADE AND ECONOMIC DEVELOPMENT

(a) Travel Information Centers

23,000

577,000

Responsibility for operating travel information centers is transferred under Minnesota Statutes, section 15.039, from the commissioner of transportation to the commissioner of trade and economic development, effective July 1, 1988. \$288,000 appropriated from the trunk highway fund by Laws 1987, chapter 358, section 2, and ten positions are included

in the transfer. By July 1, 1988, the director of tourism and the commissioner of transportation shall enter into an interagency agreement outlining the duties, relationships, and responsibilities for the operation and maintenance of the travel information centers. The agreement must contain, but need not be limited to, issues of maintenance responsibility, use of space, equipment, repairs and betterments, and grounds and buildings upkeep. A copy of the agreement must be provided to the chairs of the senate finance and house appropriations committees by July 15, 1988.

The metropolitan airports commission shall establish, fund, maintain, and operate a travel information center at the Minneapolis-St. Paul international airport. The metropolitan airports commission shall consult with the office of tourism regarding proper staffing and information to be provided.

(b) World Trade Center Marketing

50,000

The commissioner of trade and economic development shall fully implement the terms and conditions of the interagency agreement signed with the Minnesota World Trade Center corporation to market and schedule the conference and training center.

This appropriation is added to the appropriation in Laws 1987, chapter 404, section 26, subdivision 2.

(c) Council on Productivity and Quality

Any unencumbered balance of the appropriation for the Minnesota council on productivity and quality for fiscal year 1988 may be carried forward to fiscal year 1989.

The purpose of adding three new members to the Minnesota council on productivity and quality is to address the gender imbalance of the council.

**(d) Advanced Integrated
Manufacturing Center**

500,000

(e) Symposium on International
Technical Innovation and Entrepreneurship

200,000

(f) Celebrate Minnesota 1990

1,000,000

The approved complement of the department of trade and economic development is increased by four positions in fiscal year 1989.

(g) Minnesota Marketplace

350,000

(h) Invention and Innovation

25,000

75,000

This appropriation is for the business promotion division to contract for the study and design of a comprehensive, integrated, invention and innovation support and marketing system. The study must examine the feasibility of locating an invention and innovation center in the Twin Cities metropolitan area, with a statewide network involving Twin Cities' suburban and greater Minnesota communities. The design must include an educational component to encourage greater interest in innovative and inventive methods. It must also provide proposals for linking Minnesota-based invention and innovation activities with similar efforts occurring both nationally and internationally.

An interim report must be submitted to the legislature by January 15, 1989, and a final report must be submitted to the legislature by June 30, 1989.

(i) Mississippi Regional Park

600,000

This appropriation is to the commissioner of trade and economic development, who shall provide a grant to the suburban Hennepin regional park district and the Minneapolis park and recreation board in the amounts and at the times requested jointly by the district and the board for acquiring and developing their respective portions of the Mississippi regional park.

(j) Motion Picture and Television Board

Notwithstanding Laws 1987, chapter 404, section 26, subdivision 3, the appropriation in that subdivision for the Minnesota motion picture board for fiscal year 1989 is available upon receipt by the board of \$1 in matching contributions of money or in kind from nonstate sources for every \$3 provided by that appropriation.

(k) Great River Road

750,000

This appropriation is for a grant to the city of Minneapolis to pay principal and interest due on bonds issued by the city of Minneapolis for land acquisition and development for the Great River Road project along the central waterfront in downtown Minneapolis.

The city of Minneapolis may issue \$5,000,000 in general obligation bonds to acquire and develop land in connection with the Great River Road project. The bonds must be issued before June 30, 1989. Bonds issued under this authority are not included in the net debt of the city as defined in Minnesota Statutes, section 475.51, subdivision 4.

Upon certification by the city of Minneapolis to the commissioners of finance and pollution control that the city has issued \$3,500,000 in bonds under this authority, any current or future repayments required by Minnesota Statutes, section 116.162, subdivision 6, are canceled.

(l) Como Park Conservatory

800,000

This appropriation is for a grant to the city of St. Paul to pay principal and interest due on bonds issued by the city to remodel and refurbish the Como Park conservatory.

The city of St. Paul may issue up to \$5,000,000 in general obligation bonds to remodel and refurbish the Como Park

conservatory. The bonds must be issued before June 30, 1989. The city may also issue up to \$5,500,000 in general obligation bonds to reconstruct Shepard road and Warner road. The bonds must be issued before December 31, 1992. None of the bond proceeds may be used to develop a grade-separated interchange at the intersection of Shepard and Chestnut roads. The bonds must be issued under Minnesota Statutes, chapter 475, except that the bonds are not subject to its election requirements or debt limits. Bonds issued under this authority are not included in the net debt of the city as defined in Minnesota Statutes, section 475.51, subdivision 4.

Upon certification by the city of St. Paul to the commissioners of finance and pollution control that the city has issued \$10,500,000 in bonds under this authority, any current or future repayments required by Minnesota Statutes, section 116.162, subdivision 6, are canceled.

(m) Trout Lake

50,000

This appropriation is for a grant to a nonprofit association or fraternal organization for the acquisition of a park on land formerly owned by United States steel corporation on Trout Lake in Itasca county.

(n) Trade Model

\$15,000 of the fiscal year 1989 appropriation under Laws of Minnesota 1987, chapter 404, section 26, subdivision 9, is available to the commissioner for the costs of administering the contract for consultant services for development of the trade model.

(o) Economic Recovery Grants

Up to \$800,000 of the appropriation for economic recovery grants is available for projects located within the geographic boundaries of at least one of four or

more local units of government acting under a joint powers agreement under the cooperative secondary facilities grant act. A municipality located in a local unit acting under a joint powers agreement must apply for a grant. Applications must be made to the commissioner of trade and economic development. Notwithstanding Minnesota Statutes, section 116J.873, a grant under this subdivision may be for more than \$500,000 and a specific project does not have to be identified. A grant under this subdivision must be used for a manufacturing project and at least \$1 of nonstate money must be used for every \$4 of grant money. A grant under this paragraph may not be used to finance a project for an existing business that is transferring all or a part of its operations as a result of the grant.

Sec. 15. WORLD TRADE CENTER CORPORATION

General Operations

430,300

Any unexpended funds appropriated to the commissioner of administration for operating expenses of the conference and service center in the Minnesota World Trade Center are available to the Minnesota World Trade Center board for general operating expenses and program development for the center.

The Minnesota World Trade Center board shall make a report to the legislature by March 1, 1989. This report shall include a three-year plan, a detailed outline of what steps the trade center board will take to implement this plan, and a description of the activities that have taken place to implement the plan.

Up to \$50,000 is for the international trade network, to be spent jointly with the Minnesota trade office. This appropriation must be matched dollar-for-dollar by nonstate money or in-kind contributions.

Sec. 16. AMATEUR SPORTS COMMISSION

(a) Commission Operations

168,000

The approved complement of the amateur athletic commission is increased by two positions in fiscal year 1989.

The commission shall make a concentrated effort to recruit women athletes and athletic events for women to its facilities.

The Minnesota amateur sports commission shall continue to encourage, promote, and assist local and regional amateur sports groups and facilities.

(b) Blaine Sports Facility Operations

150,000

\$75,000 is available only upon demonstration to the commissioner of finance of a dollar-for-dollar match with non-state contributions.

\$75,000 must be repaid to the general fund from revenues from operation of the national sports center by July 1, 1992.

Sec. 17. HOUSING FINANCE AGENCY

Housing for the Homeless

150,000

This appropriation is for a demonstration rehabilitation project of eight to ten units under the housing grants for homeless individuals program created by the bill styled as H.F. No. 2126 of the 1988 regular session. The agency will study and evaluate the project and report the results to the legislature by January 1, 1990. The study must include a recommendation on the feasibility of continuing the program.

Sec. 18. STATE PLANNING AGENCY

(a) Study of State and Local Service Responsibility

Up to \$75,000 of any unencumbered balance of the general fund appropriation for fiscal year 1988 in Laws 1987, chapter 404, section 29, does not cancel and is available for the second year of the biennium to continue a state and local service responsibility study.

(b) Information Resources Policy

10,000

This appropriation is added to the appropriation in Laws 1987, chapter 404, section 29, and must be used for payment of the state of Minnesota's annual dues in the Harvard University's program on Information Resources Policy.

(c) Aquaculture 40,000

The state planning agency shall seek matching money for this project from other major agencies involved in the project. This appropriation is in addition to the money appropriated in Laws 1987, chapter 404, section 29.

(d) Planning for Youth Employment 80,000

This appropriation is for the planning grants authorized by article 3, section 2, of this act.

(e) Cold Weather Testing Task Force 15,000

Sec. 19. LABOR AND INDUSTRY

Study of Workers' Compensation
Medical Costs 135,000

This appropriation is from the workers' compensation special compensation fund. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

Sec. 20. VETERANS AFFAIRS

Morrison County State Veterans Cemetery

The commissioner of veterans affairs shall study the Morrison county cemetery and report to the legislature by December 15, 1988, on its suitability for use as a state veterans' cemetery, including anticipated costs of site development and ongoing operational costs.

Sec. 21. MILITARY AFFAIRS

(a) State Cash Bonus Payments 1,160,000

The adjutant general shall pay a state cash bonus of \$100 no later than June 30, 1989, to any member of the Minnesota national guard who has served satisfactorily, as defined by the adjutant general, as an active member of the Min-

nesota national guard during the 1988 federal fiscal year. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

The amount available for the bonus payments is limited to the amount appropriated for such payments in this section.

Any member of the Minnesota national guard who elects to take a credit for compensation for personal services in the Minnesota national guard against the tax due under chapter 290 is not eligible for the bonus payment.

(b) Tuition Reimbursement

1,040,000

The adjutant general shall establish a program providing tuition reimbursement for members of the Minnesota national guard in accordance with this section.

An active member of the Minnesota national guard serving satisfactorily, as defined by the adjutant general, at any time during state fiscal year 1989, shall be reimbursed for tuition paid during state fiscal year 1989 to a post-secondary education institution as defined by Minnesota Statutes, section 136A.15, subdivision 5, upon proof of satisfactory completion of course work.

In the case of tuition paid to a public institution located in Minnesota, tuition is limited to an amount equal to 50 percent of the cost of tuition at that public institution for the 1988-1989 academic year, except as provided in this section.

In the case of tuition paid to a Minnesota private institution or a public or private institution not located in Minnesota, reimbursement is limited to 50 percent of the cost of tuition for lower division programs in the college of liberal arts at the twin cities campus of the university of Minnesota in the 1988-1989 academ-

ic year, except as provided in this section.

In the case of tuition paid to a public or private technical or vocational school or community college located in Minnesota or outside of Minnesota for a single course or limited number of courses, the completion of which do not result in a degree, the full amount of tuition up to \$250 must be reimbursed.

If a member of the Minnesota national guard is killed in the line of state active duty, the state shall reimburse 100 percent of the cost of tuition for post-secondary courses satisfactorily completed by any surviving spouse and any surviving dependents who are 21 years old or younger. Reimbursement for surviving spouses and dependents is limited in amount and duration as is reimbursement for the national guard member.

The amount of tuition reimbursement for each eligible individual shall be determined by the adjutant general according to rules formulated within 30 days of the effective date of this section.

Tuition reimbursement received under this section shall not be considered by the Minnesota higher education coordinating board or by any other state board, commission, or entity in determining a person's eligibility for a scholarship or grant-in-aid under sections 136A.09 to 136A.132.

Tuition reimbursement to be paid to a member of the national guard who has received a cash bonus under paragraph (a) must be reduced by the amount of the bonus.

The amount available for the tuition assistance is limited to the amount appropriated for tuition assistance in this section.

