

\$5,000 is appropriated from the general fund to the commissioner of agriculture for payment of expenses for the feedlot and manure management advisory committee.

**Sec. 41. REPORT OF AGENCIES.**

Before January 1, 1996, the commissioner of public safety shall coordinate and present to the legislature a report from all departments, agencies, and organizations receiving funding under this act regarding the specific uses of such funding and the effects of assistance provided under this act to the agricultural economy and rural communities affected by natural disasters in 1993.

**Sec. 42. EFFECTIVE DATE.**

Sections 3 and 10 are effective retroactive to July 1, 1993. Sections 1, 2, 4 to 9, and 11 to 42 are effective the day after final enactment.

Presented to the governor May 6, 1994

Signed by the governor May 10, 1994, 5:58 p.m.

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**CHAPTER 643—H.F.No. 218**

*An act relating to public administration; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of bonds; requiring payment for debt service; reducing certain earlier project authorizations and appropriations; establishing a library planning task force; providing for appointments; appropriating money, with certain conditions; amending Minnesota Statutes 1992, sections 16A.641, subdivision 8; 16A.85, subdivision 1; 16B.24, subdivision 1; 16B.305, subdivision 2; 85.015, subdivision 4; 103G.005, by adding a subdivision; 103G.511; 103G.521, subdivision 1; 103G.535; 116.162, subdivision 2; 124.494, subdivisions 3, 4, 5, and 6; 135A.06, subdivision 4; 136.651; 167.51, subdivision 1; and 471.191, subdivision 1; Minnesota Statutes 1993 Supplement, sections 16B.335, by adding subdivisions; 85.019, by adding a subdivision; 124.494, subdivisions 1, 2, and 4a; and 136.261, subdivisions 1 and 1; Laws 1993, chapter 373, section 18; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 84; 116J; 124C; 134; 135A; 216C; 268; and 462.*

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

**Section 1. CAPITAL IMPROVEMENTS APPROPRIATIONS.**

The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent to acquire and to better public land and buildings and other public improvements of a capital nature, as specified in this act.

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

## SUMMARY

ADMINISTRATION	\$ 47,526,000
CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD	5,163,000
AMATEUR SPORTS COMMISSION	3,119,000
MILITARY AFFAIRS	366,000
FINANCE	5,500,000
CORRECTIONS	72,953,000
HUMAN SERVICES	47,550,000
VETERANS HOMES BOARD	10,630,000
TECHNICAL COLLEGES	45,505,000
COMMUNITY COLLEGES	36,945,000
STATE UNIVERSITIES	57,250,000
UNIVERSITY OF MINNESOTA	68,700,000
EDUCATION	40,304,000
TRANSPORTATION	58,016,000
HOUSING FINANCE AGENCY	2,500,000
JOBS AND TRAINING	2,600,000
LABOR INTERPRETIVE CENTER	750,000
MINNESOTA HISTORICAL SOCIETY	7,035,000
PUBLIC SERVICE	4,000,000
TRADE AND ECONOMIC DEVELOPMENT	4,900,000
MINNESOTA TECHNOLOGIES, INC.	400,000
NATURAL RESOURCES	58,917,000
POLLUTION CONTROL AGENCY	23,401,000
PUBLIC FACILITIES AUTHORITY	13,400,000
BOARD OF WATER AND SOIL RESOURCES	9,800,000
MINNESOTA ZOOLOGICAL GARDEN	21,500,000
BOND SALE EXPENSES	628,000
TOTAL	\$649,358,000
Bond Proceeds Fund	573,383,000
Maximum Effort School Loan Fund	2,967,000
Transportation Fund	45,000,000
Trunk Highway Fund	27,492,000
General Fund	516,000
	APPROPRIATIONS
	\$

## Sec. 2. ADMINISTRATION

Subdivision 1. To the commissioner of administration for purposes specified in this section	47,526,000
Subd. 2. Capital Asset Preservation and Replacement (CAPRA)	10,150,000

This appropriation is for unanticipated

emergencies of a capital nature, projects to remove life safety hazards, elimination or containment of hazardous substances, and replacement and repair of roofs, windows, and other capital assets in accordance with Minnesota Statutes, section 16A.632. This appropriation is available for use at state facilities throughout the state.

The commissioner shall give all state agencies, other than higher education systems, higher education board, and University of Minnesota an opportunity to apply for money for urgently needed projects under this appropriation. The commissioner shall determine project priorities as appropriate based upon need.

Up to \$250,000 of the money appropriated in subdivisions 2 and 3 may be used as necessary to acquire land or interests in land within the capitol area as defined in Minnesota Statutes, section 15.50.

Subd. 3. Statewide Building Access

11,500,000

For improvements of a capital nature to remove barriers and make state-owned buildings, programs, and services accessible to individuals with disabilities, including compliance with federal ADA guidelines. The commissioner shall determine project priorities as appropriate based upon need. In determining project priorities, the commissioner must give lower priority to projects in facilities which the state intends to demolish, sell, or abandon within five years.

Subd. 4. Transportation Building Phase III

13,416,000

To continue life safety renovation at the transportation building in the basement and on the ground, third, fourth, fifth,

and sixth floors. This renovation is to include new heating, ventilation, and air conditioning systems, elevators, lighting, windows, and raised floors.

This appropriation is from the trunk highway fund.

Account balances from previous appropriations for earlier phases of this continuing project may be used for phase III.

Subd. 5. Agency Relocation 1,060,000

This appropriation is from the trunk highway fund for the partial relocation of the department of transportation.

Subd. 6. Health Building Predesign 400,000

For predesign of a new health building and parking ramp in the capitol complex area in St. Paul.

Subd. 7. Military Affairs Facility Predesign 100,000

Subd. 8. Install Security Lighting and Surveillance Equipment 400,000

To proceed with the installation of capitol area security and surveillance equipment of a capital nature.

Subd. 9. Electric Utility Infrastructure 600,000

To improve and upgrade the utility infrastructure in the capitol complex area through installation of a third switchgear.

Subd. 10. Lake Superior Center Authority 4,000,000

To the commissioner of administration for a grant to the Lake Superior center authority for costs to design, construct, furnish, and equip the center.

Use of this appropriation is contingent upon the authority obtaining matching

funds of \$8,000,000 from federal and other nonstate sources.

Subd. 11. Southwest Minnesota Public Television 1,200,000

This appropriation is for a grant to Murray county to construct a noncommercial television tower to enable Pioneer Public Television to provide broadcast services to southwestern Minnesota, subject to new Minnesota Statutes, section 16A.695. The appropriation is available only as matched by an equal amount from nonstate sources.

Subd. 12. Hopkins Performing Arts Center 500,000

This appropriation is for a grant to the city of Hopkins to acquire and better a performing arts center, subject to new Minnesota Statutes, section 16A.695.

This appropriation is not available until the commissioner has determined that the necessary additional financing to complete a \$3,100,000 project has been committed by nonstate sources.

Subd. 13. St. Louis County Heritage and Arts Center 750,000

This appropriation is for a grant to St. Louis county to construct an addition to the St. Louis county heritage and arts center in Duluth, subject to new Minnesota Statutes, section 16A.695.

