CHAPTER 193

ARMORIES

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193.01 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.02 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.03 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.04 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.05 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.06 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

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193.08 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.09 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.10 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.11 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.12 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.13 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.139 DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of sections 193.141 to 193.149, the terms defined in this section have the meanings ascribed to them.

Subd. 2. **Municipality.** "Municipality" includes cities.

Subd. 3. **Corporation.** "Corporation" means the Minnesota State Armory Building Commission created as a corporation by section 193.142, subdivision 1.

Subd. 4. **Armory.** "Armory" means a building, vehicle storage compound, organizational maintenance shop, or other facility permanently used by the National Guard for the storage and maintenance of arms and military equipment, and the training of National Guard personnel.

History: *1955 c 18 s 1; 1973 c 123 art 5 s 7; 1974 c 95 s 1*

193.14 [Repealed, 1947 c 133 s 10; 1949 c 459 s 4]

193.141 CONSTRUCTION OF ARMORIES.

Subdivision 1. **Construction by counties or municipalities.** In any county or municipality of this state in which there shall at the time be stationed one or more units of the National Guard, and in which the adjutant general shall deem it necessary or expedient to construct an armory, an armory may be constructed and the cost thereof paid as hereinafter provided.

Subd. 2. **Construction on state military camping grounds.** Whenever the adjutant general shall deem it necessary or expedient that an armory be constructed upon a state military camping ground, to be used principally by any unit or units of the National Guard stationed at a municipality in the vicinity thereof, such armory may be constructed and the cost thereof paid in the manner hereinafter provided for the construction of armories in municipalities.

History: *1947 c 133 s 1; 1955 c 18 s 2; 1969 c 40 s 1; 1977 c 11 s 5; 1987 c 384 art 2 s 48*

193.142 MINNESOTA STATE ARMORY BUILDING COMMISSION.

Subdivision 1. **Corporation created; officers.** For the purpose of constructing armories as provided by section 193.141, there shall be created a corporation to be known as the "Minnesota State Armory Building Commission." The members and governing body of such corporation shall be the adjutant general and not less than two officers of the National Guard of the state above the grade of major, to be selected and appointed by the adjutant general. The adjutant general shall be chair of such commission. Such commission shall elect a secretary and a treasurer from the members thereof other than the adjutant general. The treasurer of the corporation shall give a security bond to the corporation in such sum as the corporation may determine, conditioned in like manner to the bonds of treasurers of public bodies, to be approved and filed as the corporation may determine.

Subd. 2. **Filing; officers; members; vacancy.** Upon the filing with the secretary of state of a certificate by the adjutant general naming the persons authorized to compose such commission and corporation, and declaring them to be constituted a commission and corporation hereunder, such persons shall forthwith become and be such commission and corporation without further proceeding. In case of a vacancy in the membership of such commission and corporation, the remaining members, provided there are not less than two, shall have power to act and to elect such temporary officers of the commission as may be necessary during the existence of the vacancy. In case of a vacancy in the Office of the Adjutant General, or in case of the incapacity of the adjutant general to act as a member and chair of such commission, the officer who is appointed or authorized according to law to exercise the powers of the adjutant general for the time being, shall during the existence of such vacancy or incapacity act as a member and chair of such commission and have all the powers and duties herein vested in or imposed upon the adjutant general as a member and chair of such commission. The adjutant general shall certify to the secretary of state all changes in the membership of the commission, but failure to do so shall not affect the authority of any new member of the commission or the validity of any act of the commission after the accession of a new member.

Subd. 3. **Trustee in certain cases.** In case at any time all or all but one of the officers of the National Guard who are members of the commission or who are eligible to serve as such are in active service outside

the state, or where for any other reason there are not at least two qualified officers of the National Guard available within the state to serve as members of the commission, the adjutant general, or in case of incapacity or of a vacancy in that office, the officer who is appointed or authorized according to law to exercise the powers of the adjutant general for the time being, shall become trustee of the commission and shall have all the powers and perform all the duties of the commission and its officers so long as such conditions exist. Upon the occurrence of such conditions the officer becoming trustee shall file with the secretary of state a certificate reciting the circumstances and declaring that that officer assumes office as such trustee, and thereupon shall be deemed to have qualified as such, with all the authority hereby conferred. Any change in such office shall be likewise certified by the officers succeeding as trustee. Upon the termination of such conditions, the adjutant general or an authorized substitute shall certify the circumstances in like manner, with the names of the officers then authorized by law to compose the commission, and thereupon such officers shall constitute the commission, and the authority of the trustee shall terminate.