Any member of the Minnesota national guard who elects to take a credit for compensation for personal services in the Minnesota national guard against the tax due under chapter 290 is not eligible for the tuition reimbursement.

The department of military affairs shall keep an accurate record of the recipients of the bonus awards and tuition grants. The department shall make an interim report to the legislature by March 1, 1989, on the effectiveness of the bonus payments and tuition assistance program in retaining and recruiting members for the Minnesota national guard. The final report to the legislature shall be made by January 1, 1990. These reports shall include, but are not limited to, a review of the effect that the bonus payments, and tuition assistance programs have on the reenlistment rate of new members. The report shall include an accurate record of the effect that both the tuition reimbursement program and the bonus payments have on the recruitment and retention of members by rank, operational unit, unit location, individual income level, race, and sex.

The department of military affairs shall make a specific effort to recruit and retain women and members of minority groups into the guard through the use of the tuition reimbursement and bonus payments program.

Sec. 22. HUMAN RIGHTS

(a) Data and Word Processing

30,000

The approved complement of the department of human rights is increased by one position in fiscal year 1989.

The department shall consult with the information policy office regarding its future data processing needs.

(b) Investigative Unit

65,000

The approved complement of the department of human rights is increased by two positions in fiscal year 1989.

Sec. 23. COUNCIL ON THE AFFAIRS OF SPANISH SPEAKING PEOPLE

28,000

The appropriation is a one-time appropriation for the establishment of a research component of the council on the affairs of Spanish speaking people.

Sec. 24. COUNCIL ON PEOPLE WITH DISABILITIES

Handicapped Arts Organizations

50,000

This appropriation is for the Council on People with Disabilities to make general support grants, in consultation with the state board of the arts, to statewide handicapped arts organizations regardless of the size of their operating budgets. The board is encouraged to support handicapped arts organizations by providing technical and grant assistance as well as seeking partnership opportunities with the private sector.

Sec. 25. RECOGNITION

Any project that is funded by state appropriation where there is recognition of significant contributions shall include the state of Minnesota as a significant contributor to the project.

Sec. 26. REGIONAL PARK ACQUISITION.

Subdivision 1. LEGISLATIVE FINDINGS. The legislature finds that there is a need for a regional park on Lake Minnetonka to serve the recreation open space needs of the citizens of the entire metropolitan area and that it is in the public interest to authorize acquisition of land for such a park in accordance with the master plan approved by the metropolitan council.

Subd. 2. ACQUISITION. Notwithstanding any contrary provision of law, the suburban Hennepin regional park district may acquire real property for a Lake Minnetonka regional park by purchase, gift, or eminent domain pursuant to Minnesota Statutes, chapter 117, without local consent or approval by any affected municipality or other local governmental unit.

Subd. 3. METROPOLITAN COUNCIL APPROVAL. Before any acquisition of real property by eminent domain pursuant to subdivision 1, the metropolitan council must find, following public hearing, that:

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(1) acquisition of the property is in the public interest;

(2) negotiations for acquisition of the property have not resulted in acquisition of land by purchase;

(3) the proposed acquisition is consistent with the approved master plan maintained by the metropolitan council; and

(4) the district is able to carry out the plan and operate the regional park.

The findings required by this subdivision may have been made before or may be made on or after the effective date of this act.

Subd. 4. SMALL HOMESTEAD LIFE ESTATE. The park district may not acquire the fee title to a homestead of less than 20 acres by eminent domain without the written consent of the owner, but the district may acquire all title to the property except for a life estate in the person or persons residing on the homestead.

Subd. 5. EXPIRATION. Authority to acquire real property through eminent domain as provided in subdivisions 2 and 3 expires on December 31, 1989, except that an acquisition approved by the metropolitan council before January 1, 1990, may continue.

Subd. 6. APPLICATION. This section applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 27. REPORT NOT REQUIRED.

Notwithstanding Laws 1987, chapter 404, section 16, subdivision 5, the commissioner of administration is not required to prepare a report to the legislature recommending criteria for awarding operational and equipment grants to public broadcasting stations.

Sec. 28. DEER FEEDING NOT REQUIRED.

Notwithstanding Laws 1987, chapter 404, section 22, subdivision 7, \$127,900 in fiscal year 1988 and \$127,900 in fiscal year 1989 need not be used for emergency deer feeding.

Sec. 29. CONSOLIDATION OF SPECIAL FUNDS.

Notwithstanding Laws 1987, chapter 404, section 18, subdivision 1, the governor's budget recommendations submitted to the legislature in January 1989 need not include as general fund revenues and appropriations for fiscal years 1990 and 1991 all revenues and expenditures previously accounted for in other operating funds, but the commissioner of finance shall submit to the chairs of the senate finance and house of representatives appropriations committees by October 1, 1988, recommendations for consolidation of specific operating funds and accounts for those fiscal years.

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The costs of the corporate audit function in the department of revenue will be appropriated from the general fund after July 1, 1989.

Sec. 30. **BUDGET GUIDELINES.**

As a supplement to their budget requests for the 1989-1991 biennium, state agencies shall provide to the senate committee on finance and the house of representatives committee on appropriations base level budget figures that follow the guidelines in this section.

(a) Before considering the salary supplement, they shall fund current personnel positions at the salary levels that will be in effect for those positions on July 1, 1989, at no higher a percentage of salary than those positions were funded during fiscal year 1989, with no allowance for past position underfunding except as provided in paragraph (c).

(b) In preparing their requests for supplies and expenses, they shall use prices and rates in effect at the time the requests are prepared, with no allowance for future inflation.

(c) In order to provide money to fully fund current personnel positions, workers compensation costs, unemployment compensation costs, or other obligations, each agency is encouraged to evaluate the worth of its current activities. Savings achieved by cutting back on less worthy activities may be used to fully fund its other obligations. The agency shall state the reasons why it proposes to cut back on an activity.

Sec. 31. **CAPITAL BUDGET IN FIRST YEAR FOR SECOND.**

Notwithstanding Minnesota Statutes, section 16A.11, subdivision 1, in submitting a proposed biennial budget to the legislature, beginning with the 1989 legislative session, the governor is requested to submit capital bonding proposals in the first year of the biennium for legislative action in the second year of the biennium.

Sec. 32. Minnesota Statutes 1987 Supplement, section 3.885, is amended to read:

3.885 LEGISLATIVE ~~COMMITTEE~~ COMMISSION ON PLANNING AND FISCAL POLICY.

Subdivision 1. **MEMBERSHIP.** The legislative ~~committee~~ commission 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~~ commission are filled in the same manner as original appointments. The ~~committee~~ commission 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~~ commission are compensated in the manner provided by section 3.101.

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Subd. 3. STAFF. ~~(a) The committee commission may hire staff necessary to carry out its duties and may also:~~

(1) employ and fix the salaries of professional, technical, clerical, and other staff of the commission;

(2) employ and discharge staff solely on the basis of their fitness to perform their duties and without regard to political affiliation;

(3) buy necessary furniture, equipment, and supplies;

(4) enter into contracts for necessary services, equipment, office, and supplies;

(5) provide its staff with computer capability necessary to carry out assigned duties. The computer should be capable of receiving data and transmitting data to computers maintained by the executive and judicial departments of state government that are used for budgetary and revenue purposes; and

(6) use other legislative staff.

(b) 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. AGENCIES TO COOPERATE. All departments, agencies, and education institutions of the executive and judicial branches must comply with a request of the commission for information, data, estimates, and statistics on the funding revenue operations, and other affairs of the department, agency or education institution. The commissioner of finance and the commissioner of revenue shall provide the commission with full and free access to information, data, estimates, and statistics in the possession of the finance and revenue departments on the state budget, revenue, expenditures, and tax expenditures.

Subd. 5. DUTIES. ~~(a) The committee commission 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:~~

(1) provide the legislature with research and analysis of current and projected state revenue, state expenditures, and state tax expenditures;

(2) provide the legislature with a report analyzing the governor's proposed levels of revenue and expenditures for biennial budgets submitted under section 16A.11 as well as other supplemental budget submittals to the legislature by the governor;

(3) provide an analysis of the impact of the governor's proposed revenue and expenditure plans for the next biennium;

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(4) conduct research on matters of economic and fiscal policy and report to the legislature on the result of the research;

(5) provide economic reports and studies on the state of the state's economy, including trends and forecasts for consideration by the legislature;

(6) conduct budget and tax studies and provide general fiscal and budgetary information;

(7) review and make recommendations on the operation of state programs in order to appraise the implementation of state laws regarding the expenditure of funds and to recommend means of improving their efficiency;

(8) recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures devoted to major programs, and in the role of the legislature in overseeing state government expenditures and revenue projections; and

(9) make a continuing study and investigation of the building needs of the government of the state of Minnesota, including, but not limited to the following: the current and future requirements of new buildings, the maintenance of existing buildings, rehabilitating and remodeling of old buildings, the planning for administrative offices, and the exploring of methods of financing building and related costs.

(b) In performing this duty its duties under paragraph (a), the committee commission 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 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.~~

(c) The committee's commission'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.

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

The commission shall provide the public with printed and electronic copies of reports and information for the legislature. Copies must be provided at the actual cost of furnishing each copy.

Sec. 33. Minnesota Statutes 1986, section 3.9223, subdivision 5, is amended to read:

Subd. 5. **POWERS.** The council shall have power to contract in its own name. Contracts shall be approved by a majority of the members of the council and executed by the chair and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in this section.

The council shall appoint, subject to the approval of the governor, an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Spanish-speaking people. The council may delegate to the executive director any powers and duties under this section which do not require council approval. The executive director and council staff shall serve in the unclassified service. The executive director may be removed at any time by a majority vote of the entire council. The executive director shall recommend to the council the appropriate staffing patterns necessary to carry out its duties. The commissioner of administration shall provide the council with necessary administrative services; ~~and the council shall reimburse the commissioner for the cost of these services.~~

Sec. 34. Minnesota Statutes 1986, section 3.9225, subdivision 5, is amended to read:

Subd. 5. **POWERS.** The council shall have power to contract in its own name, provided that no money shall be accepted or received as a loan nor shall any indebtedness be incurred except as otherwise provided by law. Contracts shall be approved by a majority of the members of the council and executed by the chair and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in subdivisions 1 to 7.

The council shall appoint an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Black people. The council may delegate to the executive director any powers and duties under subdivisions 1 to 7 which do not require council approval. The executive director shall serve in the unclassified service and may be removed at any time by the council. The executive director shall recommend to the council, and the council may appoint, the appropriate staff necessary to carry out its duties. All staff members shall also serve in the unclassified service. The commissioner of administration shall provide the council with necessary administrative services; ~~and the council shall reimburse the commissioner for the cost of these services.~~

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Sec. 35. Minnesota Statutes 1986, section 3.9226, subdivision 5, is amended to read:

Subd. 5. **POWERS.** (a) The council may contract in its own name but may not accept or receive a loan or incur indebtedness except as otherwise provided by law. Contracts must be approved by a majority of the members of the council and executed by the chair and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the powers and duties specified in this section.

(b) The council shall appoint an executive director who is experienced in administrative activities and familiar with the problems and needs of Asian-Pacific people. The council may delegate to the executive director any powers and duties under this section that do not require council approval. The executive director serves in the unclassified service and may be removed at any time by the council. The executive director shall recommend to the council, and the council may appoint, the appropriate staff necessary to carry out the duties of the council. All staff members serve in the unclassified service. The commissioner of administration shall provide the council with necessary administrative services; ~~for which the council shall reimburse the commissioner.~~

Sec. 36. **[4.071] OIL OVERCHARGE MONEY.**

Money received by the state as a result of litigation or settlements of alleged violations of federal petroleum pricing regulations may not be spent until the legislative commission on Minnesota resources has reviewed the proposed projects and the money is specifically appropriated by law. A work plan must be prepared for each proposed project for review by the commission. The commission must recommend specific projects to the legislature.

