

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

Section 1. Minnesota Statutes 1984, section 161.32, is amended by adding a subdivision to read:

Subd. 6. LANDSCAPE CONTRACTORS; PAYMENT. When goods or services are provided to the commissioner by a landscape contractor for the landscaping of a trunk highway, the commissioner shall agree in the contract to pay the landscape contractor 100 percent of the value of the contract upon completion of the contracted work. The commissioner may require the contractor, as part of the contract, to post a bond for a sum not exceeding 125 percent of the value of the contract, payable to the commissioner, and conditioned upon the work's compliance with the contract terms, for a period of one year beyond the work completion date.

Approved May 6, 1985

CHAPTER 77 — H.F.No. 951

An act relating to the Minnesota historical society; authorizing local heritage preservation commissions; amending Minnesota Statutes 1984, section 471.193.

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

Section 1. Minnesota Statutes 1984, section 471.193, is amended to read:
471.193 MUNICIPAL HERITAGE PRESERVATION.

Subdivision 1. **POLICY.** The legislature finds that the preservation of buildings, lands, areas, or districts which possess historical or architectural significance will promote the educational, cultural, and general welfare of the public and that the acquisition and management of property in such manner as will preserve buildings or areas of historical or architectural value in order to promote the cultural, educational, and economic well-being of the people of the state serves a public purpose historical, architectural, archaeological, engineering, and cultural heritage of this state is among its most important assets. Therefore, the purpose of this section is to authorize local governing bodies to engage in a comprehensive program of historic preservation, and to promote the use and conservation of historic properties for the education, inspiration, pleasure, and enrichment of the citizens of this state.

Subd. 2. **HERITAGE PRESERVATION COMMISSIONS.** In addition to any powers provided by law or charter, the council of any city may provide by ordinance for the appointment of The governing body of a statutory or home rule charter city, county, or town as described in section 368.01,

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subdivisions 1 and 1a may establish a heritage preservation commission for the purpose of preserving buildings, lands, areas, or districts within the municipality which are determined by the commission to possess particular cultural or educational value to preserve and promote its historic resources according to this section.

Subd. 3. **POWERS.** The powers and duties of any commission established pursuant to this section shall be such as are may include any power possessed by the political subdivision creating the commission, but shall be those delegated or assigned by the ordinance establishing the commission and for the purposes of this section. These powers may include:

(1) the survey and designation of districts, sites, buildings, structures, and objects that are of historical, architectural, archaeological, engineering, or cultural significance;

(2) the enactment of rules governing construction, alteration, demolition, and use, including the review of building permits, and the adoption of other measures appropriate for the preservation, protection, and perpetuation of designated properties and areas;

(3) the acquisition by purchase, gift, or bequest, of a fee or lesser interest, including preservation restrictions, in designated properties and adjacent or associated lands which are important for the preservation and use of the designated properties;

(4) requests to the political subdivision to use its power of eminent domain to maintain or preserve designated properties and adjacent or associated lands;

(5) the sale or lease of air rights;

(6) the granting of use variations to a zoning ordinance, and any power possessed by the municipality subject to modification from time to time by the council. The commission may request the council to use its power of eminent domain to maintain or preserve buildings, lands, areas or districts which have been determined by the commission to be of historical or architectural value;

(7) participation in the conduct of land use, urban renewal, and other planning processes undertaken by the political subdivision creating the commission; and

(8) the removal of blighting influences, including signs, unsightly structures, and debris, incompatible with the physical well-being of designated properties or areas.

No power shall be exercised by a commission which is contrary to state law or denied a municipality political subdivision by its charter or by law. Powers of a commission shall be exercised only in the manner prescribed by

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ordinance and no action of a commission shall contravene any provision of a municipal zoning or planning ordinance unless expressly authorized by ordinance.

Subd. 4. **EXCLUSION.** If a commission is established by the city of St. Paul, it shall for the purpose of this section exclude any jurisdiction over the capitol area as defined in section 15.50, subdivision 2.

Subd. 5. **COMMISSION MEMBERS.** Commission members must be persons with demonstrated interest and expertise in historic preservation and must reside within the political subdivision regulated by the ordinance establishing the commission. Every commission shall include, if available, a member of a county historical society of a county in which the municipality is located. Every program proposed by the commission shall be forwarded to the Minnesota historical society which

Subd. 6. **COMMUNICATION WITH THE STATE HISTORIC PRESERVATION OFFICER.** Proposed site designations and design guidelines must be sent to the state historic preservation officer at the Minnesota historical society, who shall review and shall comment on the proposal within 60 days. By October 31 of each year, each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities, including designations, reviews, and other activities during the previous 12 months.

Approved May 6, 1985

CHAPTER 78 — H.F.No. 982

An act relating to veterans; providing space in the veterans service building for certain veterans organizations; amending Minnesota Statutes 1984, section 197.58.

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

Section 1. Minnesota Statutes 1984, section 197.58, is amended to read:

197.58 STATE TO PROVIDE SPACE FOR VETERAN ORGANIZATIONS.

The commissioner of administration shall set apart space in the state veterans service building, for the use of each of the following veteran organizations: the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, congressionally chartered veterans organizations and their auxiliaries, incorporated, or when incorporated, under the laws of the state. The commissioner shall honor requests for space from the veterans organizations

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