This appropriation is available only as matched by \$2 of nonstate money for every \$1 of state money.

Subd. 14. Minnesota Children's Museum 1,250,000

This appropriation is for a grant to the city of St. Paul to acquire and better a children's museum as authorized by section 81, subject to new Minnesota Statutes, section 16A.695.

This appropriation is not available until the commissioner has determined that the necessary financing to complete the project has been committed by nonstate sources.

Subd. 15. Science Museum of Minnesota

1,000,000

This appropriation is for a grant to the city of St. Paul to plan and design a science museum as authorized by section 81, subject to new Minnesota Statutes, section 16A.695.

This appropriation is not available until the city of St. Paul has delivered to the commissioner a certified copy of a resolution of the city of St. Paul requesting payment and evidencing the commitment of the city to make a city-owned riverfront site available for the museum at no cost to the nonprofit organization that will operate the museum and the commissioner has determined that the necessary financing to complete the design of the museum has been committed by nonstate sources.

Subd. 16. Gillette Renovation For Humanities Commission

1,200,000

To the commissioner of administration for a grant to the city of St. Paul for renovation of the Gillette Hospital west wing for use by the Minnesota Humanities Commission to operate its educational programs as authorized by section 72.

Sec. 3. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

Subdivision 1. To the capitol area architectural and planning board for the purposes specified in this section

5,163,000

Subd. 2. Restore and Renovate Capitol Building Exterior

5,000,000

To the commissioner of administration

to renovate and improve the capitol including reroofing, repair of the roof balustrade, and Quadriga restoration. No more than \$35,000 of this appropriation is to the capitol area architectural and planning board for design review fees.

Subd. 3. Capitol Building Exterior Maintenance Manual 65,000

This appropriation is from the general fund.

\$65,000 of the unencumbered balance of the appropriation in Laws 1988, chapter 686, article 1, section 6, paragraph (j), is canceled to the general fund.

Subd. 4. Renovate and Improve Security of Attorney General's Office 98,000

Sec. 4. AMATEUR SPORTS COMMISSION

Subdivision 1. To the amateur sports commission for the purposes specified in this section 3,119,000

Subd. 2. National Sports Center Parking Expansion 119,000

To the amateur sports commission to construct 500 additional parking spaces at the national sports center in Blaine. All of the debt service costs on the bonds sold to finance this project must be paid by the national sports center to the commissioner of finance as required by Minnesota Statutes, section 16A.643, but the first payment need not be made until three years after construction is completed.

Subd. 3. John Rose Memorial Oval Speedskating Facility 500,000

To the city of Roseville to complete construction of the John Rose memorial oval speedskating facility in consulta-

tion with the amateur sports commission, contingent on the receipt of \$500,000 in matching funds from other sources.

**Subd. 4. Indoor National Shooting Sports Center**

2,500,000

This appropriation is to construct an indoor national shooting sports center at any site in the taconite tax relief area as defined in Minnesota Statutes, section 273.134.

The appropriation in Laws 1990, chapter 610, article 1, section 25, paragraph (b), for a grant to construct an indoor national shooting sports center at Giant's Ridge in Biwabik, is canceled to the state bond fund.

**Sec. 5. MILITARY AFFAIRS**

366,000

To the adjutant general to renovate kitchen facilities at national guard training and community centers in Anoka, Camp Ripley, Chisholm, Cloquet, Detroit Lakes, Grand Rapids, Hibbing, Litchfield, Marshall, and St. James.

**Sec. 6. FINANCE**

**Defease Prior Local Bonds**

5,500,000

\$2,600,000 is for a grant to the city of Minneapolis to be used, together with such other money of the city as may be necessary, to pay and redeem or defease \$2,600,000 principal amount of bonds issued by the city to finance construction of the Great River Road under Laws 1988, chapter 686, article 1, section 14, item (k).

\$2,900,000 is for a grant to the city of St. Paul to be used, together with such other money of the city as may be necessary, to pay and redeem or defease \$2,900,000 principal amount of bonds issued by the city to finance capital improvements at the Como Park con-

servatory under Laws 1988, chapter 686, article 1, section 14, item (l).

The commissioner of finance may propose additional conditions on the use and investment of the proceeds as may be necessary in his judgment to ensure that the interest on the state bonds issued to fund this appropriation is exempt from federal income taxation.

#### Sec. 7. CORRECTIONS

Subdivision 1. To the commissioner of administration or another named commissioner for the purposes specified in this section

72,953,000

Subd. 2. Minnesota Correctional Facility-Faribault

(a) Add 300 medium security beds

10,000,000

This appropriation includes new construction, demolition, and renovation of a capital nature of the hospital and Poppy, Alpine, Oak, Sierra, Fern, and Rose buildings and related security improvements of a capital nature. Until all the clients of the Faribault regional center are discharged, the Minnesota correctional facility-Faribault shall give preference to the Faribault regional center employees in recruiting, training, and hiring for new Minnesota correctional facility-Faribault positions created by the 300-bed expansion.

(b) Rehabilitate facilities

832,000

This appropriation is to renovate Rogers building to meet fire codes and remove hazardous materials, erect a section of security fence by the hospital building, replace inadequate heating systems in Maple and Cedar living units, and construct internal roads.

Subd. 3. Minnesota Correctional Facility-Lino Lakes

(a) Add 485 adult male beds

10,444,000

This appropriation is to remodel B building from an industries building to living units, construct two new living units, and upgrade security and support service areas.

(b) Education Building

182,000

This appropriation is to improve and expand the Lino Lakes facility's school building.

\$182,000 of the appropriation in Laws 1992, chapter 558, section 9, subdivision 4, to infill the area between buildings G and F1 at the MCF-Lino Lakes is canceled to the state bond fund.

Subd. 4. Minnesota Correctional Facility-Moose Lake

19,000,000

This appropriation is to complete the conversion of the Moose Lake regional treatment center into a medium security prison housing up to 620 inmates. This includes relocation of state highway 289, purchase of an emergency generator, upgrading the elevators to meet fire codes, securing stairways and tunnels, and major repair or replacement of ceilings, windows, exterior doors, and the electrical distribution system.

This appropriation is added to the appropriation in Laws 1993, chapter 373, section 8, subdivision 2, and the maximum total cost of the facility is increased from \$25,800,000 to \$28,600,000.

Subd. 5. Minnesota Correctional Facility-Red Wing

(a) Construct 30-bed facility

2,700,000

This appropriation is to construct, furnish, and equip a new 30-bed residential facility for the secure detention of violent and juvenile offenders until they are able to control their behavior in an open campus environment.

(b) Replace emergency generators 315,000

Subd. 6. Minnesota Correctional Facility-Shakopee 80,000

This appropriation is to predesign a new 60-bed living unit and support areas at Minnesota correctional facility-Shakopee.

Subd. 7. Minnesota Correctional Facility-Stillwater

(a) Education complex and C annex 4,500,000

This appropriation is to convert the auditorium building into an education complex and convert C annex into a library with interview rooms for inmates.

