

feet; thence northwest along a line to a point located on the north line of the SW 1/4 NE 1/4 of section 7 a distance of 230 feet west of the northeast corner of the SW 1/4 NE 1/4 of section 7; thence east along the north line of the SW 1/4 NE 1/4 of section 7, 230 feet to the point of commencement, subject to easements and restrictions of record.

(d) Part of a building and parking lot on adjoining land owned by SAM Enterprises, Inc., encroaches on the land described in paragraph (c). The encroachment occurred before the sale of the adjoining land to SAM Enterprises, Inc., in 1976. The Virginia school district wishes to purchase the land occupied by SAM Enterprises, Inc., which together with the land described in paragraph (c), will be used for a new school complex.

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 4:05 p.m.

CHAPTER 180—S.F.No. 96

An act relating to the environment; wastewater treatment; clarifying rulemaking provisions for pollution control agency adoption of wastewater treatment standards; changing the composition of the technical advisory committee; changing the definition of individual on-site treatment system; amending Minnesota Statutes 1992, sections 115.44, subdivisions 4, 6, and 7; 115.54; and 116.18, subdivision 3c.

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

Section 1. Minnesota Statutes 1992, section 115.44, subdivision 4, is amended to read:

Subd. 4. **STANDARDS.** The agency, after proper study, and ~~after conducting public hearings upon due notice in accordance with chapter 14,~~ shall adopt and design standards of quality and purity for each ~~such~~ classification necessary for the public use or benefit contemplated by ~~such the~~ classification. ~~Such~~ The standards shall prescribe what qualities and properties of water ~~shall~~ indicate a polluted condition of the waters of the state which is actually or potentially deleterious, harmful, detrimental, or injurious to the public health, safety, or welfare; to terrestrial or aquatic life or to ~~the its~~ growth and propagation ~~thereof~~; or to the use of ~~such the~~ waters for domestic, commercial and industrial, agricultural, recreational, or other reasonable purposes, with respect to the various classes established pursuant to subdivision 2 ~~hereof~~; ~~and, The standards may also contain such other provisions as that~~ the agency deems proper. Wherever practicable and advisable, the agency shall establish standards for effluent of disposal systems entering classified waters.

Sec. 2. Minnesota Statutes 1992, section 115.44, subdivision 6, is amended to read:

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Subd. 6. **MODIFICATION OF STANDARDS.** The adoption, alteration, or modification of the standards of quality and purity; ~~above prescribed, in sub-~~ division 4 shall be made by the agency ~~only after public hearing on due notice in accordance with chapter 14.~~

Sec. 3. Minnesota Statutes 1992, section 115.44, subdivision 7, is amended to read:

Subd. 7. ~~Notices of public hearing for the consideration, adoption, modification, alteration or amendment of the classification of waters and standards of purity and quality thereof shall specify the time, date and place of hearing, and the waters concerning which classification is sought to be made or for which standards are sought to be adopted or modified.~~

Copies of said notice shall:

(a) ~~Be published at least twice in a newspaper regularly published or circulated in the county or counties bordering or through which the waters sought to be classified, or for which standards are sought to be adopted, flow, the first date of publication of which shall not be more than 30 days nor less than 20 days before the date fixed for such hearing; and~~

(b) For rules authorized under this section, the notices required to be mailed under sections 14.14, subdivision 1a, and 14.22 must also be mailed at least 30 days before such hearing to the governing body of each municipality bordering or through which said the waters; for which standards are sought to be adopted, flow; and to such other persons as the agency has reason to believe may be affected by the proposed standards.

Sec. 4. Minnesota Statutes 1992, section 115.54, is amended to read:

115.54 TECHNICAL ADVISORY COMMITTEE.

The agency shall adopt and revise rules governing waste water treatment control under this chapter or chapter 116 only with the advice of a technical advisory committee of ~~nine~~ seven members. One member of the committee shall be selected by each of the following: the state Consulting Engineers Council, the ~~University of Minnesota division of environmental engineering, the state association of general contractors chapter of the Central States Water Pollution Control Federation, the Association of Minnesota Counties,~~ the state Wastewater Treatment Plant Operators Association, the metropolitan waste control commission created by section 473.503, ~~the association of metropolitan municipalities,~~ the state Association of Small Cities, and ~~two members from~~ the League of Minnesota Cities. The technical advisory committee may review and advise the agency on any rule or technical requirements governing the wastewater treatment grant or loan program and may review the work of other professional persons working on a wastewater treatment project and make recommendations to those persons, the agency, and the concerned municipality, in order for the agency to ensure that water quality treatment standards will be met. The com-

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mittee shall meet at least once a year, or at the call of the chair, and shall elect its chair. The agency must provide staff support for the committee, prepare committee minutes, and provide information to the committee it may request. A quorum is a simple majority and official action must be by a majority vote of the quorum. The committee expires as provided in section 15.059, subdivision 5.