Sec. 37. **APPROPRIATION.**

Subdivision 1. The amounts provided in this section are appropriated from the money received before the effective date of this section by the governor, the commissioner of finance, or any other state agency as a result of the settlement of the parties and order of the United States District Court for the District of Kansas in the case of In Re Department of Energy Stripper Well Exemption Litigation, 578 F.Supp. 586 (D. Kan. 1983). The appropriations remain available until expended.

Subd. 2. \$8,300,000 of the money received is appropriated to the commissioner of jobs and training for the purposes of the low-income weatherization assistance program. A grant, loan or other means of assistance provided as a result of money appropriated under this subdivision must provide energy savings over a ten year period that the commissioner estimates to be equal to or exceeds the amount of the grant, loan or other means of assistance.

Subd. 3. \$282,000 is appropriated to the commissioner of administration, for the purposes of a grant to the Lake Isabella environmental learning center. The grant must be used for the installation and operation of a wood burning

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central heating system located and operated in a manner that allows its use as a teaching station. The commissioner may enter into an appropriate grant agreement to carry out the terms of the grant.

Subd. 4. \$77,000 is appropriated to the commissioner of administration for the natural resources research institute for the energy efficient comparison study of concrete block structures.

Subd. 5. \$2,000,000 is appropriated to the commissioner of administration for the agricultural utilization research institute for grants, not to exceed \$100,000 per grant, for energy-related projects for research or demonstration projects that foster development or public demonstration of agricultural practices that minimize the use of energy in production agriculture.

Subd. 6. \$2,000,000 is appropriated to the commissioner of administration for the Minnesota cold climate building research center for research and technology transfer projects that promote energy savings in buildings.

Subd. 7. \$2,000,000 is appropriated to the commissioner of administration for the center of transportation studies for research and technology transfer projects that promote energy efficiency in transportation systems, including the use of bicycles.

Subd. 8. \$2,000,000 is appropriated to the commissioner of administration for the center for the science and application of superconductivity, for research and technology transfer projects that promote energy efficiency in the generation and transportation of electricity.

Subd. 9. \$10,000 is appropriated to the commissioner of administration for a grant to independent school district No. 625, St. Paul, to prepare an application for a grant for a photo-voltaic cell project.

Subd. 10. (a) The remainder of the money received under subdivision 1, any further money received by the state as a result of the settlement referred to in subdivision 1 and any investment earnings of this money that is not appropriated by subdivisions 2 to 9 is appropriated to the commissioner of administration to be used for grants to local units of government, school districts, post-secondary institutions, nonprofit organizations, and other individuals and business entities for research resulting in decreased dependence on fossil fuels and for technology transfer projects with the same purpose.

(b) Money available under this subdivision may not be spent until the legislative commission on Minnesota resources has reviewed the proposed projects. A work plan must be prepared for proposed projects for review by the commission. The commission must recommend specific projects to the commissioner.

Sec. 38. EXXON OIL OVERCHARGE APPROPRIATION.

Money received by the state as a result of the settlement of the parties and order of the United States District Court for the District of Columbia in the case

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of United States v. Exxon Corp., 561 F. Supp. 816 (D.D.C. 1983), including any interest earned, is appropriated to the commissioner of public service to be spent in accordance with the order of the legislative advisory commission dated August 20, 1986, to remain available until expended.

Sec. 39. Minnesota Statutes 1987 Supplement, 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 a fee for legal services rendered to them. The budget requests of all executive branch agencies submitted to the legislature in each odd-numbered year must show the actual or estimated amount assessed, paid, and requested for each year. The assessment against appropriations from other than the general fund must be the full amount of the fee. The assessment against appropriations supported by fees must be included in the fee calculation. Unless appropriations are made for 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-half of the fee. Receipts from assessments must be deposited in the state treasury and credited to the general fund.

Sec. 40. Minnesota Statutes 1986, section 10A.01, is amended by adding a subdivision to read:

Subd. 24. STATE COMMITTEE. "State committee" means the organization which, by virtue of the bylaws of a political party, is responsible for the day-to-day operation of the political party at the state level.

Sec. 41. Minnesota Statutes 1986, section 10A.25, subdivision 10, is amended to read:

Subd. 10. The expenditure limits imposed by this section apply only to candidates who agree to be bound by the limits as a condition of receiving a public subsidy for their campaigns in the form of:

- (~~a~~) an allocation of money from the state elections campaign fund; ~~or~~
- (~~b~~) ~~Credits against the tax due of individuals who contribute to that candidate.~~

Sec. 42. Minnesota Statutes 1986, section 10A.31, subdivision 5, is amended to read:

Subd. 5. In each calendar year the moneys in ~~each party account and~~ the general account shall be allocated to candidates as follows:

- (1) 21 percent for the offices of governor and lieutenant governor together;
- (2) 3.6 percent for the office of attorney general;

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(3) 1.8 percent each for the offices of secretary of state, state auditor and state treasurer;

(4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator and 46-2/3 percent for the office of state representative;

(5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative;

In each calendar year the money in each party account shall be allocated as follows:

(1) 14 percent for the offices of governor and lieutenant governor together;

(2) 2.4 percent for the office of attorney general;

(3) 1.2 percent each for the offices of secretary of state, state auditor and state treasurer;

(4) In each calendar year during the period in which state senators serve a four-year term, 23-1/3 percent for the office of state senator and 46-2/3 percent for the office of state representative;

(5) In each calendar year during the period in which state senators serve a two-year term, 35 percent each for the offices of state senator and state representative;

(6) 10 percent for the state committee of a political party; money allocated to each state committee under this clause must be deposited in a separate account and must be spent for legitimate political party operations, including voter education; the sample ballot; operations of precinct caucuses, county unit conventions, and state conventions; and the maintenance and programming of computers used to provide lists of voters, party workers, party officers, patterns of voting, and other data for use in political party activities; money allocated to a state committee under this clause must be paid to the committee as it is received in the account, on a monthly or other basis agreed to between the committee and the board.

To assure that moneys will be returned to the counties from which they were collected, and to assure that the distribution of those moneys rationally relates to the support for particular parties or for particular candidates within legislative districts, moneys from the party accounts for legislative candidates shall be distributed as follows:

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election shall receive money from the candidate's party account set aside for candidates of the state senate or state house of representatives, whichever applies, according to the following formula;

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For each county within the candidate's district the candidate's share of the dollars allocated in that county to the candidate's party account and set aside for that office shall be:

(a) The sum of the votes cast in the last general election in that part of the county in the candidate's district for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct of the state and (ii) for the state senate and state house of representatives, divided by

(b) The sum of the votes cast in that county in the last general election for all candidates of that candidate's party (i) whose names appeared on the ballot in each voting precinct in the state and (ii) for the state senate and state house of representatives, multiplied by

(c) The amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.

The sum of all the county shares calculated in the formula above is the candidate's share of the candidate's party account.

In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.

For any party under whose name no candidate's name appeared on the ballot in each voting precinct in the state in the last general election, amounts in the party's account shall be allocated based on (a) the number of people voting in the last general election in that part of the county in the candidate's district, divided by (b) the number of the people voting in that county in the last general election, multiplied by (c) the amount in the candidate's party account allocated in that county and set aside for the candidates for the office for which the candidate is running.

In a year in which the first election after a legislative reapportionment is held, "the candidate's district" means the newly drawn district, and voting data from the last general election will be applied to the area encompassing the newly drawn district notwithstanding that the area was in a different district in the last general election.

If in a district there was no candidate of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives was unopposed, the vote for that office for that party shall be the average vote of all the remaining candidates of that party in each county of that district whose votes are included in the sums in clauses (a) and (b). The average vote shall be added to the sums in clauses (a) and (b) before the calculation is made for all districts in the county.

Money from a party account not distributed to candidates for state senator and representative in any election year shall be returned to the general fund of

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the state. Money from a party account not distributed to candidates for other offices in an election year shall be returned to the party account for reallocation to candidates as provided in clauses (1) to (6) of this subdivision in the following year. Moneys from the general account refused by any candidate shall be distributed to all other qualifying candidates in proportion to their shares as provided in this subdivision.

Sec. 43. Minnesota Statutes 1986, section 15A.082, subdivision 3, is amended to read:

Subd. 3. **SUBMISSION OF RECOMMENDATIONS.** By ~~January~~ April 1 in each odd-numbered year, the compensation council shall submit to the speaker of the house of representatives and the president of the senate salary recommendations for constitutional officers, legislators, justices of the supreme court, and judges of the court of appeals, district court, county court, and county municipal court. The recommended salary for each office must be a fixed amount per year, to take effect on the first Monday in January of the next odd-numbered year, with no more than one adjustment, to take effect on January 1 of the year after that. The salary recommendations for legislators, judges, and constitutional officers take effect if an appropriation of money to pay the recommended salaries is enacted after the recommendations are submitted and before their effective date. Recommendations may be expressly modified or rejected by a bill enacted into law. The salary recommendations for legislators are subject to additional terms that may be adopted according to section 3.099, subdivisions 1 and 3.

Sec. 44. Minnesota Statutes 1986, section 16B.24, subdivision 9, if added by a law enacted at the 1988 regular session styled as H.F. No. 2291, section 9, is amended to read:

Subd. 9. **SMOKING IN STATE BUILDINGS.** (a) To protect the public health, comfort, and environment and to protect the nonsmoker's right to a smoke-free environment, smoking in all buildings managed or leased by the commissioner under subdivisions 1 and 6 is prohibited except where smoking areas have been designated under a policy adopted in accordance with paragraph (b).

(b) Except as provided in paragraph (c), each state agency shall adopt a smoking policy for the space it occupies. Before placing a policy in effect, the agency shall submit the policy and a plan for implementing it to the commissioner of employee relations. The policy must:

(1) prohibit smoking entirely; or

(2) permit smoking only in designated areas, providing that existing physical barriers and ventilation systems can be used to prevent ~~or substantially minimize the toxic effect~~ presence of smoke in adjacent nonsmoking areas.

(c) An agency need not adopt a new policy governing an area in which

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smoking is prohibited under a policy in effect on the effective date of this subdivision.

No employee complaining of a smoke-induced discomfort to a lessor, lessee, manager, or supervisor may be subjected to any disciplinary action as a result of making the complaint.

Sec. 45. Minnesota Statutes 1986, section 16B.24, subdivision 10, if added by a law enacted at the 1988 regular session styled as H.F. No. 2291, section 10, is amended to read:

Subd. 10. **CHILD CARE SERVICES SPACE.** For state office space that is leased, purchased, or substantially remodeled after August 1, 1988, the commissioner shall consider including space usable for child care services. Child care space must be included if the commissioner determines that it is needed and that it could be provided at reasonable cost. The commissioner may prepare a day care site as a common usage space for the capitol complex.

Sec. 46. Minnesota Statutes 1986, section 17.105, subdivision 4, is amended to read:

Subd. 4. **WORKING CAPITAL ACCOUNT.** An export finance authority working capital account is created as a special account in the state treasury. All premiums, interest, and fees collected under subdivision 3, clause (6) must be deposited into this account. The balance in the account may exceed \$1,000,000 through accumulated earnings. Money in the account including interest earned and appropriations made by the legislature for the purposes of this section, is appropriated annually to the finance authority for the purposes of this section. The balance in the account may decline below \$1,000,000 as required to pay defaults on guaranteed loans.