(b) Industry buildings 1,700,000

This appropriation is to renovate existing facilities and to construct, furnish, and equip industry buildings. This includes renovation of a capital nature of the farm machinery building, cordage warehouse, and foundry building.

Subd. 8. Thistledeew Education Building 1,200,000

This appropriation is to construct, furnish, and equip an education building at Thistledeew Camp to serve 48 students.

Subd. 9. Close Custody Facility 2,000,000

This appropriation is for predesign and design development for a new 800-bed close custody facility in or near the Twin Cities metropolitan area.

Subd. 10. Juvenile Detention Facilities Construction Grants 16,565,000

To the commissioner of corrections for grants to counties for construction of secure juvenile detention and treatment facilities, as provided in section 79.

Of this amount, \$1,250,000 is for detention facilities that provide culturally

sensitive programming for male and female juveniles in Hennepin and Ramsey counties.

Subd. 11. Northwestern Minnesota Juvenile Training Center Supplemental Grant

3,435,000

To the commissioner of corrections for a grant to Beltrami county as fiscal agent for the northwestern Minnesota juvenile training center, to design, construct, equip, and furnish a juvenile detention and treatment facility.

### Sec. 8. HUMAN SERVICES

Subdivision 1. To the commissioner of administration for purposes specified in this section

47,550,000

Subd. 2. Homes for State-Operated Waiver Services (SOCS)

8,835,000

\$6,135,000 is to purchase and remodel, or construct up to 43 four-bed homes for purposes of state-operated waiver services programs for developmentally disabled individuals at various locations throughout the state.

\$2,700,000 of this appropriation is for a contingency to acquire and better additional four-bed homes for purposes of state-operated waiver services programs for developmentally disabled individuals under the terms of future negotiated downsizing of regional treatment centers under the ten-year plan.

Debt service costs on the bonds sold to finance this project must be paid to the commissioner of finance in accordance with Minnesota Statutes, section 16A.643, from group residential housing fees charged and collected by the commissioner of human services under Minnesota Statutes, chapter 256I.

Subd. 3. Metro Area Predischarge Program

1,500,000

To purchase two 16-bed apartment complexes in the Twin Cities metropolitan area for state-operated predischarge programs for persons with mental illness.

**Subd. 4. Anoka Metro Regional Treatment Center**

Consolidate and restructure campus 37,000,000

To construct, remodel, furnish, and equip new residential, program, and ancillary service facilities for the Anoka metro regional treatment center. This includes construction for 150 psychiatric hospital beds, ancillary service facilities, and site improvements.

For this project the commissioner will use plans and designs previously developed for a psychiatric hospital at Fergus Falls regional treatment center to the maximum extent possible.

**Subd. 5. St. Peter Regional Treatment Center**

Air Condition Tomlinson Hall 215,000

To upgrade the ventilation and air conditioning of Tomlinson Hall so it can be utilized year round.

**Sec. 9. VETERANS HOMES BOARD**

Renovate Minneapolis veterans home 10,630,000

(a) This appropriation is to the commissioner of administration.

(b) This campus renovation project includes money for:

(1) renovation of building 6 to skilled nursing care standards;

(2) renovation of building 9 to board and care standards;

(3) renovation of buildings 1, 2, and 4 to current health care standards;

(4) renovation of the Minnehaha Creek bridge;

(5) creation of a new campus entrance and adaption of the building 17 entrance;

(6) demolition of building 7 and improvements to the road system for circulation and access to all buildings;

(7) renovation of building 16 to board and care standards; and

(8) campuswide asbestos removal, road upgrading, installation and integration of fire alarms, improved exterior lighting, power plant upgrades, and federal Americans with Disabilities Act improvements.

(c) This appropriation represents 35 percent of the estimated cost of the renovation project.

The Minnesota veterans homes board must apply for the federal money needed to complete this project. The commissioner of administration shall receive the federal money and use the money to complete the project. The total appropriation may be spent for this renovation project before the federal money for the project is received, but the project must not be started until enough federal or other money has been committed to complete it.

#### Sec. 10. TECHNICAL COLLEGES

Subdivision 1. To the state board of technical colleges for the purposes specified in this section

45,505,000

Notwithstanding Minnesota Statutes, section 475.61, subdivision 4, the state board of technical colleges may approve a request by a local school board to use any unobligated balance in the technical college debt redemption fund to pay the district's share of construction projects authorized in this section.

In contracting for projects funded in this section, the state board must not restrict its access to litigation or limit its methods of redress to arbitration or other nonjudicial procedures.

Notwithstanding Minnesota Statutes, section 136C.44, during the biennium the state board of technical colleges must not make grants to school districts but shall directly supervise and control the preparation of plans and specifications to construct, alter, or enlarge the technical college buildings, structures, and improvements provided for in this section.

During the biennium, the state board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

During the biennium, the state board may delegate the authority provided in this section to the campus president for repair and replacement projects with a total cost of less than \$50,000, if the state board determines that the projects can be efficiently managed at the campus level.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building con-

structed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this act.

The state board may delegate responsibilities to technical college staff.

Subd. 2. Higher Education Asset Preservation and Renewal

8,838,000

This appropriation must be spent in accordance with new Minnesota Statutes, section 135A.046.

State appropriations for parking repairs under this subdivision must not be used for more than one-half of the construction or repair cost at any campus. The campus must provide the remaining costs through parking fees. The state board must report on parking fees to the chairs of the senate finance and house ways and means committees by February 1, 1995.

Subd. 3. Brainerd Technical College

21,300,000

This appropriation is to construct a joint campus with Brainerd Community College. The technical college board must consult with the community college board throughout the project. This appropriation is contingent upon the approval of the independent school district No. 181 bond referendum to purchase the current technical college campus for the appraised value of the property. The payment for the purchase of the current technical college is appropriated for this project.

This appropriation must not be used for road construction, except for a loop road that is used for fire safety access.

The total additional cost to complete this project must not exceed \$24,117,000 whether paid from state, local, or federal money.

Subd. 4. Dakota County Technical College

600,000

This appropriation is to complete the decision driving course. The total additional cost to complete the project must not exceed \$1,200,000 whether paid from state, local, or federal money.

Subd. 5. Duluth Technical College

10,800,000

This appropriation is to remodel and construct a campus that is integrated with Duluth Community College center. The technical college board must consult with the community college board throughout the project.

Subd. 6. East Grand Forks Technical College

1,000,000

This appropriation is to complete additions to the college, including the medical labs and laboratory equipment, and student service offices.

Subd. 7. Hibbing Technical College

1,000,000

This appropriation is to prepare working drawings for a new integrated technical college attached to the Hibbing Community College. The new technical college shall maximize the current services, space, and programs of the community college. The public post-secondary boards shall develop a master academic plan for the integrated campus before the development of working drawings.

Subd. 8. Hutchinson Technical College

380,000

This appropriation is to plan, design, and prepare working drawings for an addition to the west side of the campus for a media library and a child care center and laboratory, and to prepare working drawings for an exhibit and concourse entrance and a center of excellence for nondestructive testing technology.

Subd. 9. Northeast Metro Technical  
College

162,000

To construct a truck driving classroom  
support facility.