Subd. 4. **Continuation.** The Minnesota State Armory Building Commission, authorized by subdivisions 1, 2, and 3, constitutes a continuation of the commission authorized by Minnesota Statutes 1945, section 193.13, and not a new authority, for the purpose of succession to all rights, powers, duties, and obligations of the commission as they existed at the time of the passage of Laws 1947, chapter 133, except as amended by Laws 1947, chapter 133, with the same force and effect as if such functions, powers, and duties had not been transferred.

History: *1947 c 133 s 2; 1949 c 459 s 3; 1977 c 11 s 6; 1986 c 444; 1997 c 24 s 15-17*

193.143 STATE ARMORY BUILDING COMMISSION, POWERS.

Such corporation, subject to the conditions and limitations prescribed in sections 193.141 to 193.149, shall possess all the powers of a body corporate necessary and convenient to accomplish the objectives and perform the duties prescribed by sections 193.141 to 193.149, including the following, which shall not be construed as a limitation upon the general powers hereby conferred:

(1) To acquire by lease, purchase, gift, or condemnation proceedings all necessary right, title, and interest in and to the lands required for a site for a new armory and all other real or personal property required for the purposes contemplated by the Military Code and to hold and dispose of the same, subject to the conditions and limitations herein prescribed; provided that any such real or personal property or interest therein may be so acquired or accepted subject to any condition which may be imposed thereon by the grantor or donor and agreed to by such corporation not inconsistent with the proper use of such property by the state for armory or military purposes as herein provided.

(2) To exercise the power of eminent domain in the manner provided by chapter 117, for the purpose of acquiring any property which such corporation is herein authorized to acquire by condemnation; provided, that the corporation may take possession of any such property so to be acquired at any time after the filing of the petition describing the same in condemnation proceedings; provided further, that this shall not preclude the corporation from abandoning the condemnation of any such property in any case where possession thereof has not been taken.

(3) To construct and equip new armories as authorized herein; to pay therefor out of the funds obtained as hereinafter provided and to hold, manage, and dispose of such armory, equipment, and site as hereinafter provided. The total amount of bonds issued on account of such armories shall not exceed the amount of the cost thereof; provided also, that the total bonded indebtedness of the commission shall not at any time exceed the aggregate sum of $45,000,000.

(4) To provide partnerships with federal and state governments and to match federal and local funds, when available.

(5) To sue and be sued.

(6) To contract and be contracted with in any matter connected with any purpose or activity within the powers of such corporations as herein specified; provided, that no officer or member of such corporation shall be personally interested, directly or indirectly, in any contract in which such corporation is interested.

(7) To employ any and all professional and nonprofessional services and all agents, employees, workers, and servants necessary and proper for the purposes and activities of such corporation as authorized or contemplated herein and to pay for the same out of any portion of the income of the corporation available for such purposes or activities. The officers and members of such corporation shall not receive any compensation therefrom, but may receive their reasonable and necessary expenses incurred in connection with the performance of their duties; provided however, that whenever the duties of any member of the commission require full time and attention the commission may compensate the member therefor at such rates as it may determine.

(8) To borrow money and issue bonds for the purposes and in the manner and within the limitations herein specified, and to pledge any and all property and income of such corporation acquired or received as herein provided to secure the payment of such bonds, subject to the provisions and limitations herein prescribed, and to redeem any such bonds if so provided therein or in the mortgage or trust deed accompanying the same.

(9) To use for the following purposes any available money received by such corporation from any source as herein provided in excess of those required for the payment of the cost of such armory and for the payment of any bonds issued by the corporation and interest thereon according to the terms of such bonds or of any mortgage or trust deed accompanying the same:

(a) to pay the necessary incidental expenses of carrying on the business and activities of the corporation as herein authorized;

(b) to pay the cost of operating, maintaining, repairing, and improving such new armories;

(c) if any further excess money remains, to purchase upon the open market at or above or below the face or par value thereof any bonds issued by the corporation as herein authorized, provided that any bonds so purchased shall thereupon be canceled.

(10) To adopt and use a corporate seal.

(11) To adopt all needful bylaws and rules for the conduct of business and affairs of such corporation and for the management and use of all armories while under the ownership and control of such corporation as herein provided, not inconsistent with the use of such armory for armory or military purposes.