Sec. 47. Minnesota Statutes 1986, section 18.191, is amended to read:

18.191 DESTRUCTION OF NOXIOUS WEEDS.

Except as otherwise specifically provided in sections 18.181 to 18.271, 18.281 to 18.311, and 18.321 to 18.322, it shall be the duty of every occupant of land or, if the land is unoccupied, the owner thereof, or an agent, or the public official in charge thereof, to cut down, otherwise destroy, or eradicate all noxious weeds as defined in section 18.171, subdivision 5, standing, being, or growing upon such land, in such manner and at such times as may be directed or ordered by the commissioner, the commissioner's authorized agents, the county agricultural inspector, or by a local weed inspector having jurisdiction.

Except as provided below, an owner of nonfederal lands underlying public waters or wetlands designated under section 105.391 is not required to control or eradicate purple loosestrife (Lythrum salicaria) below the ordinary high water level of the public water or wetland. The commissioner of natural resources is responsible for control and eradication of purple loosestrife on public waters and wetlands designated under section 105.391, except those located upon lands owned in fee title or managed by the United States. The officers, employees, agents, and contractors of the commissioner may enter upon public waters and wetlands designated under section 105.391 and may cross adjacent lands as

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necessary for the purpose of investigating purple loosestrife infestations, formulating methods of eradication, and implementing control and eradication of purple loosestrife. The responsibility of the commissioner to control and eradicate purple loosestrife on public waters and wetlands located on private lands and the authority to enter upon private lands ends ten days after receipt by the commissioner of a written statement from the landowner that the landowner assumes all responsibility for control and eradication of purple loosestrife under sections 18.171 to 18.315. State officers, employees, agents, and contractors are not liable in a civil action for trespass committed in the discharge of their duties under this section and are not liable to anyone for damages, except for damages arising from gross negligence.

Sec. 48. Minnesota Statutes 1987 Supplement, section 41A.065, subdivision 8, is amended to read:

Subd. 8. **REVOLVING ACCOUNT.** The development company may charge a one-time processing fee up to the maximum allowed by the Small Business Administration on a debenture issued for loan purposes. In addition, a fee for servicing loans may be imposed up to the maximum allowed by the Small Business Administration based on the unpaid balance of each debenture. These fees must be deposited in the state treasury and credited to a special account in the agricultural and economic development fund. Money in the account is appropriated to the board to pay the costs of administering the program, including personnel costs; compensate members of the board of directors under section 15.0575, subdivision 3, and to create and operate a pool of money for investment in projects that further the purposes of this section.

Sec. 49. Minnesota Statutes 1987 Supplement, section 43A.08, subdivision 1a, is amended to read:

Subd. 1a. **ADDITIONAL UNCLASSIFIED POSITIONS.** Appointing authorities for the following agencies may designate additional unclassified positions according to this subdivision: the departments of administration; agriculture; commerce; corrections; jobs and training; education; employee relations; energy and economic development; finance; health; human rights; labor and industry; natural resources; office of administrative hearings; public safety; public service; public welfare; revenue; transportation; and veterans affairs; the housing finance, state planning, and pollution control agencies; the state board of investment; the offices of the secretary of state, state auditor, and state treasurer; the state board of vocational technical education; ~~and~~ the school and resource center for the arts; and the Minnesota zoological board.

A position designated by an appointing authority according to this subdivision must meet the following standards and criteria:

- (a) the designation of the position would not be contrary to other law relating specifically to that agency;
- (b) the person occupying the position would report directly to the agency

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head or deputy agency head and would be designated as part of the agency head's management team;

(c) the duties of the position would involve significant discretion and substantial involvement in the development, interpretation, and implementation of agency policy;

(d) the duties of the position would not require primarily personnel, accounting, or other technical expertise where continuity in the position would be important;

(e) there would be a need for the person occupying the position to be accountable to, loyal to, and compatible with the governor and the agency head, or the employing constitutional officer;

(f) the position would be at the level of division or bureau director or assistant to the agency head; and

(g) the commissioner has approved the designation as being consistent with the standards and criteria in this subdivision.

Sec. 50. Minnesota Statutes 1986, section 85.012, is amended by adding a subdivision to read:

Subd. 27a. Hill-Annex Mine state park, Itasca county.

Sec. 51. **PARK BOUNDARIES.**

Hill-Annex Mine state park consists of the surface interest in land within Itasca county described as Section 16, Township 56 North, Range 23 West, excluding an area containing 6.5 acres more or less which is described as follows:

Starting at the corner common to Sections 17, 16, 20 and 21, Township 56 North, Range 23 West; thence due east on section line 155 feet to point of beginning; thence due east 916 feet; thence due north 330 feet; thence due west 916 feet; thence due south 330 feet to the point of beginning.

Sec. 52. **OPERATION.**

Hill-Annex Mine state park must be funded by the iron range resources and rehabilitation board at the level of \$200,000 per year until July 1, 1991. The commissioner of natural resources must report to the legislature by January 1, 1990, regarding the revenues, visitation, and operating costs for the park, and making recommendations on continuing operational requirements.

Sec. 53. **ACQUISITION.**

The commissioner of natural resources shall acquire by condemnation or exchange sufficient ownership interests in the surface estate of the land described in section 51 to create a state park to interpret and provide the public with an

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opportunity to view and experience natural iron ore open-pit mining operations as conducted on Minnesota's historic iron ranges.

The commissioner may not condemn the mineral estate in the described property, and, in the establishment of the park, shall recognize the possibility that mining may be conducted on the property in the future, and that use of portions of the surface estate may be necessary to these possible future mining operations. Subject to the above conditions, all lands acquired for the Hill-Annex Mine state park must be administered in the same manner as provided for other state parks and must be perpetually dedicated for that use.

Sec. 54. **EQUIPMENT.**

For establishing Hill-Annex Mine state park, the iron range resources and rehabilitation board must transfer the existing vehicles, maintenance equipment, and office equipment at Hill-Annex Mine, other than vehicles and equipment used primarily for mineland reclamation, to the commissioner of natural resources.

Sec. 55. Minnesota Statutes 1987 Supplement, section 85.055, subdivision 1, is amended to read:

Subdivision 1. **FEES.** The fee for state park permits for:

- (1) an annual use of state parks is ~~\$15~~ \$16;
- (2) a second vehicle state park permit is one-half the annual state park permit fee in clause (1);
- (3) a special state park permit valid up to two days is ~~\$3~~ \$3.25;
- (4) a special daily vehicle state park permit for groups is as prescribed by the commissioner;
- (5) an employee's state park permit is without charge;
- (6) a special state park permit for handicapped persons and persons over age 65 under section 85.053, subdivision 7, clauses (1) and (2), is one-half the annual state park permit fee in clause (1); and
- (7) a special state park permit valid up to two days for handicapped persons and persons over age 65 under section 85.053, subdivision 7, clauses (1) and (3), is ~~one-half of the special state park permit fee in clause (3)~~ \$2.

The fees specified in this subdivision include any sales tax required by state law.

Sec. 56. Minnesota Statutes 1987 Supplement, section 105.44, subdivision 10, is amended to read:

Subd. 10. **PERMIT FEES.** Each application for a permit authorized by sections 105.37 to 105.64, and each request to amend or transfer an existing

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permit, must be accompanied by a permit application fee of \$30 to defray the costs of receiving, recording, and processing the application or request to amend or transfer. ~~The commissioner may charge an additional permit application fee in excess of the \$30 fee but not over \$250 for each application for a permit submitted under section 105.391, 105.41, or 105.535 is \$75.~~ The application fee for a permit submitted under section 105.42 or 105.64 must be between \$75 and \$500, in accordance with a schedule of fees under section 16A.128.

The commissioner may charge an additional field inspection fee for:

- (1) projects requiring a mandatory environmental assessment under chapter 116D;
- (2) projects undertaken without a permit or application as required by sections 105.37 to 105.64; and
- (3) projects undertaken in excess of limitations established in an issued permit. ~~The fee must not be less than \$25~~ \$100 nor more than ~~\$750~~ actual field inspection costs. The purpose of the fee is to cover actual costs for each permit applied for under sections 105.37 to 105.64 and for each project undertaken without proper authorization.

The commissioner shall establish a schedule of field inspection fees under section 16A.128. The schedule must include actual costs related to field inspection such as investigations of the area affected by the proposed activity, analysis of the proposed activity, consultant services, and subsequent monitoring, if any, of the activity authorized by the permit.

Except as provided below, the commissioner may not issue a permit until all fees required by this section relating to the issuance of a permit have been paid. The time limits prescribed by subdivision 4 do not apply to an application for which the appropriate fee has not been paid. Field inspection fees relating to monitoring of an activity authorized by a permit may be charged and collected as necessary at any time after the issuance of the permit. No permit application or field inspection fee may be refunded for any reason, even if the application is denied or withdrawn. No permit application or field inspection fee may be imposed on any state agency, as defined in section 16B.01, or federal governmental agency applying for a permit.

Sec. 57. Minnesota Statutes 1987 Supplement, section 115C.02, subdivision 13, is amended to read:

Subd. 13. **RESPONSIBLE PERSON.** "Responsible person" means a person who is ~~an owner or operator of a tank at any time during or after the release responsible for a release under section 58.~~

Sec. 58. **[115C.021] RESPONSIBLE PERSON.**

Subdivision 1. GENERAL RULE. Except as provided in subdivision 2, a person is responsible for a release from a tank if the person is an owner or operator of the tank at any time during or after the release.

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Subd. 2. EXCEPTION OF CERTAIN TANK OWNERS. An owner of a tank is not responsible for a release from the tank if the owner can establish that:

(1) the tank was in place but the owner did not know or have reason to know of its existence at the time the owner first acquired right, title, or interest in the tank; and

(2) the owner did not by failure to report under section 115.061 or other action significantly contribute to the release after the owner knew or reasonably should have known of the existence of the tank.

Sec. 59. Minnesota Statutes 1986, section 116.18, is amended by adding a subdivision to read:

Subd. 3d. ADJUSTMENTS TO MATCHING GRANTS AND STATE INDEPENDENT GRANTS. A municipality with a population of 25,000 or less that was tendered a state matching grant under subdivision 2a, or a state independent grant under subdivision 3a, or a federal grant under the federal Water Pollution Control Act, United States Code, title 33, sections 1281 to 1299, from October 1, 1984 through September 30, 1987, shall, after the municipality has awarded bids for construction of the treatment works, and upon request, receive a grant increase of five percent of the total eligible costs of construction, up to the maximum entitlement for grants awarded on or after October 1, 1987, under subdivisions 2a and 3a. The municipality must inform other entities that are providing funding for construction of the treatment works of the grant increase, and repay any funds to which it is not entitled. A municipality must not receive funding for more than 100 percent of the total costs of the treatment works. Documentation of money received from other sources must be submitted with the request for the grant increase. Money remaining after all grants have been awarded under this subdivision may be used for the award of grants under subdivisions 2a and 3a.

Sec. 60. Minnesota Statutes 1986, section 116.48, is amended by adding a subdivision to read:

Subd. 6. AFFIDAVIT. Before transferring ownership of property that the owner knows contains an underground storage tank or contained an underground storage tank that had a release for which no corrective action was taken, the owner shall record with the county recorder or registrar of titles of the county in which the property is located an affidavit containing:

(1) a legal description of the property where the tank is located;

(2) a description of the tank, of the location of the tank, and of any known release from the tank of a regulated substance;

(3) a description of any restrictions currently in force on the use of the property resulting from any release; and

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(4) the name of the owner.

The county recorder shall record the affidavits in a manner that will insure their disclosure in the ordinary course of a title search of the subject property. Before transferring ownership of property that the owner knows contains an underground storage tank, the owner shall deliver to the purchaser a copy of the affidavit and any additional information necessary to make the facts in the affidavit accurate as of the date of transfer of ownership.