Subd. 10. Rochester Technical College

1,200,000

This appropriation is to prepare work-  
ing drawings for an integrated campus  
in accordance with this subdivision.

(1) Rochester independent school dis-  
trict No. 535 and the state board of  
technical colleges may enter into an  
agreement for the sale of the Rochester  
Technical College. The sale is contin-  
gent on state board of technical colleges  
approval and passage of a referendum  
by the voters in Rochester school dis-  
trict No. 535. The sale price shall equal  
the appraised value.

It is the intent of the legislature that no  
technical college program reduction,  
apart from normal program review,  
shall occur as a result of this sale.

(2) The sale shall not cause the technical  
college to lease space or to move to any  
temporary site.

(3) Prior to the preparation of design  
documents, the post-secondary boards  
and the relevant campus staff shall  
jointly prepare a master academic plan  
for an integrated campus for the Roch-  
ester center facility. The boards shall  
consider the creation of a polytechnic  
university. Program review by the  
higher education coordinating board  
shall be done in accordance with Min-  
nesota Statutes, section 136A.04. The  
plan shall be submitted to the higher  
education board for approval by  
December 1, 1994. If approved, the  
plan shall be submitted for review to  
the higher education finance divisions  
by January 15, 1995. The state board of

technical colleges, in cooperation with the state board of community colleges, shall not proceed with working drawings until after passage of the referendum and after the master academic plan has been approved by the higher education board.

(4) The proceeds from the sale of the technical college to Rochester independent school district No. 535, are appropriated for the planning and construction necessary to integrate technical college programs into the Rochester center and to add or modify space where necessary. The new technical college program space must be attached to and must maximize the current services, space, and programs of the technical college, community college, state university, and University of Minnesota cooperative campus. The state board of technical colleges may not begin construction of this project until the legislature has approved the construction plans.

(5) The state board of technical colleges shall develop a plan to relocate to the Austin, Faribault, and other Southeastern Minnesota campuses all Rochester campus programs that are not essential to the integrated mission planned for the Rochester center facility. This plan must be completed prior to preparing design documents for the technical college addition to the Rochester center.

(6) The state board of technical colleges shall consider relocating the horticulture technology program from the Rochester campus to the Austin campus of Riverland technical college before the start of the 1995-1996 academic year.

Subd. 11. St. Cloud Technical College

225,000

This appropriation is to remodel and construct an addition for classrooms,

labs, and student and staff areas. The state university and technical college in St. Cloud shall review the academic plan for the campus before the expenditure of this appropriation. Independent school district No. 742 must spend at least \$1,336,000 of local money for this project.

Subd. 12. St. Paul Technical College

Independent school district No. 625, St. Paul, may make expenditures and transfers from its technical college debt redemption fund as authorized in this subdivision, notwithstanding Minnesota Statutes, section 475.61, subdivision 4. Before making any other expenditures, the school district must first pay, redeem, or defease the entire amount of bond obligations issued for acquisition and betterment of the St. Paul technical college. Thereafter the school district may spend \$834,000 to acquire and better properties adjacent to the technical college campus for use for educational purposes and to plan and design for remodeling the student services area and the chemical technology laboratory and for upgrading the building automation system at the technical college. After the \$834,000 has been obligated and when all bond obligations issued by the school district for the acquisition and betterment of the St. Paul technical college have been redeemed in accordance with their terms, any amounts escrowed for the defeasance of those bond obligations, approximately \$310,000, must be transferred to the district's general fund and used to reduce the district's property tax levy.

Sec. 11. COMMUNITY COLLEGES

Subdivision 1. To the state board for community colleges for the purposes specified in this section

36,945,000

During the biennium, the state board for community colleges shall supervise and control the making of necessary repairs to all community college buildings and structures.

During the biennium, the community college board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of the community college buildings, structures, and improvements for which appropriations are made to the board. The board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this act.

In contracting for projects funded in this section, the state board must not restrict its access to litigation or limit its methods of redress to arbitration or other nonjudicial procedures.

Subd. 2. Higher Education Asset Preservation and Renewal

7,000,000

This appropriation must be spent in accordance with new Minnesota Statutes, section 135A.046.

Subd. 3. Anoka Ramsey Community College 400,000

This appropriation is to prepare design documents to remodel and add space to the campus.

Subd. 4. Cambridge Community College Center 8,000,000

This appropriation is to construct classrooms, ITV facilities, teaching laboratories, learning resource center, campus center, offices, and institutional services.

Subd. 5. Inver Hills Community College 350,000

This appropriation is to acquire land and relocate the campus entry road and to prepare schematic plans for an addition and remodeling space for classrooms, a learning resource center, laboratories, health and physical education areas, a campus center, and related space.

Subd. 6. Lakewood Community College 170,000

This appropriation is to prepare schematic plans for a learning resources center for joint use with northeast metro technical college, and for remodeling of classrooms, labs, Americans with Disabilities Act accessible locker and fitness space, and institutional services. The appropriation is available only after a master academic plan has been developed for the campus and approved by the higher education board. The master academic plan shall be developed jointly with representation from each of the public post-secondary systems.

Subd. 7. Mesabi Community College 180,000

This appropriation is to prepare sche-

matic plans to remodel and construct space for the learning resources center, labs, classrooms, student services, campus center, and institutional services. The appropriation is available only after a master academic plan has been developed for the campus and approved by the higher education board. The master academic plan shall be developed jointly with representation from each of the public post-secondary systems.

Subd. 8. Minneapolis Community College

375,000

This appropriation is to prepare working drawings to remodel and construct new space at the campus. The appropriation is available only after an approved master academic plan has been developed for the campus. The master academic plan shall be developed jointly with representation from each of the public post-secondary systems. The higher education board shall review the plan. The appropriation is available if the higher education board approves the plan.

Subd. 9. Normandale Community College

10,500,000

This appropriation is to construct and remodel space for educational programs, student services and administration, the campus center, faculty offices, and institutional services.

Subd. 10. North Hennepin Community College

6,000,000

This appropriation is to plan, design, remodel, and construct space for classrooms, labs, student services, learning resource center, the campus center, and administrative and related space.

Subd. 11. Northland Community College

(a) Integrate community college and technical college

100,000

This appropriation is to prepare working drawings for remodeling necessary for the integration of the community college and the technical college. The project will begin with the integration of the student services area and the learning resources center.

(b) Construct regional multievent cultural center

3,000,000

This appropriation is to construct a regional multievent cultural center. All cities, counties, and school districts in region 8A, and public post-secondary education systems shall cooperate in the construction and joint use of the facility. Up to \$2,000,000 is available immediately for this project, but the remainder of the money is not available unless matched by an equal amount of money or in-kind contributions from nonstate sources. The nonstate match added to this project is in lieu of the debt service payment assessed to higher education projects.