(12) Such corporation shall issue no stock.

(13) No officer or member of such corporation shall have any personal share or interest in any funds or property of the corporation or be subject to any personal liability by reason of any liability of the corporation.

(14) The Minnesota State Armory Building Commission created under section 193.142 shall keep all money and credits received by it as a single fund, to be designated as the "Minnesota State Armory Building Commission fund," with separate accounts for each armory; and the commission may make transfers of money from funds appertaining to any armory under its control for use for any other such armory; provided

such transfers shall be made only from money on hand, from time to time, in excess of the amounts required to meet payments of interest or principal on bonds or other obligations appertaining to the armory to which such funds pertain and only when necessary to pay expenses of construction, operation, maintenance, debt service, and other obligations reasonable and necessary, of such other armory; provided further, no such transfer of any money paid for the support of any armory by the municipality in which such armory is situated shall be made by the commission.

(15) The corporation created under section 193.142 may designate one or more state or national banks as depositories of its funds, and may provide, upon such conditions as the corporation may determine, that the treasurer of the corporation shall be exempt from personal liability for loss of funds deposited in any such depository due to the insolvency or other acts or omissions of such depository.

(16) The governor is empowered to apply for grants of money, equipment, and materials which may be made available to the states by the federal government for leasing, building, and equipping armories for the use of the military forces of the state which are reserve components of the armed forces of the United States, whenever the governor is satisfied that the conditions under which such grants are offered by the federal government, are for the best interests of the state and are not inconsistent with the laws of the state relating to armories, and to accept such grants in the name of the state. The Minnesota State Armory Building Commission is designated as the agency of the state to receive such grants and to use them for armory purposes as prescribed in this chapter, and by federal laws, and regulations not inconsistent therewith.

History: *1947 c 133 s 3; 1949 c 459 s 2; 1955 c 18 s 3; 1963 c 183 s 1; 1977 c 11 s 7; 1977 c 219 s 1; 1985 c 248 s 70; 1986 c 444; 1988 c 710 s 1; 1997 c 24 s 18; 2000 c 492 art 1 s 57; 2006 c 214 s 20; 2024 c 100 s 8; 2025 c 30 art 2 s 5*

193.1431 [Repealed, 1977 c 219 s 4]

193.144 SITE.

Subdivision 1. **Authority to provide site.** Any county or municipality as defined in section 471.345, subdivision 1, desiring to construct a new armory may provide a site therefor as hereinafter provided.

Subd. 2. **Acquisition of site; conveyance to corporation.** If such county or municipality as defined in section 471.345, subdivision 1, shall desire to have a new armory constructed, such county or municipality may secure by purchase, gift, or condemnation, and may convey to such corporation, a site for such new armory approved as suitable therefor by the adjutant general. In case such site or any part thereof or interest therein is owned or controlled by the board of park commissioners of such county or municipality or by any other governmental agency therein except the state or county or municipality, such board or other agency may convey the same by way of gift or sale to such corporation without charge.

Subd. 3. **Outstanding ownership or interest.** In case any person or corporation except such county, municipality or board of park commissioners or other governmental agency hereinbefore referred to shall own any lands required for such site, whether provided under subdivision 2 or under this section, or any interest in any such lands which would interfere with the use thereof by the state for armory or military purposes, such county or municipality or such board of park commissioners or other governmental agency may acquire such lands or interest by purchase, gift, or condemnation and may convey the same by way of gift or sale to such corporation; provided, that notwithstanding any such outstanding ownership or interest, such corporation may, in its discretion, with the approval of the adjutant general, accept a conveyance of such lands and interests in lands for such site as may be owned or controlled by such county, municipality, board of park commissioners, or other governmental agency, and may acquire by purchase, gift, or condemnation any further lands or interests in lands that may be required for such site.

Subd. 4. **Eminent domain.** The governing body of such county or municipality and such board of park commissioners and any other governmental agency concerned shall have power to exercise the power of eminent domain in the manner provided by chapter 117, for the purpose of acquiring any lands or interests in lands authorized to be acquired as aforesaid.