Sec. 61. Minnesota Statutes 1986, section 116.48, is amended by adding a subdivision to read:

Subd. 7. RECORDING OF REMOVAL AFFIDAVIT. If an affidavit has been recorded under subdivision 6 and the tank and any regulated substance released from the tank have been removed from the property in accordance with applicable law, the owner or other interested party may file with the county recorder or registrar of titles an affidavit stating the name of the owner, the legal description of the property, the place and date of filing and document number of the affidavit filed under subdivision 6, and the approximate date of removal of the tank and regulated substance. Upon filing the affidavit described in this subdivision, the affidavit and the affidavit filed under subdivision 6, together with the information set forth in the affidavits, cease to constitute either actual or constructive notice.

Sec. 62. Minnesota Statutes 1987 Supplement, section 116C.712, subdivision 5, is amended 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) surveying existing literature and activity relating to radioactive waste management, including storage, transportation, and disposal, in the state; and

(4) 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

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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 by starting construction of a high-level radioactive waste disposal site in another state. 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. 63. Minnesota Statutes 1986, section 116J.615, is amended by adding a subdivision to read:

Subd. 3. REGIONAL TOURISM OFFICES. Employees in regional tourism offices are in the unclassified civil service.

Sec. 64. Minnesota Statutes 1987 Supplement, section 116J.941, subdivision 1, is amended to read:

Subdivision 1. **MEMBERSHIP.** The Minnesota council on productivity and quality consists of the commissioner of energy trade and economic development and ~~eight~~ eleven members, appointed from the general public to four-year terms, who have backgrounds in or are representatives of management, labor, small business, engineering, or business-management education. The governor shall appoint ~~four~~ five members, the speaker of the house of representatives shall appoint ~~two~~ three members, and the senate majority leader shall appoint ~~two~~ three members. The council shall elect two co-chairs from its membership, except that the commissioner of energy trade and economic development may not serve as a co-chair. Compensation of public members for expenses is as provided for members of advisory task forces under section 15.059, subdivision 6.

Sec. 65. Minnesota Statutes 1987 Supplement, section 116J.966, subdivision 1, is amended to read:

Subdivision 1. **GENERALLY.** (a) The commissioner shall promote, develop, and facilitate trade and foreign investment in Minnesota. In furtherance of these goals, and in addition to the powers granted by section 116J.035, the commissioner may:

- (1) locate, develop, and promote international markets for Minnesota products and services;
- (2) arrange and lead trade missions to countries with promising international markets for Minnesota goods, technology, services, and agricultural products;
- (3) promote Minnesota products and services at domestic and international trade shows;

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(4) organize, promote, and present domestic and international trade shows featuring Minnesota products and services;

(5) host trade delegations and assist foreign traders in contacting appropriate Minnesota businesses and investments;

(6) develop contacts with Minnesota businesses and gather and provide information to assist them in locating and communicating with international trading or joint venture counterparts;

(7) provide information, education, and counseling services to Minnesota businesses regarding the economic, commercial, legal, and cultural contexts of international trade;

(8) provide Minnesota businesses with international trade leads and information about the availability and sources of services relating to international trade, such as export financing, licensing, freight forwarding, international advertising, translation, and custom brokering;

(9) locate, attract, and promote foreign investment and business development in Minnesota to enhance employment opportunities in Minnesota;

(10) provide foreign businesses and investors desiring to locate facilities in Minnesota information regarding sources of governmental, legal, real estate, financial, and business services;

(11) undertake activities to support the world trade center; and

(12) enter into contracts or other agreements with private persons and public entities, including agreements to establish and maintain offices and other types of representation in foreign countries, to carry out the purposes of promoting international trade and attracting investment from foreign countries to Minnesota and to carry out this section, without regard to sections 16B.07 and 16B.09.

(b) The programs and activities of the commissioner of trade and economic development and the Minnesota trade division may not duplicate programs and activities of the commissioner of agriculture or the Minnesota world trade center corporation.

(c) The commissioner shall notify the chairs of the senate finance and house appropriations committees of each agreement under this subdivision to establish and maintain an office or other type of representation in a foreign country.

Sec. 66. Minnesota Statutes 1987 Supplement, section 116O.03, subdivision 2, is amended to read:

Subd. 2. **BOARD OF DIRECTORS.** The corporation is governed by a board of 11 directors. The term of a director is six years. Vacancies on the board are filled by appointment of the board, subject to the advice and consent

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of the senate. The board may determine the compensation of its members. Board members may receive reasonable compensation and be reimbursed for reasonable expenses, which must be reviewed each year by the commissioner of finance.

Sec. 67. Minnesota Statutes 1987 Supplement, section 116O.04, subdivision 1, is amended to read:

Subdivision 1. **GENERALLY.** The board shall appoint and set the compensation for a president, who serves as chief executive officer of the corporation, and who may appoint subordinate officers. The president's salary may not exceed 95 percent of the governor's salary. The board may designate the president as its general agent. Subject to the control of the board, the president shall employ employees, consultants, and agents the president considers necessary. The staff of the corporation must include individuals knowledgeable in commercial and industrial financing, research and development, economic development, and general fiscal affairs. The board shall define the duties and designate the titles of the employees and agents.

Sec. 68. Minnesota Statutes 1987 Supplement, section 116O.06, subdivision 1, is amended to read:

Subdivision 1. **FINANCIAL ASSISTANCE; TYPES.** The corporation may provide financial assistance to sole proprietorships, businesses, or for-profit or nonprofit organizations that have (1) received research assistance from a corporation research facility or as a result of a research grant under section 116O.09, subdivision 4, or 116O.011; or (2) received favorable review through a peer review process established under guidelines developed under section 116O.10, subdivision 2. Financial assistance includes, but is not limited to, loan guarantees or insurance, direct loans, and interest subsidy payments. The corporation may participate in loans by purchasing from a lender up to 50 percent of each loan.

Sec. 69. MUNICIPAL LITIGATION LOANS.

Subdivision 1. **AUTHORITY.** The pollution control agency may administer a one-year pilot project for making loans to municipalities to assist them in bringing or defending against litigation involving waste water treatment projects funded by state or federal money.

Subd. 2. **CRITERIA AND LIMITATIONS.** The amount of a loan to a municipality must not exceed 50 percent of the municipality's litigation costs incurred or \$50,000, whichever is less. Only municipalities with less than 1,500 population that are in litigation and that are unable to pay the reasonable costs of litigation are eligible. A municipality that has been awarded a corrective action grant under Minnesota Statutes, section 116.181 is not eligible for a litigation loan under this section. The interest rate and term of the loan must be determined by the agency. The interest rate on the loan must be below market rate. The agency is exempt from the rulemaking requirements of the adminis-

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trative procedure act, Minnesota Statutes, chapter 14, for the purposes of administering this program.

Subd. 3. APPLICATIONS. Applications by municipalities for loans must be made to the agency on forms provided by the agency. The application must include documentation of litigation costs incurred, reasonableness of the costs, and verification that the municipality cannot pay the litigation costs. The application must be accompanied by a resolution of the governing body of the municipality obligating it to repay the loan according to the loan agreement.

Subd. 4. LEGISLATIVE REPORT. By January 1, 1989, the agency shall submit a report with its recommendations to the legislature on the need for continuation of the municipal litigation loan program.

Sec. 70. Minnesota Statutes 1987 Supplement, section 161.52, is amended to read:

161.52 ~~TOURIST TRAVEL~~ INFORMATION CENTERS.

For the fiscal year ending June 30, 1988, and subsequent years, the payment of the cost of staffing and operating ~~tourist travel~~ information centers located on trunk highways, including interstate highways, by the commissioner of ~~transportation trade and economic development~~ transportation is subject to the following restrictions:

(a) For the fiscal year ending June 30, 1988, not more than five-sixths of the cost may be paid from the trunk highway fund.

(b) For the fiscal year ending June 30, 1989, not more than one-third of the cost may be paid from the trunk highway fund.

(c) For the fiscal year ending June 30, 1990, no part of the cost may be paid from the trunk highway fund.

That portion of the cost not paid from the trunk highway fund must be paid either by the commissioner from funds appropriated for that purpose from sources other than the trunk highway fund, or by local sources of funding.

Sec. 71. Minnesota Statutes 1986, section 222.63, subdivision 2, is amended to read:

Subd. 2. **PURPOSE.** A state rail bank shall be established for the acquisition and preservation of abandoned rail lines and right-of-way for future public use including trail use, or for disposition for commercial use in serving the public, by providing transportation of persons or freight or transmission of energy, fuel, or other commodities.

Sec. 72. Minnesota Statutes 1986, section 222.63, subdivision 4, is amended to read:

Subd. 4. **DISPOSITION PERMITTED.** The commissioner may lease any

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rail line or right-of-way held in the state rail bank or enter into an agreement with any person for the operation of any rail line or right-of-way for any of the purposes set forth in subdivision 2 in accordance with a fee schedule to be developed by the commissioner in consultation with the advisory task force established in section 222.65. The commissioner may after consultation convey any rail line or right-of-way, for consideration or for no consideration and upon other terms as the commissioner may determine to be in the public interest, to any other state agency or to a governmental subdivision of the state having power by law to utilize it for any of the purposes set forth in subdivision 2.

Sec. 73. Minnesota Statutes 1986, section 611.215, is amended by adding a subdivision to read:

Subd. 4. OFFICE SPACE. The commissioner of administration shall provide suitable quarters outside the capitol building for the board and its appointees.

Sec. 74. Minnesota Statutes 1987 Supplement, section 611.24, is amended to read:

611.24 ORGANIZATION OF OFFICE; ASSISTANTS.

The state public defender, subject to the limitations imposed by, and the supervision of, the state board of public defense, may employ or retain assistant state public defenders and other personnel as may be necessary to discharge the function of the office. ~~The commissioner of administration shall provide the office with suitable quarters outside the capitol building.~~ An assistant public defender shall be a qualified attorney, licensed to practice law in this state, serve in the unclassified service of the state if employed, and serve at the pleasure of the appointing authority at a salary or retainer fee not to exceed reasonable compensation for comparable services performed for other governmental agencies or departments. Retained or part-time employed assistant state public defenders may engage in the general practice of law.

Sec. 75. Laws 1986, chapter 441, section 14, is amended to read:

Sec. 14. APPROPRIATION.

\$20,000,000 is appropriated to the commissioner of natural resources. Notwithstanding Minnesota Statutes, section 298.293 or 298.294 or any other law, this appropriation is from the corpus of the northeast Minnesota economic protection fund. This money is available only as a loan guarantee for the smelting project using the COREX process and is contingent upon receipt by the commissioner of natural resources of sufficient funding from other sources to complete the project. If the project is approved by the United States department of energy prior to December 31, ~~1987~~ 1988, this appropriation does not cancel but is available until June 30, 1992, or the project is completed or abandoned, whichever occurs earlier. On July 1, 1992, up to \$20,000,000 is appropriated from the general fund; ~~to be taken from the proceeds of the tax-~~

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nite occupation tax imposed under Minnesota Statutes, section 298.01, to the commissioner of natural resources to be used only as necessary to continue the loan guarantee or to be drawn down to cover a default according to this subdivision. If the general fund appropriation is used to cover a default in the loan, there shall be repaid from the northeast Minnesota economic protection trust fund to the general fund one-half the amount of the default. Payments shall be made in ten equal annual installments, with the first payment made one year from the date of the default. No interest shall be paid on these payments. An amount sufficient to make the repayments is appropriated from the northeast Minnesota economic protection trust fund. The money appropriated from the northeast Minnesota economic protection trust fund shall be spent only in or for the benefit of tax relief areas as defined in Minnesota Statutes, section 273.134.