Subd. 12. Rainy River Community College Student Housing

750,000

To the state board for community colleges to acquire existing facilities for use as a dormitory or other student residence at International Falls for the use and benefit of Rainy River Community College. The state board for community colleges or its successor shall establish, maintain, revise when necessary, and collect rates and charges for the use of the student housing facilities. The rates and charges must be sufficient, as estimated by the board, to pay all expenses of operation and maintenance of the facilities, and to establish and maintain the reserve funds that the board considers necessary for repair, replacement, and maintenance of the facilities. The rates and charges collected are appropriated for these purposes. Funds and

accounts established in furtherance of these purposes are not subject to Minnesota Statutes, section 136.67, subdivision 2, or its successor provision and are not subject to the budgetary control of the commissioner of finance. The state board for community colleges need not pay debt service for the appropriation in this subdivision.

Subd. 13. Vermilion Community College

120,000

This appropriation is to prepare schematic plans to remodel and construct space for labs, classrooms, student services, campus center, and institutional services. The appropriation is available only after a master academic plan has been developed for the campus and approved by the higher education board. The master academic plan shall be developed jointly with representation from each of the public post-secondary systems.

#### Sec. 12. STATE UNIVERSITY SYSTEM

Subdivision 1. To the state university board for the purposes specified in this section

57,250,000

During the biennium, the state university board shall supervise and control the preparation of plans and specifications for the construction, alteration, or enlargement of the state university buildings, structures, and improvements for which appropriations are made to the board. The board shall advertise for bids and award contracts in connection with the improvements, supervise and inspect the work, approve necessary changes in the plans and specifications, approve estimates for payment, and accept the improvements when completed according to the plans and specifications.

Plans must be paid for out of this appropriation. The remainder of the appropriation must not be spent until the board has secured suitable plans and specifications, prepared by a competent architect or engineer. The plans and specifications must be accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building constructed, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this act.

The state university board shall supervise and control the making of necessary repairs to all state university buildings and structures.

In contracting for projects funded in this section, the state board must not restrict its access to litigation or limit its methods of redress to arbitration or other nonjudicial procedures.

Subd. 2. Higher Education Assets Preservation and Restoration

8,900,000

This appropriation must be spent in accordance with new Minnesota Statutes, section 135A.046.

Subd. 3. Bemidji State

8,300,000

\$8,000,000 is to remodel and expand the library.

\$300,000 is for facility planning. The state university board and the state board of technical colleges shall develop a master academic and facilities plan for vocational and academic programs provided by the Bemidji state university and technical college to maximize current and new space and facilities.

Subd. 4. Metro State

12,300,000

To design, rehabilitate, and remodel buildings A and C and plan to rehabilitate the attached power plant upper level. Metro state must not lease additional space during the remodeling to accommodate programs and personnel currently housed in building C.

Subd. 5. Moorhead State 1,000,000

This appropriation is to acquire land in the five-block area adjacent to the campus.

Subd. 6. St. Cloud State

(a) Acquire a new boiler and related equipment 2,100,000

(b) Construct central chiller facility and prepare working drawings for a new library 4,000,000

(c) Acquire land in the six-block area adjacent to the campus 400,000

Subd. 7. Southwest State 250,000

This appropriation is to complete the recreational sports building authorized by Laws 1990, chapter 610, article 1, section 4, subdivision 6, and is not available unless matched by an equal amount from nonstate sources.

Subd. 8. Winona State 20,000,000

This appropriation is to construct a new library and chiller plant.

### Sec. 13. UNIVERSITY OF MINNESOTA

Subdivision 1. To the board of regents of the University of Minnesota for the purpose specified in this section 68,700,000

Subd. 2. Higher Education Asset Preservation and Renewal 15,000,000

This appropriation must be spent in accordance with new Minnesota Statutes, section 135A.046.

Subd. 3. Facility Renewal 9,000,000

This appropriation is to repair and replace capital facilities, including Johnston Hall, Williamson Hall, and the civil and mineral engineering building.

**Subd. 4. Twin Cities Campus**

**(a) Archival Research Facility**

2,700,000

To design the archival research library to house all collections, and university manuscripts, special collections, and Immigration History Research Center documents and collections, and accommodate collections overflow for university, state university, private college, city, county, and regional libraries, and to house Minitex services. The facility must include a public viewing area for display of materials to educate visitors on the importance of the archives and their historical context.

**(b) Carlson School of Management**

25,000,000

This appropriation is to design and construct a new facility to house the Carlson School of Management to provide space for all teaching, research, and service activities associated with the school's academic and community service programs.

The board of regents must match this appropriation with a minimum of \$20,000,000 of nonstate money. The legislature requests the board of regents to expend nonstate money prior to expenditure of this appropriation.

**(c) Mechanical Engineering**

13,000,000

To renovate and reconstruct labs, classrooms, and offices in the electrical engineering building. This appropriation is contingent upon the commitment of \$6,700,000 in nonstate funds. This appropriation is intended to complete the project.

**Subd. 5. Duluth Medical School**

4,000,000

To construct an addition to the medical school to house laboratories and support functions.

Subd. 6. Debt Service

The board of regents is not required to pay any debt service for the appropriations in this section, except for the Duluth medical school in subdivision 5. The matching money requirements in this section exceed the one-third debt service requirement.

Sec. 14. EDUCATION

Subdivision 1. To the commissioner of education, or another named officer, for the purposes specified in this section

40,304,000

Subd. 2. Center for Arts Education

The appropriations in this subdivision are to the commissioner of administration.

Renovate the Beta dormitory into a recreation center

789,000

Subd. 3. Faribault Academies

The appropriations in this subdivision are to the commissioner of administration.

(a) Renovate the east wing of Noyes hall

1,465,000

This appropriation is to renovate, furnish, and equip the east wing of Noyes hall to provide additional classrooms, library media center, and office space for support services. Maintenance employees of the academies may do the demolition work necessary to complete this project.

(b) Renovate science classroom

35,000

Subd. 4. Maximum Effort School Loans

2,967,000

To the commissioner of education from the maximum effort school loan fund to make capital loans to school districts as

provided in Minnesota Statutes, sections 124.36 to 124.46.

The commissioner shall review the proposed plan and budget of the project and may reduce the amount of the loan to ensure that the project will be economical. The commissioner may recover the cost incurred by the commissioner for any professional services associated with the final review by reducing the proceeds of the loan paid to the district.

\$2,967,000 is for a capital loan to independent school district No. 707, Nett Lake.

Subd. 5. Cooperative Secondary Facilities

(a) Atwater, Cosmos, and Grove City

6,000,000

For cooperative secondary facilities grants under Minnesota Statutes, sections 124.491 to 124.494.

Notwithstanding Minnesota Statutes, sections 124.491 to 124.494 to the contrary, the commissioner of education shall award a grant of \$5,000,000 according to Minnesota Statutes, section 124.494, subdivision 1, and a grant of \$1,000,000 according to Minnesota Statutes, section 124.494, subdivision 4a, to a group of independent school district Nos. 341, Atwater; 461, Cosmos; and 464, Grove City. The group of districts must enter into a joint powers agreement and must comply with Minnesota Statutes, section 124.494, subdivision 6.

Notwithstanding the 180-day requirement of Minnesota Statutes, section 124.494, subdivision 5, the joint powers board must submit the question to the voters as required in that subdivision between the effective date of this section and November 15, 1994.