Subd. 5. **Lease of lands by state to corporation.** In the event that the state of Minnesota shall own any lands or interest in lands included in the site of such existing armory and required for site of such new armory, such lands or interest therein shall be leased by the state to such corporation for a period of not exceeding 40 years without any consideration other than the use of such property by the state for armory or military purposes as herein provided and the provision hereof for the conveyance to the state of the new armory building and the site thereof. The adjutant general shall have power to execute such lease to such corporation in the name of the state; provided, that such corporation shall have no power to mortgage or encumber any lands or interest so leased to it by the state except to the extent of such leasehold interest and subject to the conditions and limitations herein prescribed.

Subd. 6. **Disposal of unused site.** In case any land acquired for armory site purposes hereunder has been donated to such corporation or to the state of Minnesota by such county or municipality or by other governmental agency except the state, and in case such land or any part thereof shall thereafter not be used for armory purposes for a continuous period of more than ten years, not including the period of any war or other emergency in which the armed forces of the state may be engaged, the county or municipality may provide written notice to the adjutant general and, if the property is not used for armory purposes within one year from the notice, the adjutant general shall reconvey the property to the donor county or municipality. The adjutant general may reconvey the property in less than ten years, if the adjutant general determines that the corporation or the state has no further interest in the property.

History: *1947 c 133 s 4; 1955 c 18 s 4; 1969 c 40 s 2-6; 1971 c 298 s 1; 1997 c 24 s 19-21; 1Sp2001 c 10 art 2 s 65; 2006 c 214 s 20*

193.145 FUNDS FOR CONSTRUCTION OF ARMORY; TAX LEVY.

Subdivision 1. [Repealed, 1996 c 310 s 1]

Subd. 2. **Tax levy.** A county or municipality, as defined in section 471.345, subdivision 1, in which an armory has been constructed or is to be constructed hereunder may by resolution of its governing body irrevocably provide for levying and collecting annually for a specified period, not exceeding 40 years, a tax on the taxable property in the county or municipality.

The proceeds of the levy shall be paid to the corporation for the purposes herein prescribed. The county or municipality may make the levies and payments and bind itself thereto by resolution of its governing body. The provisions of the resolution may be made conditional upon the giving of an agreement by the adjutant general as authorized in subdivision 4. The obligations of the county or municipality to levy, collect, and pay over the taxes shall not be deemed to constitute an indebtedness of the county or municipality within the meaning of any provision of law or of its charter limiting its total or net indebtedness, and such taxes may be levied and collected without regard to any charter provision limiting the amount or rate of taxes which such county or municipality is otherwise authorized to levy.

Subd. 3. [Repealed, 1987 c 384 art 2 s 113]

Subd. 4. **Payments by adjutant general.** Whether or not bonds are issued, the adjutant general is hereby authorized to pay to such corporation, out of any money which may from time to time be appropriated to and for the military department and not appropriated or set apart for any other specific purpose, the sum of

not less than $3,000 per year for each unit of the National Guard quartered in such armory when only one such unit is so quartered, and the sum of not less than $2,000 per year for each additional unit when more than one such unit is so quartered, and may bind the Office of the Adjutant General, both currently and in the future, by agreement to such corporation to make such payments in a specific amount or amounts out of such appropriations for a period of not more than 40 years.

Subd. 5. **Lease to state.** Upon completion of each new armory such corporation shall lease the same to the state through the adjutant general, until such armory and site shall be conveyed to the state as hereinafter provided. Such lease shall be made upon such terms and conditions as shall secure to the state the full and complete use of such armory, for armory and military purposes so far as may be required for the headquarters, organizations, and units of the National Guard stationed in such municipality, and upon such other terms and conditions not inconsistent therewith as may be agreed upon; provided, that, except for such use of such property for armory and military purposes which will be secured to the state as aforesaid, such lease shall be subject to any encumbrance placed upon the property to secure the payment of any bonds issued as herein provided. No further consideration for such lease shall be required than the payments to be made by the state as provided by subdivision 4. Otherwise, and so far as it is not inconsistent with the terms and conditions of such lease to the state and so far as will not interfere with the use by the state of such property for armory or military purposes, such corporation may lease, rent, or otherwise make use of such new armory building or any part thereof for such purposes and upon such terms as such corporation may deem proper, and may use the rents and profits therefrom for the purposes herein provided.