Sec. 76. Laws 1987, chapter 348, section 48, subdivision 3, is amended to read:

Subd. 3. **COLLECTION AND DISPOSAL.** The agency shall provide for the establishment and operation of temporary collection sites for waste pesticides. It may use its United States Environmental Protection Agency identification number to identify pesticides collected. The agency may limit the type and quantity of pesticides acceptable for collection and may assess persons bringing pesticides to the collection site ~~for costs incurred by the agency to store, test, handle, and dispose of the pesticides.~~ The assessments must be deposited in the state treasury and credited to the solid and hazardous waste account and are appropriated to the agency to pay for costs incurred to store, test, handle, and dispose of the pesticides.

Sec. 77. Laws 1987, chapter 357, section 27, subdivision 2, is amended to read:

Subd. 2. **COMMISSIONER OF NATURAL RESOURCES.** \$1,200,000 is appropriated from the general fund to the commissioner of natural resources to implement components of the comprehensive fish and wildlife plan under Minnesota Statutes, section 84.942, to be available until June 30, 1989. \$480,000 of this appropriation is to assist both public and private landowners to improve wildlife habitat. The approved complement of the department of natural resources is increased by eight positions in the classified service.

Sec. 78. Laws 1987, chapter 404, section 20, subdivision 6, is amended to read:

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~~

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system is not fully operational by August 1, 1988, the general fund appropriation 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. 79. Laws 1985, First Special Session chapter 15, section 4, subdivision 6, is amended to read:

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

\$1,853,900

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

Sec. 80. CONVEYANCE TO CITY OF ST. PETER.

Notwithstanding other law, the commissioner of natural resources shall convey on behalf of the state the property described in this section to the city of St. Peter. The conveyance is contingent upon approval by the national park service and must be made by quitclaim deed in a form approved by the attorney general. After conveyance by the commissioner of natural resources to the city of St. Peter, this land must be used for purposes other than outdoor recreation.

The property to be transferred is located in the city of St. Peter containing about 3.5 acres described as:

All of Lots 4, 5, 6, and 7 in Block 100 of the town of Traverse des Sioux, South of Sibley Street, and that part of Lots 8, 9, 10, and 11 in Block 100 lying westerly of the west right-of-way line of Trunk Highway No. 169.

New language is indicated by underline, deletions by ~~strikeout~~.

Also, all that part of the following described land lying westerly of the westerly right-of-way line of U.S. Highway 169: Beginning at the southeasterly corner of Lot 6 of Block 116 on the north line of McCann Street in the town of Traverse des Sioux south of Sibley Street; thence southwesterly to a point where the west line of First or Main Street intersects the south line of McCann Street; thence westerly along said south line of McCann Street to the east line of Third Street; thence at right angles southerly along said east line of Third Street 510 feet; thence at right angles easterly 150 feet thence at right angles southerly 150 feet to the north line of Rice Street; thence at right angles easterly along said north line of Rice Street 510 feet; thence at right angles southerly to the east line of Section 9, Township 110 North, Range 26 West; thence North along said section line to a point where the north line of McCann Street extended intersects the said section line; thence westerly along the north line of McCann Street extended to the point of beginning.

The property to be conveyed is a small tract west of U.S. Trunk Highway No. 169 that was transferred to the city of St. Peter as part of a 416 acre parcel to be used as a park but is subject to a reverter. This reverter, which required the city of St. Peter to retain these lands as a park, was included to comply with the federal requirements of the Land and Water Conservation Fund Act of 1965. The tract to be transferred is a barren tract of land that has not served a park purpose and is to be used for development.

Any use of these lands for other than outdoor recreation will require the prior approval of the secretary of the interior. The commissioner of natural resources will attempt to secure approval for this conveyance from the secretary of the interior. If approval is denied, the city of St. Peter will assist the commissioner of natural resources in securing approval by:

(1) acquiring replacement lands of at least equal fair market value for outdoor recreation purposes and of reasonably equivalent usefulness and location as those being conveyed under this section;

(2) securing appraisals acceptable to the commissioner of natural resources for both the property being conveyed and the property to be acquired as replacement;

(3) preparing environmental documentation of the replacement property in accordance with the National Environmental Policy Act of 1969, as amended; and

(4) holding public hearings and accepting public comment on this conveyance if required by the national park service.

Sec. 81. CROW WING COUNTY CAMP LAND.

Lands conveyed by the state to the St. Louis Park Lions Club under Laws 1965, chapter 297, and required by that law to be used only for the purposes of operating a boy scout camp may be conveyed by the St. Louis Park Lions Club to Volunteers in Partnership, Inc. and used for the purpose of operating a youth camp, notwithstanding the reverter in the deed to the contrary. If the lands are conveyed as authorized by this section, the conveyance shall provide that the lands will revert to the state upon failure to use them for a youth camp.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 82. AGENCY HEAD SALARY INCREASES.

The limitation imposed by Laws 1987, chapter 404, section 43, subdivision 2, on salary increases for positions listed in Minnesota Statutes, section 15A.081, subdivision 1, does not apply to the salary of a position that is moved by amendment of section 15A.081, subdivision 1, to a higher salary range.

Sec. 83. REPEALER.

Minnesota Statutes 1986, section 10A.32, subdivision 3b; and Laws 1987, chapter 358, section 31, are repealed.

Sec. 84. EFFECTIVE DATE.

This article is effective the day following final enactment, except that the fee increases provided in section 55 are effective May 1, 1988; section 26 is effective October 1, 1988; and section 56 is effective January 1, 1989. Section 47 is effective July 1, 1989.

Sections 40 to 42 are effective January 1, 1989, and apply to amounts checked off on income tax returns filed on and after that date.

Sec. 85. APPLICATION.

Sections 57 and 58 apply retroactively to the effective date of Laws 1987, chapter 389, section 2.

ARTICLE 2**Section 1. CELEBRATE MINNESOTA 1990 GRANT PROGRAM.**

Subdivision 1. GRANT PROGRAM. The purpose of the celebrate Minnesota 1990 grant program is to provide grants to local communities to assist and encourage them to undertake cleanup, beautification, and community improvement activities and programs. The commissioner of trade and economic development shall administer the program and is encouraged to solicit private contributions to help support it. For purposes of this section, "community" means a home rule charter or statutory city, a town, a community improvement or development organization, or an Indian tribe.

Subd. 2. GRANT CRITERIA. Grants made under this section:

(1) must be used for cleanup, beautification, or community improvement projects, including but not limited to removing or repairing dilapidated buildings; landscaping community entrance areas; establishing public activity areas; preserving, displaying, and interpreting historic structures or events; and beautifying roadsides;

New language is indicated by underline, deletions by ~~strikeout~~.

(2) may not exceed \$25,000 to a single community each year;

(3) must be matched by the recipient community from nonstate sources in the form of money, materials, services, or volunteer labor, at a rate of at least \$3 of nonstate money or other contribution for each \$1 of state money, with the amount and kind of match for each grant determined by the commissioner; and

(4) must be in addition to and not in replacement for the normal level of community effort for the eligible projects or activities.

Subd. 3. COORDINATION WITH OTHER PROGRAMS. A community applying for a grant shall attempt to coordinate its project with other available programs and resources, including the Minnesota community improvement program, Minnesota beautiful, the Minnesota community development program, and private foundation initiatives.

Subd. 4. GRANT APPLICATION PROCEDURE. A participating community shall submit a celebrate Minnesota 1990 plan in accordance with application procedures of the commissioner of trade and economic development. The plan must include a description of the projects to be funded by the grant, identification of the local match required under subdivision 2, clause (c), and a timetable for completion.

Sec. 2. ADVISORY COMMITTEE.

Subdivision 1. MEMBERS. The celebrate Minnesota 1990 advisory committee consists of 11 members appointed by the governor. Members of the committee must be representative of community leadership, economic development organizations, tourism, history, the arts, and the general public. The purpose of the committee is to advise the commissioner of trade and economic development and the executive director in the development and coordination of the celebrate Minnesota 1990 program activities. Compensation and terms of removal are as provided in section 15.059.

Subd. 2. EXECUTIVE DIRECTOR. The commissioner of trade and economic development shall employ an executive director and assistant executive director of the celebrate Minnesota 1990 advisory committee to serve in the unclassified service and be members of the unclassified employees retirement plan. The executive director shall:

(1) assist the commissioner and the committee in the development and coordination of statewide celebrate Minnesota 1990 program activities;

(2) assist communities in the preparation of community improvement projects and local festivals;

(3) coordinate the main street program, the Minnesota beautiful and governor's design team programs, and community improvement programs as they relate to celebrate Minnesota 1990 activities;

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(4) develop a statewide promotional campaign for celebrate Minnesota 1990 activities;

(5) coordinate state agency activities under section 3;

(6) prepare a report to be submitted to the legislature by June 30, 1991, regarding celebrate Minnesota 1990 activities and programs and recommending future activities and programs that would promote Minnesota's environment and quality of life; and

(7) perform other duties assigned by the commissioner or the committee.

Sec. 3. STATE AGENCY COOPERATION.

All state departments and agencies shall cooperate and assist in the planning and execution of the celebrate Minnesota 1990 program. All state government activities relating to celebrate Minnesota 1990 must be coordinated under the direction of the executive director of the celebrate Minnesota 1990 advisory committee and the commissioner of trade and economic development. All state departments and agencies shall make available studies, reports, data, expertise, and technical assistance necessary to the implementation of celebrate Minnesota 1990 programs and activities.

Sec. 4. DEFINITIONS.

Subdivision 1. TERMS. For the purposes of sections 5 to 8, the following terms have the meaning given them in this section.

Subd. 2. COMMISSIONER. "Commissioner" means the commissioner of trade and economic development.

Subd. 3. MARKETPLACE ASSISTANCE ORGANIZATION; ORGANIZATION. "Marketplace assistance organization" or "organization" means the organization selected under section 5.

Sec. 5. MINNESOTA MARKETPLACE PROGRAM.

Subdivision 1. PROGRAM ESTABLISHED. The commissioner of trade and economic development shall assist Minnesota businesses through the Minnesota marketplace program to meet business needs for competitive goods and services within Minnesota before seeking suppliers from a wider marketplace.

Subd. 2. ORGANIZATION SELECTION. The commissioner shall select and contract with a marketplace assistance organization to administer the Minnesota marketplace program. The organization must:

(1) be a nonprofit corporation;

(2) have officers and employees who are knowledgeable on the subject of community-based economic development and development strategies on a state-wide basis; and

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(3) have demonstrated the capability of providing informational and technical services to communities and economic development organizations.

The contract may not extend beyond June 30, 1990.

Subd. 3. PROGRAM DUTIES. The marketplace assistance organization shall:

(1) provide promotional materials and conduct education seminars to inform local communities, economic development organizations, and businesses about the Minnesota marketplace program;

(2) provide information and technical assistance to organizations interested in applying for local service center grants;

(3) develop standard procedures for the collection of information required under section 6;

(4) collect and maintain information required under section 6;

(5) suggest to the commissioner goals and evaluation procedures for the local service centers;

(6) recommend to the commissioner the criteria that should be used in selecting local service centers;

(7) provide the commissioner with a list of recommended organizations for selection as local service centers;

(8) coordinate Minnesota marketplace program activities with existing department programs; and

(9) identify permanent funding sources for the Minnesota marketplace program.

The organization may contract for the services of consultants for the Minnesota marketplace program.

Sec. 6. LOCAL SERVICE CENTERS.

Subdivision 1. SELECTION. The commissioner shall select and award grants to seven local service centers, with one service center located within each of the six regions established under Minnesota Statutes, section 116N.08, subdivision 2, and one service center located within the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2. Eligible service centers include regional development commissions, community development corporations, and other nonprofit corporations with the ability to deliver program services on a regional basis.