## (b) Reorganized Districts

778,000

For grants to reorganized districts for remodeling and improving secondary facilities under Minnesota Statutes, section 124.494.

## Subd. 6. Community Service Centers

1,200,000

For a grant to independent school district No. 432, Mahnommen, to construct a community service center at Nay-Tay-Waush in Mahnommen county on the White Earth Indian reservation. The center must be constructed on land leased to the school district by the White Earth Band of Chippewa Indians under a ground lease having an initial term of at least 20 years and a total term of at least 40 years, including renewal options. The school district must contract with the White Earth Band to operate the center on behalf of the school district, subject to new Minnesota Statutes, section 16A.695. The center and all the services provided by the center must be open to the public. This grant is contingent on a match of \$1,300,000 from the White Earth Band of Chippewa Indians.

## Subd. 7. Metropolitan Magnet Schools

20,000,000

The commissioner of education shall award grants to groups of qualified metropolitan school districts under new Minnesota Statutes, section 124C.498.

## Subd. 8. Lakeview School

2,070,000

For a grant to independent school district No. 518, Worthington, to acquire land, construct, and equip three cottages to meet the residential needs of children attending the Lakeview school. The commissioner of education shall not award the grant until the school district can demonstrate to the commissioner's satisfaction that appropriate department of human services approval, including licensure, will be granted.

Subd. 9. School Building Accessibility  
Grants 4,000,000

To the commissioner of education for grants according to Minnesota Statutes, sections 124C.71 to 124C.73. Up to \$25,000 of this appropriation is available to the department of education for administrative expenses specifically related to the disbursement of the grants after grants from the 1993 appropriation are distributed to school districts.

Subd. 10. Library Accessibility 1,000,000

To the commissioner of education to make grants for library accessibility capital projects under new Minnesota Statutes, section 134.45.

Sec. 15. TRANSPORTATION

Subdivision 1. To the commissioner of transportation for the purposes specified in this section 58,016,000

Subd. 2. Bloomington Ferry Bridge 7,631,000

This appropriation is from the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal funds to complete construction of the Bloomington ferry bridge and approaches.

This appropriation is added to the appropriation in Laws 1993, chapter 373, section 14, subdivision 2.

Subd. 3. I-494 and U.S. 61 Interchange; Wakota Bridge; E.I.S. 1,000,000

This appropriation is from the state transportation fund for the environmental impact statement and preliminary engineering to upgrade the highways I-494 and U.S. 61 interchange including the Wakota Bridge.

Subd. 4. Local Bridge Replacement and Rehabilitation 12,445,000

This appropriation is from the state transportation fund as provided in Minnesota Statutes, section 174.50, to match federal funds and to replace or rehabilitate local deficient bridges.

Political subdivisions may use grants made under this section to construct or reconstruct bridges, including:

- (1) matching federal-aid grants to construct or reconstruct key bridges;
- (2) paying the costs to abandon an existing bridge that is deficient and in need of replacement, but where no replacement will be made;
- (3) paying the costs to construct a road or street to facilitate the abandonment of an existing bridge determined by the commissioner to be deficient, if the commissioner determines that construction of the road or street is more cost-efficient than the replacement of the existing bridge; and
- (4) paying the costs of preliminary engineering and environmental studies authorized under Minnesota Statutes, section 174.50, subdivision 6a.

Subd. 5. Federal Aid Demonstration  
Projects

3,924,000

This appropriation is from the state transportation fund as provided in Minnesota Statutes, section 174.50, to fund the nonfederal matching requirement for demonstration projects of Forest Highway 11 in St. Louis and Lake counties, and County State-Aid Highway 41 in Nicollet county, and to fund half of the nonfederal matching requirement for the interstate substitution project in Duluth. The portion of the appropriation for the Duluth project is contingent upon payment by local government units of the remainder of the nonfederal share.

Subd. 6. Light Rail Transit 10,000,000

This appropriation is from the state transportation fund as provided in Minnesota Statutes, section 174.50, to match a \$10,000,000 federal grant for preliminary engineering and final design of light rail transit in the central corridor. The project must be managed by the commissioner of transportation.

Subd. 7. Transit Capital Improvements 10,000,000

This appropriation is from the state transportation fund for a grant to the metropolitan transit commission, or its successor agency, to acquire, construct and improve land, buildings, and related improvements for transit purposes. None of this appropriation may be used for light rail transit.

Subd. 8. Trunk Highway Facility Projects 13,016,000

To the commissioner of transportation for the purposes specified in this subdivision. The appropriations in this subdivision are from the trunk highway fund.

(a) Installation of automatic fire sprinkler systems at maintenance headquarters in Virginia, Owatonna, and Windom 365,000

(b) Repair, replace, or construct chemical and salt storage buildings at 36 department of transportation locations statewide 1,030,000

(c) Construct, furnish, and equip a truck enforcement site and weigh scale in the Albert Lea area to replace the Lakeville site 886,000

(d) Construct, furnish, and equip a truck station and maintenance facility in Hutchinson on a new site to replace the current facility 897,000

(e) Construct, furnish, and equip a new truck station on Maryland Avenue in St. Paul to replace the current facility 5,440,000

(f) Construct an addition to the Detroit Lakes welding shop	355,000
(g) Remodel facilities and construct additions to truck stations in Ely, Montgomery, and Forest Lake	302,000
(h) Purchase, remodel, and expand the Minnesota National Guard truck maintenance facility in Tracy to fit the needs of a department of transportation truck station	359,000
(i) Build an unheated equipment storage building at the Golden Valley headquarters site	435,000
(j) Construct, furnish, and equip a truck station in Wadena on a new site to replace the current facility	527,000
(k) Remodel facility and construct an addition to the Preston truck station	174,000
(l) Construct, furnish, and equip class II safety rest areas in Darwin Winter park, Preston/Fountain vicinity, Pioneer monument, Camp Release historic monument, and Lake Shetek	200,000
(m) Land acquisition for new replacement truck station sites at Illgen City, Rushford, Gaylord, Madelia, Sherburne, and Litchfield	250,000
(n) Design fees to complete construction drawings for projects at Windom, Maplewood, Hastings, central services building, Arden Hills training center, and Albert Lea weigh scale	371,000
(o) Construct pole type storage buildings at department of transportation locations throughout the state	611,000
(p) Remove asbestos from various department of transportation buildings statewide	150,000
(q) Remodel facility and construct an addition to the Carlton truck station	259,000
(r) Remodel facility and construct an addition to the Sauk Centre truck station	255,000
(s) Remodel the old Burlington Northern train depot in Floodwood into a safety information center and rest area and phase out the wayside rest at Trunk Highways 2 and 73	150,000

After completion of the project, the commissioner of transportation shall convey the newly remodeled rest area for no or nominal consideration to the city of Floodwood, which thereafter shall operate and maintain it.

(t) The commissioner may use the balance of funds appropriated by Laws 1985, first special session chapter 15, section 9, subdivision 6, paragraph (c), for land acquisition for a weigh station on interstate highway 94 at Moorhead to supplement funds appropriated by Laws of 1989, chapter 269, section 2, subdivision 11, paragraph (d), for construction of the Moorhead weigh station.

