

Signed by the governor May 13, 1993, 2:55 p.m.

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CHAPTER 143—H.F.No. 882

*An act relating to outdoor recreation; creating the Lake Superior water trail; proposing coding for new law in Minnesota Statutes, chapter 85.*

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

Section 1. [85.0155] LAKE SUPERIOR WATER TRAIL.

Subdivision 1. CREATION. A water trail is created along the Lake Superior shoreline from Park Point in Duluth to the border with Canada. The trail must be primarily developed for kayakers and campers, using existing public lands for designated rest areas.

Subd. 2. COMMISSIONER'S DUTIES. The commissioner of natural resources must coordinate the creation of the water trail by placing signs for rest areas along the lake and working with other public agencies and private resorts owning land along the lake to do the same. At the earliest opportunity, the commissioner shall make available a water trail map depicting the designated rest areas for the touring public.

Subd. 3. GIFTS; DONATIONS. The commissioner of natural resources is authorized to accept donations of land, or easements in land, for rest areas along the Lake Superior water trail, and may seek and accept money for this purpose from other public and private sources.

Presented to the governor May 11, 1993

Signed by the governor May 13, 1993, 2:57 p.m.

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CHAPTER 144—H.F.No. 974

*An act relating to the capitol area architectural and planning board; clarifying certain duties and powers of the board; amending Minnesota Statutes 1992, section 15.50, subdivision 2.*

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

Section 1. Minnesota Statutes 1992, section 15.50, subdivision 2, is amended to read:

Subd. 2. CAPITOL AREA PLAN. (a) The board shall prepare, prescribe,

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and from time to time, after a public hearing, amend a comprehensive use plan for the capitol area, ~~herein~~ called the area in this subdivision, which ~~shall initially consist~~ consists of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street extended to a point 50 feet south of the south line of Concordia Avenue, thence southeasterly along a line extending 50 feet from the south line of Concordia Avenue to a point 125 feet from the west line of John Ireland Boulevard, thence southwesterly along a line extending 125 feet from the west line of John Ireland Boulevard to the south line of Dayton Avenue, thence northeasterly from the south line of Dayton Avenue to the west line of John Ireland Boulevard, thence northeasterly to the centerline of the intersection of Old Kellogg Boulevard and Summit Avenue, thence northeasterly along the centerline of Summit Avenue to the south line of the right-of-way of the Fifth Street ramp, thence southeasterly along the right-of-way of the Fifth Street ramp to the east line of the right-of-way of Interstate Highway 35-E, thence northeasterly along the east line of the right-of-way of Interstate Highway 35-E to the south line of the right-of-way of Interstate Highway 94, thence easterly along the south line of the right-of-way of Interstate Highway 94 to the west line of St. Peter Street, thence southerly to the south line of Eleventh Street, thence easterly along the south line of Eleventh Street to the west line of Cedar Street, thence southeasterly along the west line of Cedar Street to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin.

Pursuant to Under the comprehensive plan, or any a portion thereof of it, the board may regulate, by means of zoning rules adopted ~~pursuant to~~ under the administrative procedure act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. To protect and enhance the dignity, beauty, and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area significantly affecting the dignity, beauty, and architectural integrity of the area. No person ~~shall~~ may undertake these construction activities as defined in the board's rules in the capitol area without first submitting construction plans to the board, obtaining a zoning permit from the board, and receiving a written certification from the board specifying that the person has complied with all design review procedures and standards. Violation of the zoning rules is a misdemeanor. The board may, at its option, proceed to abate any violation by injunction. The board and the

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city of St. Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. The commissioner shall make studies and report the results to the board when ~~they request~~ it requests reports for ~~their~~ its planning purpose.

(c) No public building, street, parking lot, or monument, or other construction ~~shall~~ may be built or altered on any public lands within the area unless the plans for the ~~same conforms~~ project conform to the comprehensive use plan as specified in ~~clause paragraph~~ (d) and to the requirement for competitive plans as specified in ~~clause paragraph~~ (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or the exterior or interior design of any proposed new public building the plans for which were secured by competition under ~~clause paragraph~~ (e); may be made without the prior consent of the board. The commissioner of administration shall consult with the board regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan ~~shall~~ must show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas ~~and~~, open spaces, monuments, and other memorials; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement ~~shall~~ may be made to public lands or buildings in the area ~~save with~~ without the written approval of the board.

(e) The board shall secure by competitions; plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition; ~~which that~~ may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. ~~Such~~ A competition ~~shall~~ must be conducted under rules prescribed by the board and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected ~~shall~~ become the property of the state of Minnesota, and the board may award one or more premiums in each ~~such~~ competition and may pay ~~such~~ the costs and fees ~~as that~~ may be required for ~~the~~ its conduct thereof. At the option of the board, plans for projects estimated to cost less than \$1,000,000 may be approved without competition provided ~~such~~ the plans have been considered by the advisory committee described in ~~clause~~ (f) paragraph (h). Plans for projects estimated to cost less than \$400,000 and for construction of streets need not be considered by the advisory committee if in conformity with the comprehensive plan.

(f) Notwithstanding paragraph (e), an architectural competition is not required for the design of any light rail transit station and alignment within the capitol area. The board and its advisory committee shall select a preliminary design for any transit station in the capitol area. Each stage of any station's

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design through working drawings must be reviewed by the board's advisory committee and approved by the board to ensure that the station's design is compatible with the comprehensive plan for the capitol area and the board's design criteria. The guideway and track design of any light rail transit alignment within the capitol area must also be reviewed by the board's advisory committee and approved by the board.