History: *1947 c 133 s 5; 1963 c 183 s 2,3; 1969 c 40 s 7; 1973 c 583 s 13; 1973 c 773 s 1; 1977 c 11 s 9; 1977 c 219 s 2; 1986 c 444; 1987 c 384 art 2 s 49; 1989 c 277 art 4 s 18; 1994 c 505 art 3 s 5; 1997 c 24 s 22-24; 1Sp2001 c 10 art 2 s 66*

193.146 ISSUANCE OF BONDS.

Subdivision 1. **Authority to issue.** In anticipation of the receipt of such corporation of the tax proceeds, appropriations, rents, and profits specified in section 193.145, and of income from any other source, and for the purpose of securing funds as needed for payment of the cost of such new armories and for other purposes herein authorized, such corporation is hereby authorized to issue its bonds bearing interest at a rate not to exceed the maximum prescribed by section 475.55, payable semiannually.

Subd. 2. **Limitation.** Such bonds shall be of such date, denomination, place of payment, form, and details as may be determined by such corporation not inconsistent with the provisions of sections 193.141 to 193.149. Such bonds shall mature serially, the first installment to fall due in not more than five years and the last in not more than 40 years from their date, and no annual maturing installment shall exceed by 2-1/2 times the amount of the smallest annual maturing installment; provided, that the amount of such installments of principal may be such that the increase thereof from year to year shall approximately equal the decrease from year to year in the interest on the bonds remaining unpaid.

Subd. 3. **Execution.** Such bonds shall be signed by the adjutant general, as chair, attested by the secretary, and countersigned by the treasurer of such corporation, and the interest coupons to be thereto attached shall be executed and authenticated by the printed, engraved, or lithographed facsimile signatures of such chair and secretary.

Subd. 4. **Sale.** The bonds shall be sold by the corporation under notice and upon the terms and at times as the corporation shall deem best. The bonds shall not be deemed or construed to be debts of the state of Minnesota or of the county or municipality in which the armory is situated, nor to impose any personal liability upon any member of the corporation, but shall be payable solely out of the income to be received

by the corporation as specified herein. Bonds legally issued pursuant hereto shall be deemed authorized securities within the provisions of section 50.14, and laws supplemental thereto, and shall be proper for the investment of capital, surplus, or deposits of any savings bank or trust company, and for the investment of funds of any insurance company, and for the investment of any sinking funds held by any public or municipal corporation, and may be pledged by any bank or trust company as security for the deposit of public moneys therein in lieu of surety bonds. The bonds shall be deemed and treated as instrumentalities and obligations of a public governmental agency.

History: *1947 c 133 s 6; 1969 c 40 s 8; 1977 c 219 s 3; 1980 c 607 art 14 s 32; 1983 c 213 s 9; 1986 c 444*

193.147 MORTGAGE.

To secure the prompt and full payment of such bonds and interest thereon such corporation may mortgage such armory building and the site thereof and may pledge the income or any part thereof receivable by such corporation to any trustee under such provisions that upon default in the payment of the principal or of interest on any such bonds all of such bonds may be declared due and payable, and such mortgage foreclosed in like manner as other mortgages are foreclosed in this state, subject to the provisions of sections 193.141 to 193.149. The purchaser at any sale upon such foreclosure shall acquire the right of possession and the right to operate such building under such terms and conditions as may be specified in said mortgage and not inconsistent with the use of the property by the state for armory and military purposes, such possession and right of operation to continue until full principal and interest on such bonds or the amount bid upon such foreclosure sale shall have been paid out of the net rents and profits received from such operation or out of moneys otherwise provided as set forth in section 193.145. Such mortgage or deed of trust may contain any other provisions not inconsistent with the provisions of sections 193.141 to 193.149 or with the use of such building by the state for armory or military purposes as are customarily included for the benefit and protection of the parties to such instruments, including provisions for the insurance thereof, appointment of a receiver in the event of a default by the mortgagor, exemption of the members of such corporation from any personal liability, and other such provisions. Nothing contained in such mortgage shall be deemed or construed to constitute a liability of the state of Minnesota, nor to impose any personal liability upon any member of such corporation. Such mortgage or deed of trust may be recorded in the office of the appropriate county recorder without the payment of any mortgage registry tax.

History: *1947 c 133 s 7; 1976 c 181 s 2*

193.148 CONVEYANCE TO STATE.

When payment has been made of all indebtedness incurred by such corporation or of all funds spent by the corporation incident to the procurement, erection, equipment, and operation of any armory built under the provisions of sections 193.141 to 193.149, including the payment in full of the principal and interest of all bonds issued by such corporation to cover the cost of such armory or the full repayment of any commission funds expended for the construction of such armory, such corporation shall transfer and convey such armory building and the site thereof to the state of Minnesota, for military purposes, to be administered as are other state-owned armories.