#### Sec. 16. HOUSING FINANCE AGENCY

Subdivision 1. To the commissioner of the housing finance agency for the purposes specified in this section	2,500,000
Subd. 2. Transitional Housing Loans	1,500,000

To the commissioner of the housing finance agency for the purpose of making transitional housing loans, including loans for housing for homeless youths, to local government units authorized under Minnesota Statutes, section 462A.202, subdivision 2.

Subd. 3. Battered Women's Residences	1,000,000
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This appropriation is to acquire and better five battered women's residences, two in the seven-county metropolitan area and three in greater Minnesota. Grants may be up to \$200,000 for each facility.

At least 25 percent of the total appropriation under this section must utilize youthbuild, Minnesota Statutes, sections 268.361 to 268.367, or other youth employment and training pro-

grams to do the construction. Eligible programs must consult with appropriate labor organizations to deliver education and training. In making grants under this section, the commissioner shall use a request for proposal process.

#### Sec. 17. JOBS AND TRAINING

Subdivision 1. To the commissioner of jobs and training for the purposes specified in this section 2,600,000

Subd. 2. Early Childhood Learning Facilities 2,100,000

\$100,000 is from the general fund and must be used to reimburse the bond proceeds fund for any expenditures made under Laws 1992, chapter 558, section 10, that the attorney general has determined are ineligible for bond proceeds funding under that appropriation.

\$2,000,000 is for grants to state agencies and political subdivisions to construct or rehabilitate facilities for head start or other early childhood learning programs under new Minnesota Statutes, section 268.917.

Subd. 3. Truancy and Curfew Centers 500,000

This appropriation is for grants through the department's community based services division, youth programs, for two truancy and curfew centers, one in Hennepin county and one in Ramsey county.

At least 25 percent of the total appropriation under this section must utilize youthbuild, Minnesota Statutes, sections 268.361 to 268.367, or other youth employment and training programs to do the construction. Eligible programs must consult with appropriate labor organizations to deliver education and training. In making grants under this section, the commissioner shall use a request for proposal process.

Sec. 18. LABOR INTERPRETIVE  
CENTER BOARD

750,000

To the labor interpretive center board for design of the labor interpretive center.

Sec. 19. MINNESOTA HISTORICAL  
SOCIETY

Subdivision 1. To the Minnesota historical society for the purposes specified in this section

7,035,000

Subd. 2. Historic Site Preservation and Repair

1,775,000

For capital repair, reconstruction, or replacement at the Jeffers Petroglyphs, Forest History Center, Lower Sioux Agency, James J. Hill House, and of the state's other historic sites and markers. \$25,000 of this appropriation is from the general fund for fencing at Stumne mounds. The society shall determine project priorities as appropriate based on need.

Subd. 3. Historic Site Permanent Exhibit Repair and Replacement

350,000

For capital repair or replacement of exhibits at historic sites throughout the state. The society shall determine project priorities as appropriate based on need. This appropriation is not available for exhibits at the history center.

Subd. 4. County and Local Preservation Projects

500,000

To be allocated to county and local jurisdictions as matching money for historic preservation projects of a capital nature. Grant recipients must be public entities and must match state funds on at least an equal basis.

Subd. 5. ISTEPA Preservation Grants

950,000

To be allocated to county and local jurisdictions or the Minnesota Histori-

cal Society as matching money for federal Intermodal Surface Transportation Efficiency Act grants.

The society shall determine project priorities as appropriate based on historic preservation purposes and need.

Use of the appropriation for the projects specified is contingent upon award of federal matching money.

Subd. 6. St. Anthony Falls Heritage Zone

1,000,000

For grant-in-aid purposes of the St. Anthony Falls Heritage Board in accordance with Minnesota Statutes, section 138.763. Grants may be made for public improvements of a capital nature according to the St. Anthony Falls Heritage Board.

Subd. 7. North West Company Fur Post Interpretive Center

310,000

To be used for the drawings for the construction of a visitor center, site landscaping, and parking area in accordance with the master plan developed and approved under the Outdoor Recreation Act of 1975.

Subd. 8. Battle Point Historic Site

350,000

For construction of the Battle Point historic site, preliminary plans for which were authorized in Laws 1990, chapter 610, article 1, section 17, and Laws 1992, chapter 558, section 24, subdivision 5.

Subd. 9. Museum and Center for American Indian History

1,100,000

This appropriation is for the Minnesota historical society to plan, design, and construct a museum and center for American Indian history and policy. The facility shall be located at an institution of higher education, selected by

the state university board, which serves a region including the three most populous Indian reservations. This appropriation is not available unless matched by \$1,000,000 from nonpublic sources.

Subd. 10. Sibley House

550,000

\$50,000 of this amount is from the general fund and is for state matching money for federal Intermodal Surface Transportation Efficiency Act grants to restore the Sibley House site in Mendota.

\$500,000 is to stabilize and repair buildings on the Sibley House site and to conduct an archaeological study of the property. This appropriation is available only after the Sibley House Association has conveyed the Sibley House to the state, to be under the general administration and control of the Minnesota historical society. The Minnesota historical society may enter into a lease or management agreement with the Sibley House Association under new Minnesota Statutes, section 16A.695.

Subd. 11. St. Croix Valley Heritage Center

150,000

This appropriation is for a grant to the city of Taylors Falls to prepare a preliminary design for a heritage center, subject to new Minnesota Statutes, section 16A.695.

Sec. 20. PUBLIC SERVICE

4,000,000

To the commissioner of finance for the energy conservation investment loan program in the department of public service under Minnesota Statutes, section 216C.37.

Sec. 21. TRADE AND ECONOMIC  
DEVELOPMENT

Subdivision 1. To the commissioner of trade and economic development for the purposes specified in this section 4,900,000

Subd. 2. Contamination Cleanup Grants 1,500,000

This appropriation is for contamination cleanup grants under Minnesota Statutes, sections 116J.551 to 116J.557.

Subd. 3. Seaway Port Authority of Duluth Bulk Cargo Facility 1,200,000

This appropriation is for a grant to the seaway port authority of Duluth to develop a down-river bulk cargo handling alternative whereby the seaway port authority of Duluth will demolish an existing abandoned grain elevator facility owned by the seaway port authority of Duluth and prepare the site for the handling, storage, care, and shipment of bulk cargo or other waterborne freight.

This appropriation is not available until the seaway port authority of Duluth and the U.S. Army Corps of Engineers have advised the commissioner of trade and economic development that no further state of Minnesota money will be required for the upper harbor cross-channel dredging project authorized by Laws 1993, chapter 373, section 25, subdivision 5, the seaway port authority of Duluth has advised the commissioner that upper river deepening will terminate at the Erie Pier site, and the commissioner of finance has canceled the unobligated balance of the 1993 appropriation to the state bond fund.