(g) Of the amount available for the light rail transit design, adequate funds must be available to the board for design framework studies and review of preliminary plans for light rail transit alignment and stations in the capitol area.

~~(f)~~ (h) The board ~~shall~~ may not adopt any plan under ~~clause~~ paragraph (e) unless it first receives the comments and criticism of an advisory committee of three persons, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. Members of the committee ~~shall~~ may not be contestants under ~~clause~~ paragraph (e). The comments and criticism ~~shall~~ must be a matter of public information. The committee shall advise the board on all architectural and planning matters. For that purpose:

(1) the committee ~~shall~~ must be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the ~~same~~ data are developed or in the process of preparation, whether by the commissioner of administration, the commissioner of trade and economic development, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the board or not retained and engaged in any work or planning relating to the area, and a copy of any such data prepared by any public employee or agency shall must be filed with the board promptly upon completion;

(2) the board may employ ~~such~~ stenographic or technical help ~~as~~ that may be reasonable to assist the committee to perform its duties;

(3) when so directed by the board, the committee may serve as, and any member or members ~~thereof~~ of the committee may serve on, the jury or as professional advisor for any architectural competition, and the board shall select the architectural advisor and jurors for any competition with the advice of the committee; and

(4) the city of Saint Paul shall advise the board.

~~(g)~~ (i) The comprehensive plan for the area ~~shall~~ must be developed and maintained in close cooperation with the commissioner of trade and economic development ~~and~~, the planning department and the council for the city of Saint Paul, and the board of the arts, and no ~~such~~ plan or amendment ~~thereof~~ shall of a plan may be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts and without a public hearing with opportunity for public testimony.

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(h) (j) The board and the commissioner of administration, jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. ~~Pursuant to this power,~~ The board shall consult with and receive advice from the director of the Minnesota state historical society regarding the historic fidelity of plans for the capitol building. The standards and policies developed as ~~herein provided shall be~~ under this paragraph are binding upon the commissioner of administration. The provisions of sections 14.02, 14.04 to 14.36, 14.38, and 14.44 to 14.45 ~~shall do~~ not apply to this clause.

(i) (k) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program. The board shall report any changes to the comprehensive plan adopted by the board to the committee on governmental operations and gambling of the house of representatives and the committee on governmental operations and reform of the senate and upon request shall provide testimony concerning the changes. The board shall also provide testimony to the legislature on proposals for memorials in the capitol area as to their compatibility with the standards, policies, and objectives of the comprehensive plan.

(j) (l) The state shall, by the attorney general upon the recommendation of the board and within appropriations available for that purpose, acquire by gift, purchase, or eminent domain proceedings any real property situated in the area described in this section, and it ~~shall~~ may also ~~have the power to~~ acquire an interest less than a fee simple interest in the property, if it finds that ~~it~~ the property is needed for future expansion or beautification of the area.

(k) (m) The board is the successor of the state veterans' service building commission, and as such may adopt rules and may reenact the rules adopted by its predecessor under Laws 1945, chapter 315, and ~~acts amendatory thereof~~ amendments to it.

(l) (n) The board shall meet at the call of the chair and at such other times as it may prescribe.

(m) (o) The commissioner of administration shall assign quarters in the state veterans service building to (1) the department of veterans affairs, of which ~~such a part as~~ that the commissioner of administration and commissioner of veterans affairs may mutually determine ~~shall~~ must be on the first floor above the ground, and (2) 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, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available, to ~~such~~ other state departments and agencies as the commissioner may deem desirable.

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Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor May 11, 1993

Signed by the governor May 13, 1993, 2:58 p.m.

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**CHAPTER 145—H.F.No. 554**

*An act relating to occupations and professions; authorizing actions against lapsed licenses; requiring roofers to be licensed by the state; providing for temporary licenses and fees; amending Minnesota Statutes 1992, sections 45.027, by adding a subdivision; and 326.83, subdivisions 4, 10, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326.*

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

Section 1. Minnesota Statutes 1992, section 45.027, is amended by adding a subdivision to read:

**Subd. 11. ACTIONS AGAINST LAPSED LICENSE.** If a license lapses, is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the commissioner may institute a proceeding under this subdivision within two years after the license was last effective and enter a revocation or suspension order as of the last date on which the license was in effect, or impose a civil penalty as provided for in subdivision 6.

Sec. 2. Minnesota Statutes 1992, section 326.83, subdivision 4, is amended to read:

Subd. 4. **LICENSEE.** "Licensee" means a residential building contractor, remodeler, roofer, or specialty contractor licensed under sections 326.83 to 326.98.

Sec. 3. Minnesota Statutes 1992, section 326.83, is amended by adding a subdivision to read:

**Subd. 9a. ROOFER.** "Roofer" means a person engaged in the business of doing work on residential real estate in roof coverings, roof sheathing, roof weatherproofing and insulation, and repair of roof systems, but not construction of new roof systems.

Sec. 4. Minnesota Statutes 1992, section 326.83, subdivision 10, is amended to read:

Subd. 10. **SPECIALTY CONTRACTOR.** "Specialty contractor" means a

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