Any unencumbered balance then held by the commission accruing to such armory shall be retained to be applied to the future maintenance, repair, and equipment of armories.

History: *1947 c 133 s 8; 1997 c 24 s 25; 1Sp2001 c 10 art 2 s 67*

193.149 EXAMINATION BY LEGISLATIVE AUDITOR.

The books and affairs of such corporation shall be subject to examination by the legislative auditor.

History: *1947 c 133 s 9; 1973 c 492 s 14; 1977 c 347 s 33*

193.18 [Repealed, 1969 c 40 s 12]

193.19 [Repealed, 1969 c 40 s 12]

193.20 [Repealed, 1969 c 40 s 12]

193.22 JOINT ARMORIES AND MUNICIPAL BUILDINGS.

Whenever a company of the National Guard shall be located in a city wherein no suitable armory has been provided for its use, an armory may be constructed for use jointly by such company or battery and by such city. The mayor or president of the council of such city and the commanding officer of the company or other unit stationed at such place, or if there be more than one company then the senior officer of the troops of such station, shall constitute a joint armory commission, with power to purchase, erect or rent a suitable site or building for such armory and to furnish and keep the same in repair. No new armory shall be purchased, erected, or rented under the provisions of this section from and after May 1, 1943, without the approval of the adjutant general.

History: *(2507) 1921 c 506 s 113; 1943 c 108 s 37; 1973 c 123 art 5 s 7*

193.23 STATE AID.

Subdivision 1. **Prerequisites.** Whenever such joint armory commission shall have deposited with the commissioner of management and budget at least $1,000 as evidence of good faith and shall have caused to be conveyed to the state of Minnesota by warranty deed, free of encumbrances, the title to the site for an armory, which site shall have been first approved by the adjutant general, such joint armory commission shall be entitled to receive the same amount of state aid as is prescribed by law for other armories, which state aid shall be paid to such joint armory commission in the manner prescribed by the Military Code for state armories.

Subd. 2. **Adjutant general to designate uses.** The adjutant general shall designate the place needed for drill hall, office, locker rooms, storage and rifle range, and the immediate control of the portions of the armory so designated shall be vested in the armory board provided for by law, and such portion of such armory shall be subject to the laws of this state relating to armories. The control of the other portions of such armory shall be vested in the municipal authorities.

Subd. 3. **General control of building.** The general control of the building as a whole shall be vested in a committee consisting of two persons, one the commanding officer of the military organization in control of a portion of the armory and the other appointed by the municipality upon such terms as may be agreed upon, provided, any agreement for general control of such armory shall be first approved by the adjutant general. In case such an agreement is made the state shall furnish the regular appropriation provided for armory maintenance and all other expenses of keeping up the building shall be paid by the municipality.

History: *(2508) 1921 c 506 s 114; 1943 c 108 s 38; 2003 c 112 art 2 s 50; 2009 c 101 art 2 s 109*

193.27 DISPOSITION OF UNUSED FUNDS.

In any county or municipality in this state, however organized, in which there have heretofore been bond issues or tax levies made for the construction of a public armory building in such county or municipality, which armory building has not been constructed and the moneys received from such bonds issued or taxes levied remain unexpended, upon a unanimous vote of the county board or municipal council such funds or any or all thereof may be invested by such county board or municipal council or used and expended by it for any public purpose within such county or municipality.

History: *(2499-2) 1927 c 146 s 1; 1969 c 40 s 9*

193.29 CONTROL OF NEW ARMORY.

Subdivision 1. **Armory board.** The adjutant general may delegate authority for the control, operation, and use of each armory building and grounds occupied by any of the military forces of the state to an armory board consisting of officers, warrant officers, or enlisted personnel representing the organization or organizations quartered therein, as hereinafter provided, except that the commission-owned armories which have been or may be constructed or acquired and operated under the provisions of sections 193.139 to 193.149, and acts supplementary thereto shall be controlled and operated as provided therein.

Subd. 2. **Composition of board.** For each armory occupied by a single company or other unit the armory board shall consist of senior officers, warrant officers, or enlisted personnel of the unit quartered therein.

Subd. 3. **Joint boards.** In all cases in which more than one company or other unit of the military forces shall occupy the same armory, the armory board shall consist of military personnel assigned to the units or organizations quartered therein. The adjutant general shall designate by order from time to time the representatives of each unit quartered therein to comprise the armory board for each armory. In the discretion of the adjutant general, the membership of the board may be comprised of officers, warrant officers, and enlisted personnel and may be changed from time to time so as to give the several organizations quartered therein proper representation on the board.