Sec. 5. Minnesota Statutes 1992, section 116.18, subdivision 3c, is amended to read:

Subd. 3c. **INDIVIDUAL ON-SITE TREATMENT SYSTEMS PROGRAM.** (a) Beginning in fiscal year 1989, up to ten percent of the money to be awarded as grants under subdivision 3a in any single fiscal year, up to a maximum of \$1,000,000, may be set aside for the award of grants by the authority to municipalities to reimburse owners of individual on-site wastewater treatment systems for a part of the costs of upgrading or replacing the systems.

(b) An individual on-site treatment system is a wastewater treatment system, or part thereof, servicing less than six that uses soil treatment and disposal technology to treat 5,000 gallons or less of wastewater per day from dwellings or other establishments; which utilizes subsurface soil treatment and disposal.

(c) Municipalities may apply yearly for grants of up to 50 percent of the cost of replacing or upgrading individual on-site treatment systems within their jurisdiction. Before agency approval of the grant application, a municipality must certify that:

(1) it has adopted and is enforcing the requirements of Minnesota Rules governing individual sewage treatment systems;

(2) the existing systems for which application is made do not conform to those rules, were constructed prior to January 1, 1977, do not serve seasonal residences, and were not constructed with state or federal funds; and

(3) the costs requested do not include administrative costs, costs for improvements or replacements made before the application is submitted to the authority unless it pertains to the plan finally adopted, and planning and engineering costs other than those for the individual site evaluations and system design.

(d) The federal and state regulations regarding the award of state and federal wastewater treatment grants do not apply to municipalities or systems funded under this subdivision, except as provided in this subdivision.

(e) The authority shall award individual on-site wastewater treatment grants to municipalities selected by the state pollution control commissioner upon certification by the state pollution control commissioner that the municipalities' applications have been reviewed and approved in accordance with this subdivision and agency rules adopted under paragraph (f).

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(f) The agency shall adopt permanent rules regarding priorities, distribution of funds, payments, inspections, ~~the maximum number of dwellings or other establishments that may be served by an individual on-site treatment system,~~ and other matters that the agency finds necessary for proper administration of grants awarded under this subdivision.

(g) The commissioner of trade and economic development may adopt rules containing procedures for administration of the authority's duties as set forth in paragraph (e).

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 10:06 p.m.

CHAPTER 181—S.F.No. 1244

An act relating to the Minnesota historical society; recodifying the historic sites act of 1965; providing for a recorded music center; requiring a study of Carver's Cave; proposing coding for new law in Minnesota Statutes, chapter 138; repealing Minnesota Statutes 1992, sections 138.025; 138.027; 138.52; 138.53; 138.55; 138.56; 138.58; 138.59; 138.60; 138.61; 138.62; 138.63; 138.64; 138.65; and 138.66.

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

Section 1. [138.661] STATE HISTORIC SITE NETWORK.

Subdivision 1. SCOPE. Historic sites in section 2 constitute the state historic site network. The sites are significant state resources that the Minnesota historical society is preserving, developing, interpreting, and maintaining for public use, benefit, and access during open hours.

Subd. 2. AUTHORITY. The Minnesota historical society shall exercise the administration and control of the sites in section 2 other than the Minnesota State Capitol, preserve their historic features, conduct archaeological investigations, establish necessary interpretive centers, and perform additional duties and services at the sites necessary to meet their educational mission. Ownership of the properties is either by the state or the Minnesota historical society. The Minnesota historical society may contract with existing state departments and agencies for materials and services, including utility services, necessary for the administration and maintenance of the sites listed in section 2. The authority of the commissioner of natural resources to administer and control the historic sites enumerated in section 2 is withdrawn, and is conferred upon the Minnesota historical society. The commissioner of natural resources shall continue to administer and control the state parks enumerated in this section excepting the portions designated as historic sites, the administration and control of which is by this section vested in the Minnesota historical society.

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