Subd. 2. GRANTS. The commissioner must award grants to the local service centers based on the following criteria:

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- (1) recommendations of the marketplace assistance organization;
- (2) the applicant's experience in providing a service or administering a program similar to the program described in section 5 and this section;
- (3) the applicant's knowledge of business operations within the region; and
- (4) the applicant's ability to provide equal access to businesses located within the region.

The local service center must provide at least a 50 percent nonstate match to obtain a grant award. The commissioner may award annual grants based upon local service center performance standards, such as the number of businesses assisted per year.

Subd. 3. DUTIES. Local service centers shall:

- (1) contact Minnesota businesses in order to identify goods and services that are bought outside of Minnesota and to determine which of these goods and services are available for purchase on competitive terms within the region and the state;
- (2) determine what goods and services businesses are willing to purchase from within the region and the state;
- (3) advertise goods and services available within Minnesota;
- (4) compile a list of suppliers of goods and services available for purchase within the region and the state;
- (5) solicit contributions for the Minnesota marketplace program; and
- (6) report to the organization on all Minnesota marketplace activities by July 1 of each year.

Sec. 7. STATE AGENCY COOPERATION.

State departments and agencies shall cooperate with the organization selected to administer the Minnesota marketplace program and with the local service centers in providing information and technical assistance necessary for program operations.

Sec. 8. ANNUAL REPORT.

On August 1 of each year, the marketplace assistance organization shall submit a report to the commissioner on all local service center Minnesota marketplace program activities.

Sec. 9. ECONOMIC DEVELOPMENT FUND; TRANSFERS.

The unencumbered balance of an appropriation in Laws 1987, chapter 386

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or chapter 404, section 26, subdivision 6, from the economic development fund or the general fund to the commissioner of trade and economic development to administer programs in Laws 1987, chapter 386 or chapter 404, section 26, subdivision 6, may be transferred from one of those appropriations to another 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.

Sec. 10. REPEALER.

Sections 1 to 3 are repealed July 1, 1991. Sections 4 to 8 are repealed July 1, 1990.

Sec. 11. EFFECTIVE DATE.

Sections 4 to 9 are effective the day following final enactment.

ARTICLE 3

PLANNING FOR YOUTH EMPLOYMENT

Section 1. [268.361] DEFINITIONS.

Subdivision 1. TERMS. For the purposes of sections 1 to 7, the following terms have the meanings given them.

Subd. 2. ADVISORY COMMITTEE. "Advisory committee" means the committee established in section 3.

Subd. 3. COMMISSIONER. "Commissioner" means the commissioner of the state planning agency.

Subd. 4. ELIGIBLE ORGANIZATION. "Eligible organization" means a public agency or a nonprofit organization that can demonstrate an ability to design a program for education and training services provided to targeted youth. Eligible organizations may include local jurisdictions, public school districts, private nonsectarian schools, post-secondary educational institutes, alternative schools, community groups, and labor organizations.

Subd. 5. HOMELESS INDIVIDUAL. "Homeless individual" or "homeless person" means:

(1) an individual who lacks a fixed, regular, and adequate nighttime residence; and

(2) an individual who has a primary nighttime residence that is:

New language is indicated by underline, deletions by ~~strikeout~~.

(i) a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations;

(ii) an institution that provides a temporary residence for individuals intended to be institutionalized; or

(iii) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

The term "homeless individual" does not include any individual imprisoned or otherwise detained under federal or state law.

Subd. 6. TARGETED YOUTH. "Targeted youth" means persons that are at least 16 years of age but not older than 21 years of age and are part of one of the following groups:

(1) persons who are not attending any school and have not received a secondary school diploma or its equivalent; or

(2) persons currently enrolled in a traditional or alternative school setting or a GED program and who, in the opinion of an official of the school, are in danger of dropping out of the school.

Subd. 7. VERY LOW INCOME. "Very low income" means incomes that are at or less than 30 percent of the median income for the Minneapolis-St. Paul metropolitan area.

Sec. 2. [268.362] PLANNING GRANTS.

The commissioner shall make grants of up to \$20,000 to eligible organizations for the design of programs to provide education and training services to targeted youth. The purpose of these programs is to provide specialized training and work experience to at-risk targeted youth who have not been served effectively by the current educational system. The programs are to be designed to include a work experience component with work projects that result in the rehabilitation or construction of residential units for the homeless. Two or more eligible organizations may jointly apply for a planning grant. The commissioner shall administer the grant program.

Interested eligible organizations must apply to the commissioner for the grants. The advisory committee must review the applications and provide to the commissioner a list of recommended eligible organizations that the advisory committee determines meet the requirements for receiving a planning grant. The commissioner shall select from the committee's list at least four organizations to receive the planning grants with at least one organization located in each of the cities of Minneapolis and St. Paul and two organizations located outside the metropolitan area defined in section 473.121, subdivision 2.

Sec. 3. [268.363] ADVISORY COMMITTEE.

New language is indicated by underline, deletions by ~~strikeout~~.

A 13-member advisory committee is established as provided under Minnesota Statutes, section 15.059 to assist the commissioner in selecting eligible organizations to receive planning grants, evaluating the final reports of each organization, and providing recommendations to the legislature. Members of the committee may be reimbursed for expenses but may not receive any other compensation for service on the committee. The advisory committee consists of representatives of the commissioners of education, human services, and jobs and training; a representative of the state director of vocational education; a representative of the commissioner of the housing finance agency; the director of the office of jobs policy; and seven public members appointed by the governor. Each of the following groups must be represented by a public member: labor organizations, local educators, community groups, consumers, local housing developers, youth between the ages of 16 and 21, and homeless persons. At least three of the public members must be from outside of the metropolitan area as defined in section 473.121, subdivision 2. The commissioner may provide staff to the advisory committee to assist it in carrying out its purpose.

Sec. 4. [268.364] PROGRAM PURPOSE AND DESIGN.

Subdivision 1. PROGRAM PURPOSE. The grants awarded under section 2 are for the design of a youth employment and training program directed at targeted youth who are likely to be at risk of not completing their high school education. Each program design must include education, work experience, and job skills components.

Subd. 2. EDUCATION COMPONENT. A program design must contain an education component that requires program participants who have not completed their secondary education to be enrolled in a traditional public or private secondary school, a suitable alternative school setting, or a GED program. Program participants must be working toward the completion of their secondary education or literacy advancement.

Subd. 3. WORK EXPERIENCE COMPONENT. A work experience component must be included in each program design. The work experience component must provide vocational skills training in an industry where there is a viable expectation of job opportunities and a training subsidy or stipend may be provided to program participants. The wage or stipend must be provided to participants who are recipients of public assistance in a manner or amount which will not reduce public assistance benefits. The work experience component must be designed so that work projects result in the expansion of residential units for homeless persons and very low income families, and must include direct supervision by individuals skilled in each specific vocation. The program design must include an examination of how program participants may earn credits toward the completion of their secondary education from their participation in the work experience component.

Subd. 4. JOB READINESS SKILLS COMPONENT. A job readiness skills component must be included in each program design. The component

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must provide program participants with job search skills, placement assistance, and other job readiness skills to ensure that participants will be able to compete in the employment market.

Subd. 5. ELIGIBLE PROGRAM PROVIDERS. A program design must include the examination of the types of organizations that would administer and operate the program. The types of organizations examined must include public school districts, private nonsectarian schools, alternative schools, local jurisdictions, housing related groups, community groups, and labor organizations, or a joint effort among two or more of these organizations.

Sec. 5. [268.365] HOUSING FOR HOMELESS.

Subdivision 1. REQUIREMENT. The work experience component of the youth employment and training program described in section 4 must include work projects that provide residential units through construction or rehabilitation for the homeless and families with very low incomes.

Subd. 2. PRIORITY FOR HOUSING. Any residential units that become available through the employment and training program must be allocated in the following order:

- (1) homeless families with at least one dependent;
- (2) other homeless individuals;
- (3) other very low income families and individuals; and
- (4) families or individuals that receive public assistance and that do not qualify in any other priority group.

Subd. 3. ACQUISITION OF HOUSING UNITS. The program design must include an examination of the means of acquiring property or buildings for the construction or rehabilitation of residential units at the lowest possible cost. The examination must include the review of possible sources of property and funding through federal, state, or local agencies, including the federal Department of Housing and Urban Development, Farmers Home Administration housing finance agency, and the local housing authority.

Subd. 4. MANAGEMENT OF RESIDENTIAL UNITS. The program design must address how to manage these residential units, including the source of financing for the maintenance costs of the buildings. Any management plan must include the participation of the residents and local established neighborhood groups.

Sec. 6. [268.366] REQUIREMENTS OF ORGANIZATIONS RECEIVING GRANTS.

An organization that is awarded a planning grant under section 2 shall prepare and submit a report to the commissioner by January 15, 1989. The report must address each of the following:

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(1) the method for encouraging the participation of the targeted youth in the geographic area surrounding the organization receiving the grant;

(2) the support services and social services that targeted youth require and the means of providing those services to program participants. Services may include client needs assessment, preemployment skills such as basic job skills and behavior, and intermediate needs such as education and chemical dependency treatment;

(3) the type and degree of work experience that program participants must participate in, including real work experience in both vocational and nonvocational settings;

(4) the amount of training subsidy or stipend that each participant should receive while participating in the work experience component. The subsidy or stipend must reflect prevailing wage and benefits standards appropriate for preapprenticeship training unless a participant's receipt of public assistance is affected. The subsidy or stipend should be structured to include incentives for progress toward increasing job skills and completing secondary education;

(5) the identification and means of providing the necessary job readiness skills so that program participants who have completed the work experience and educational components of the program may have the ability to compete in the job market. These job search skills may include skills assessment, job search and selection, application preparation and assistance in preparing for job interviews;

(6) the methods that may be used to assist in placing program participants in suitable employment. The methods should include means of involving state government, businesses, labor organizations, community groups, and local jurisdictions in assisting in the placement;

(7) a plan for evaluating the program, including the necessary data elements that must be collected from program participants after they have completed the program to monitor the success of the program;

(8) the method used to maximize parental involvement in the program;

(9) the identification of existing public and private programs that may be utilized by the program to avoid duplication of services;

(10) the identification of regional characteristics that may affect the operation of the program in the specific region where the organization is located;

(11) the identification and special needs of priority groups of targeted youth, which groups may include:

(i) persons who are responsible for at least one dependent;

(ii) persons who are pregnant;

New language is indicated by underline, deletions by ~~strikeout~~.

(iii) persons who are or have been subject to any stage of the criminal justice system and who may benefit from receiving employment and training services in overcoming barriers to employment resulting from a record of arrest or conviction;

(iv) persons receiving income maintenance services and social services, including chemical dependency treatment, vocational rehabilitation services, and protection services;

(v) persons who reside on a farm who personally derive or whose family derives a substantial portion of their income from farming, lack nonfarm work skills, or have limited access to vocational education or work experience opportunities;

(vi) homeless youth; and

(vii) minors who that are not financially dependent on a parent or a guardian;

(12) cost estimates for each of the components of the program; and

(13) the identification of funding sources other than state appropriations that may be used to support the program.

Sec. 7. [268.367] REPORT.

The commissioner shall prepare and submit a report to the legislature and the governor by February 15, 1989, that outlines the various program designs submitted by the organizations that received planning grants. The report must also include recommendations on which components of the program designs are most suitable to meeting the needs of targeted youth. The advisory committee must participate in the preparation of this report and in the formulation of the recommendations.

ARTICLE 4

FOREST ROADS

Section 1. Minnesota Statutes 1986, section 89.001, is amending by adding a subdivision to read:

Subd. 14. "State forest road" means a road constructed, acquired, maintained, or administered by the commissioner for the purpose of carrying out forest resource management policy as set forth in section 89.002.