Subd. 4. **Rentals; proceeds.** The armory board may rent an armory to entities or individuals under terms and conditions as determined by the adjutant general, but rentals may not conflict with the use of the armory for military purposes. The proceeds of rentals and all other income accruing to each armory constitutes the armory fund and must be applied by the armory board of each armory, as the adjutant general shall direct, for its maintenance, extension, improvement, and equipment, but all armory funds and all allowances from the state accruing to commission-owned armories must be paid to the commission.

History: *(2506) 1921 c 506 s 112; 1943 c 108 s 36; 1947 c 125 s 13; 1965 c 114 s 3; 1986 c 444; 1997 c 24 s 26; 1999 c 46 s 3-5; 2005 c 156 art 4 s 5; 2024 c 100 s 9,10*

193.30 MANAGEMENT OF ARMORY BOARD.

The senior member on each armory board shall be the chair, and the junior member thereof shall be the recorder. A record of the proceedings of the board shall be kept, and all motions offered, whether seconded or not, shall be put to a vote and the result recorded. In the case of a tie vote the adjutant general, upon the request of any member, shall decide. The governor may make and alter rules for the government of armory boards, officers, and other persons having charge of armories, arsenals, or other military property of the state.

History: *(2509) 1921 c 506 s 115; 1943 c 108 s 39; 1985 c 248 s 70; 1986 c 444; 2005 c 156 art 4 s 6*

193.31 CONTROL OF DRILL HALL.

The senior member of any company or other organization assembling at an armory for drill or instruction shall have control of the drill hall or other portion of the premises used therefor during such occupancy, subject to the rules prescribed for its use and the orders of that member's superior. Any person who intrudes contrary to orders, or who interrupts, molests, or insults any troops so assembled, or who refuses to leave the premises when properly requested so to do, shall be guilty of a misdemeanor. Nothing in this section shall prevent reasonable inspection of the premises by the proper municipal officer, or by the lessor thereof in accordance with the terms of the lease.

History: *(2510) 1921 c 506 s 116; 1943 c 108 s 40; 1986 c 444; 2005 c 156 art 4 s 7*

193.32 [Repealed, 1963 c 436 s 2]

193.33 [Repealed, 1971 c 202 s 11]

193.331 LIQUOR IN ARMORIES; PENALTY.

Except with the express consent and in accordance with the rules of the adjutant general, every person who introduces a spirituous, vinous, or malt liquor into an armory or arsenal, unless under prescription of a medical officer of the guard and only for medical purposes is guilty of a misdemeanor.

History: *1971 c 202 s 10; 1985 c 248 s 70*

193.34 USE OF ARMORIES BY PATRIOTIC AND SERVICE MEMBER'S ORGANIZATIONS.

The use of armories for the regular meetings or functions of those patriotic societies or recognized military service members organizations holding charters from Congress or incorporated in this state shall be granted by the armory board or officer in charge of any armory at such times and under such circumstances as not to interfere with the use of the armory for military purposes by the company or companies quartered therein, subject to the armory rules as are in force governing the use of such armories.

History: *(2516) 1921 c 506 s 122; 1927 c 414 s 1; 1985 c 248 s 70; 1986 c 444*

193.35 [Repealed, 1983 c 301 s 235]

193.36 UNUSED ARMORIES.

Subdivision 1. **Adjutant general may close.** Whenever the unit or units of the military forces of the state which are quartered in an armory acquired or erected in whole or in part by state funds have been called or ordered into federal service or have been mustered out of the service of the state, and there is no immediate prospect that a new military unit will be organized in the place where the armory is located, the adjutant general shall immediately take possession of and close the same, and shall not permit its use for other than military purposes except as otherwise provided by law.

Subd. 2. **May sell and convey property.** In any case when the adjutant general finds it advantageous for military training, the adjutant general may sell and convey property to the municipality or county in which the property is located at a price to be determined by an appraiser to be selected by the adjutant general. The money received must be credited to the general fund and is appropriated to the adjutant general to be used: (1) as a contribution for the construction or acquisition of an armory, armories, or armory facilities to replace the one sold; or (2) for the maintenance, operation, repair, rehabilitation, or improvement of existing armory facilities. The money may also be transferred to the Minnesota State Armory Commission: (1) for the replacement of an armory, armories, or armory facilities constructed or acquired by the commission; or

(2) for the maintenance, operation, repair, rehabilitation, or improvement of facilities owned by the commission. If the money received is not expended for the purposes stated in this subdivision within ten years after the old armory has been sold, the appropriation to the adjutant general as provided in this subdivision lapses. In the event that both the municipality and the county desire to purchase the armory, the municipality must be given first priority to purchase the armory. In addition to money, the adjutant general may consider local government contributions to include the donation of land, provision of utilities to provide for a new armory, or other expenditures by the municipality or county.

If the municipality or county does not purchase the property after a reasonable opportunity, the adjutant general may sell and convey it to any person after a public sale of the property by first advertising for bids or proposals for three consecutive weeks in a newspaper of general circulation in the area that the property is located and accepting the proposal most favorable to the department. The adjutant general may reject all proposals. The proceeds of the sale must be credited as provided in this subdivision. The adjutant general may lease any armory remaining unsold to the municipality for public purposes.

Subd. 2a. **May sell and convey property in certain cases to limited resource municipalities.** The adjutant general may sell and convey property to a municipality at a price to be determined by the adjutant general with the condition that the property remain in public use by the municipality for no less than 25 years, if the adjutant general:

(1) finds it advantageous for military training;

(2) intends to sell and convey property located in a municipality; and

(3) determines that the municipality in which the property is located lacks sufficient property tax base or other resources to purchase the property at the appraised value.

Subd. 2b. **Exchange of property.** The adjutant general with the approval of the Land Exchange Board may exchange any property for any publicly or privately held property without regard for value when the adjutant general finds it advantageous for military training, operations, or reduction of management costs.

Subd. 3. **Disposition of unsuitable armory sites and buildings.** The adjutant general with the approval of the governor, may sell and convey on behalf of the state any state armory sites and buildings which in the judgment of the adjutant general are unsuitable for military purposes or which have been condemned by proper authority as unsafe. Money received from the sale of such armories shall be paid into the state treasury and credited to the maintenance appropriation of the Department of Military Affairs or the Minnesota State Armory Building Commission as determined by the adjutant general.

Subd. 4. **Bond financed property.** Notwithstanding a provision to the contrary in this section, all conveyances, sales, or exchanges under this section of state bond financed property, as defined in section 16A.695, subdivision 1, are subject to section 16A.695, subdivision 3.

History: *(2505) 1921 c 506 s 111; 1943 c 108 s 35; 1963 c 183 s 4; 1969 c 40 s 10; 1969 c 399 s 49; 1973 c 492 s 14; 1977 c 11 s 10; 1978 c 477 s 1; 1984 c 442 s 7; 1995 c 186 s 49; 1996 c 299 s 1; 2024 c 100 s 11-15*

193.37 COUNTIES CONTAINING CITY OF FIRST CLASS; APPLICATION.

Laws 1969, chapter 40, sections 1 to 10, authorizing county participation shall not apply to any county containing a city of the first class.

History: *1969 c 40 s 11*

193.38 CITY FACILITIES SHARED WITH ARMORIES.

A home rule charter or statutory city in which an armory has been or may be constructed may, by resolution of its governing body and with the concurrence of the Minnesota State Armory Building Commission, provide for the acquisition, construction, or improvement of city owned facilities related to the armory. The city may acquire property for the purposes of this section pursuant to chapter 117. General obligation bonds may be issued pursuant to chapter 475 except as provided in this section for the acquisition, construction, or improvement in an amount that does not exceed the value of the commission's investment in the armory property. Before issuance of bonds, the city shall give three weeks' published notice. If a number of voters in the city equal to ten percent of those who voted for candidates for governor at the last gubernatorial election present a petition within six weeks of the first published notice to the city clerk requesting that the matter be submitted to popular vote, it shall be submitted at the next regular election.

If a majority of those voting on the question approve it or if no petition is presented within the prescribed time, the city may issue the bonds and levy a tax for the purpose of this section in accordance with section 475.61. The city and the Minnesota State Armory Building Commission may contract for the purpose of allocating the use and occupancy of the joint facility. The city may enter into other leases and contracts concerning the use and occupancy of the city owned portion of the joint facility with any other unit of government or political subdivision, their agencies, or any nonprofit corporation.

History: *1982 c 484 s 1*