Sec. 2. Minnesota Statutes 1986, section 89.01, is amended by adding a subdivision to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 7. The commissioner shall establish a forest road coordination committee in each forestry administrative area in which a state or county forest road is located. The commissioner shall appoint as members representatives from among the following: road authorities, county land commissioners, local governments, the forest products industry, and forest recreation interests. Each committee must meet at least once annually. The committees shall assist in providing a transportation system to facilitate the protection, management, and use of this state's forest resources. The purpose of the committees includes coordination of the planning, construction, maintenance, and use of forest roads, and of restrictions on their use.

Sec. 3. Minnesota Statutes 1986, section 89.19, is amended to read:

89.19 RULES.

The commissioner ~~shall have power to~~ may prescribe ~~such~~ rules governing the use of state forest lands under the authority of the commissioner and state forest roads, or any ~~part~~ parts thereof, by the public ~~or~~ and governing the ~~exercising~~ exercise by holders of leases or permits ~~upon state~~ on forest lands and state forest roads of all their rights under ~~such~~ the leases or permits ~~as may be necessary to carry out the purposes of this chapter.~~

Sec. 4. [89.70] STATE FOREST ROAD ACCOUNT.

There is created in the state treasury a state forest road account in the special revenue fund, consisting of money credited under section 8. Money in the state forest road account is appropriated to the commissioner and remains available until expended for:

(1) acquisition, development, maintenance, and administration of state forest roads under the jurisdiction of the commissioner of natural resources; and

(2) the commissioner's share of the cost of cooperative maintenance agreements made with other providers of forest roads.

Sec. 5. [89.71] FOREST ROADS.

Subdivision 1. DESIGNATION, INVENTORY, RECORDING. Forest roads, bridges, and other improvements administered under section 89.002, subdivision 3, are designated as state forest roads to the width of the actual use including ditches, backslashes, fills, and maintained right-of-way, unless otherwise specified in a prior easement of record. The commissioner may undesignate all or part of a state forest road that is not needed to carry out forest resource management policy. The commissioner shall maintain and keep current an inventory listing and describing roads in which the state claims a right or property interest for state forest road purposes. The commissioner may file for record with a county recorder or registrar of titles appropriate documents setting forth the state's interest in all or part of any state forest road.

Subd. 2. RIGHT-OF-WAY. Additional rights-of-way and easements, includ-

New language is indicated by underline, deletions by ~~strikeout~~.

ing easements needed for drainage or slopes, may be acquired by the commissioner by purchase or gift and by condemnation for safety or environmental protection on existing roads and to provide access to tracts of public land larger than 1,000 acres having no access, following a public meeting in the area affected. Rights-of-way and easements shall be designated as state forest roads when needed for construction, maintenance, or safety of roads.

Subd. 3. CONSTRUCTION; MAINTENANCE. The commissioner shall develop specifications for the design and construction of state forest roads and shall establish maintenance schedules for forest roads consistent with their intended use.

Subd. 4. RULES. In adopting rules relating to the use of state forest roads, the commissioner may incorporate into the rules, by reference, traffic regulations contained in chapter 169.

Subd. 5. POSTING OF MINIMUM-MAINTENANCE FOREST ROADS. The commissioner may designate a state forest road as a minimum-maintenance forest road to be maintained at a level consistent with the intended use. Designation of a state forest road as a minimum-maintenance forest road is effective on the posting of signs, at entry points to the road and at regular intervals along the road, to the effect that the road is a minimum-maintenance forest road and that the user travels on the road at the user's risk. Posting of the signs is prima facie evidence that adequate notice of minimum-maintenance status has been given to the public. Liability on a road designated under this subdivision is governed by section 160.095, subdivision 4.

Subd. 6. CONVEYANCE OF UNNEEDED ROADS TO OTHER GOVERNMENTS. When the commissioner undesignates a state forest road and determines that the road is no longer needed for any state purpose, the commissioner may convey by mutual agreement, in the manner provided in section 84.63, the state interest in the road to the United States, the state of Minnesota, or any of its subdivisions, whether or not the road is on state land.

Subd. 7. COMMISSIONER NOT A ROAD AUTHORITY UNDER HIGHWAY LAWS. Except as otherwise provided, the commissioner is not a road authority under chapters 160 to 168, and chapters 160 to 168 do not apply to forest roads unless specifically made applicable by law or rule.

Sec. 6. [89.72] COUNTY FOREST ACCESS ROAD ACCOUNT.

There is created in the state treasury a county forest access road account in the special revenue fund, consisting of money credited under section 8. Money in the county forest access road account is appropriated to the commissioner for distribution to counties managing forest lands administered through a county land department under the jurisdiction of a land commissioner appointed under section 282.13. The payments must be made by July 15 and January 15 of each year through the commissioner and in proportion to each county's ownership of commercial forest lands, for purposes of constructing, reconstructing, acquiring, and maintaining county management access roads, including the acquisition of rights-of-way or easements as may be needed.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 7. Minnesota Statutes 1986, section 296.16, is amended by adding a subdivision to read:

Subd. 1a. INTENT; FOREST ROADS. \$675,000 of the total annual unrefunded revenue from the gasoline fuel tax on all gasoline and special fuel received in, produced, or brought into this state, except gasoline and special fuel used for aviation purposes, is derived from the operation of motor vehicles on state forest roads and county forest access roads, and of this sum, \$400,000 is annually derived from motor vehicles operated on state forest roads and \$275,000 is annually derived from motor vehicles operated on county forest access roads in this state.

Sec. 8. Minnesota Statutes 1986, section 296.421, is amended by adding a subdivision to read:

Subd. 8. COMPUTATION AND DISTRIBUTION OF UNREFUNDED TAXES FOR FOREST ROADS. The amount of unrefunded tax paid on gasoline and special fuel used to operate motor vehicles on forest roads, except gasoline and special fuel used for aviation purposes, is \$675,000 annually and is appropriated from the highway user tax distribution fund and must be transferred and credited in equal installments on July 1 and January 1 as follows: \$400,000 must be credited to a state forest road account and \$275,000 must be credited to a county management access road account.

Sec. 9. Laws 1987, chapter 404, section 22, subdivision 4, is amended to read:

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 can-

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celed 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 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.~~

Sec. 10. STUDY AND REPORT TO LEGISLATURE.

The commissioners of transportation, natural resources, and revenue shall study and determine the percentage of revenue received from the unrefunded gasoline and special fuel tax that is derived from gasoline and special fuel for the operation of motor vehicles on state forest roads and county forest roads from May 1, 1988, to April 30, 1989. The commissioners shall report the results of this study by October 1, 1989, to the transportation committees of the senate and house of representatives and to the house appropriations and the senate finance committees.

Sec. 11. COUNTY FOREST ROAD STUDY.

Counties having county forest access roads may use payments from the county management access road account to study, determine, and inventory by October 1, 1989, these roads and their use by logging trucks, recreational vehicles, and other users.

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Sec. 12. EFFECTIVE DATE.

Sections 1 to 8 are effective July 1, 1988. Sections 9 to 11 are effective the day following final enactment.

ARTICLE 5**SPECIAL REVENUE ACCOUNTS**

Section 1. Minnesota Statutes 1987 Supplement, 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 November 1. The revisor shall assess agencies for double the actual cost of bill drafting services rendered to them on requests delivered to the revisor after November 1. The revisor shall also assess an agency for the actual cost or 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~~ general fund.

Sec. 2. Minnesota Statutes 1987 Supplement, 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 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~~ general fund.

Sec. 3. Minnesota Statutes 1987 Supplement, section 3C.12, subdivision 7, is amended to read:

Subd. 7. **SALE PRICE.** The revisor shall fix a reasonable sale price of an edition of Minnesota Statutes, supplement to Minnesota Statutes, or edition of Laws of Minnesota. Revenue from the sale of the Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota must be deposited in the ~~revisor's account~~ general fund.

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Sec. 4. Minnesota Statutes 1986, section 14.07, subdivision 1, is amended to read:

Subdivision 1. **RULE DRAFTING ASSISTANCE PROVIDED.** (a) The revisor of statutes shall:

(1) maintain an agency rules drafting department to draft or aid in the drafting of rules or amendments to rules for any agency in accordance with subdivision 3 and the objective or other instructions which the agency shall give the revisor; and,

(2) prepare and publish an agency rules drafting guide which shall set out the form and method for drafting rules and amendments to rules, and to which all rules shall comply.

(b) The revisor shall assess an agency for the actual cost of providing aid in drafting rules or amendments to rules. The agency shall pay the assessment using the procedures of section 3C.056. Each agency shall include in its budget money to pay the revisor's assessment. Receipts from the assessment must be deposited in the state treasury and credited to the ~~revisor's account~~ general fund.

(c) An agency may not contract with an attorney, consultant, or other person either to provide rule drafting services to the agency or to advise on drafting unless the revisor determines that special expertise is required for the drafting and the expertise is not available from the revisor or the revisor's staff.

Sec. 5. Minnesota Statutes 1986, section 14.07, subdivision 2, is amended to read:

Subd. 2. **APPROVAL OF FORM.** No agency decision to adopt a rule or emergency rule, including a decision to amend or modify a proposed rule or proposed emergency rule, shall be effective unless the agency has presented the rule to the revisor of statutes and the revisor has certified that its form is approved. The revisor shall assess an agency for the actual cost of processing rules for consideration for approval of form. The assessments must include necessary costs to create or modify the computer data base of the text of a rule and the cost of putting the rule into the form established by the drafting guide provided for in subdivision 1. The agency shall pay the assessments using the procedures of section 3C.056. Each agency shall include in its budget money to pay revisor's assessments. Receipts from the assessments must be deposited in the state treasury and credited to the ~~revisor's account~~ general fund.

Sec. 6. Minnesota Statutes 1987 Supplement, section 14.08, is amended to read:

14.08 REVISOR OF STATUTES 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

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submitted by the agency under section 14.26 or 14.32. Within five days after 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. 7. Minnesota Statutes 1986, section 14.47, subdivision 8, is amended to read:

Subd. 8. **SALES AND DISTRIBUTION OF COMPILATION.** Any compilation, reissue, or supplement published by the revisor shall be sold by the revisor for a reasonable fee and its proceeds deposited in the ~~revisor's account~~ general fund. An agency shall purchase from the revisor the number of copies of the compilation or supplement needed by the agency. The revisor shall provide without charge copies of each edition of any compilation, reissue, or supplement to the persons or bodies listed in this subdivision. Those copies must be marked with the words "State Copy" and kept for the use of the office. The revisor shall distribute:

- (a) 25 copies to the office of the attorney general;
- (b) 12 copies for the legislative commission for review of administrative rules;
- (c) 3 copies to the revisor of statutes for transmission to the Library of Congress for copyright and depository purposes;

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(d) 150 copies to the state law library;

(e) 10 copies to the law school of the University of Minnesota; and

(f) one copy of any compilation or supplement to each county library maintained pursuant to section 134.12 upon its request, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 134.12, the copy will be provided to any public library in the county upon its request.

Sec. 8. Minnesota Statutes 1987 Supplement, section 480.236, is amended to read:

480.236 SOFTWARE SALES.

The supreme court may sell or license self-developed or vendor custom-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 the general fund.~~

Sec. 9. Minnesota Statutes 1987 Supplement, section 480.241, subdivision 2, is amended to read:

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 ~~the state treasury and credit to the general 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. 10. REPEALER.

Minnesota Statutes 1986, sections 3C.055; 3C.057; 5.13; and 16A.625, are repealed.

Sec. 11. EFFECTIVE DATE.

This article is effective July 1, 1989.

Approved April 28, 1988

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