Subd. 4. Tourism and Exposition Centers 2,200,000

For two grants to political subdivisions

for exhibition space for tourism and exposition centers. One grant must be for \$1,000,000 to the southwest regional development commission for the Prairieland Expo facility to develop construction planning documents for capital improvements. This grant is subject to new Minnesota Statutes, section 16A.695. It is the legislature's expectation that the commission will secure a grant from the department of transportation's intermodal surface transportation efficiency act funds. The other grant must be for capital improvements for a publicly owned tourism and exposition center selected by the commissioner and located in northeastern Minnesota.

Sec. 22. MINNESOTA TECHNOLOGY, INC.

400,000

To Minnesota Technology, Inc., for capital improvements at the natural resources research institute, Coleraine laboratory facility, to match federal grants.

Sec. 23. NATURAL RESOURCES

Subdivision 1. To the commissioner of natural resources for the purposes specified in this section

58,917,000

Subd. 2. Statewide Deferred Renewal

1,400,000

For repair and renovation of department of natural resources land, buildings, or other improvements of a capital nature throughout the state. The commissioner shall determine project priorities as appropriate based upon need.

Up to \$50,000 of this appropriation may be used for improving accessibility at facilities in the Carlos Avery wildlife management area that are being leased to the Wildlife Science Center.

Subd. 3. Underground Storage Tank Removal and Replacement

1,000,000

To remove and replace state-owned underground fuel storage tanks that are subject to related federal regulations. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 4. State Park Building Rehabilitation

2,000,000

For improvements of a capital nature to repair, rehabilitate, construct, or add to state park buildings throughout the state, according to the management plan required in Minnesota Statutes, chapter 86A. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 5. State Park Building Development

1,000,000

To construct, furnish, and equip new facilities in the state park system, according to the management plan required in Minnesota Statutes, chapter 86A. This includes shower and toilet facilities, visitor contact stations, and storage facilities. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 6. Farmland Wildlife Populations and Research Center

631,000

To renovate, rehabilitate, demolish, and construct facilities at the center and meet accessibility requirements. To upgrade the sewage system, water lines, and electrical wiring, and to provide for chemical storage.

Subd. 7. Forestry Air Tanker Facilities

368,000

To replace temporary buildings, upgrade equipment, and construct fuel and fire retardant spill containment systems at air tanker bases at Bemidji, Hibbing, and Brainerd.

\$183,000 of this appropriation is for

state funding of the Bemidji site and is contingent upon commitment of \$200,000 in matching funds from the United States Bureau of Indian Affairs.

Subd. 8. Hibbing Drill Core Library and Reclamation Demonstration Facility

650,000

To expand the division of minerals drill core library facility and relocate its reclamation demonstration facility from Babbitt to Hibbing.

The minerals and drill core library shall include space that will serve as a public viewing area that will educate visitors on the geology of Minnesota.

Subd. 9. Lac qui Parle Improvements

500,000

To construct, furnish, and equip offices and a hunter contact and education center at the Lac qui Parle wildlife management area.

The commissioner shall consult with local residents when selecting a site for the facility.

Subd. 10. International Wolf Center

750,000

For improvements of a capital nature at the international wolf center in St. Louis county. This includes expansion of the facility for live wolf viewing, signage improvements, construction of storage facilities and staging areas, and parking and site improvements.

Subd. 11. State Park Betterment and Rehabilitation

1,250,000

To upgrade, repair, or rehabilitate improvements of a capital nature at state park facilities throughout the state including, but not limited to, campsite improvements, trail resurfacing, road repair and resurfacing, parking area improvements, utility system upgrades, erosion control, lakeshore stabilization,

and prairie restoration. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 12. Well Sealing

500,000

To seal inactive wells on state-owned land. \$276,000 of this appropriation is from the general fund and is added to the appropriation made in Laws 1993, chapter 172, section 5, subdivision 3. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 13. Trail Rehabilitation

1,350,000

To upgrade, repair, or rehabilitate improvements of a capital nature at Willard Munger trail, Lucé Line trail, Sakatah Singing Hills trail, and Northshore trail. Of this amount, \$500,000 is for the completion of the Sakatah Singing Hills trail.

\$150,000 is for the Northshore trail, and debt service on the bonds sold to finance this appropriation must be paid from the snowmobile trails account in the natural resources fund to the commissioner of finance as required by Minnesota Statutes, section 16A.643.

Subd. 14. Dam Improvements

4,100,000

For the emergency repair, reconstruction, or removal of publicly owned dams throughout the state. The commissioner shall determine project priorities as appropriate based upon need as provided in Minnesota Statutes, section 103G.511. Of this appropriation, \$600,000 is for payment to the metropolitan council for a grant to the suburban Hennepin regional park district to replace the walkway at the Coon Rapids dam.

Work on the Coon Rapids dam must be done in a manner that enhances the

potential for future development of hydropower at the site.

Up to \$40,000 of this appropriation may be used for removal of an obstruction and sediment from the Lac Qui Parle river in section 22 of Oshkosh township, Yellow Medicine county.

\$100,000 appropriated in Laws 1993, chapter 373, section 12, subdivision 3, for the repair of the Stewartville dam, may be used for the removal of the Stewartville dam and restoration of the natural river channel under Minnesota Statutes, section 103G.511, except that no local match is required for removal.

Subd. 15. Flood Hazard Mitigation Grants

2,600,000

For the flood hazard mitigation grant assistance program to local government units for capital improvements to prevent or alleviate flood damages to public lands, facilities, or capital improvements. The commissioner shall determine project priorities as appropriate based upon need as provided in Minnesota Statutes, section 103F.161. \$50,000 is for preliminary engineering for water retention projects in Renville county.

Subd. 16. Forestry Roads and Bridges

300,000

For reconstruction, resurfacing, replacement, or construction of improvements of a capital nature to state forest roads and bridges throughout the state. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 17. Forestry Recreation Facilities

500,000

For improvements of a capital nature to rehabilitate, improve, or develop forestry recreation facilities throughout the state. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 18. RIM Wildlife, Natural Area  
and Prairie Bank Improvements 2,000,000

For development, protection, or improvements of a capital nature to wildlife management areas, state lands, scientific and natural areas, and prairie bank areas throughout the state. Of this amount, \$1,315,000 is for wildlife management areas and other state lands, \$615,000 is for scientific and natural areas, and \$70,000 is for prairie bank areas. The commissioner shall determine project priorities as appropriate based upon need. Appropriations must be used for qualified capital expenditures.

Subd. 19. Metropolitan Council  
Regional Parks 10,000,000

This appropriation is for payment by the commissioner of natural resources to the metropolitan council. The commissioner shall transfer the amount to the metropolitan council upon receipt of a certified copy of a council resolution requesting payment. The appropriation must be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of regional recreational open space lands in accordance with the council's policy plan as provided in Minnesota Statutes, section 473.315. This appropriation must not be used for research, planning, administration, or tax equivalency payments. This appropriation may be used for the purchase of homes only if the purchases are included in the work program required by subdivision 30 and they are expressly approved by the legislative commission on Minnesota resources.

Subd. 20. Local Recreation Grants 1,400,000

For matching grants to be provided to local units of government for acqui-

tion, development, or renovation of a capital nature of local park and recreation areas. Recipients must provide a match of at least one-half of total eligible project costs. The commissioner shall make payment to local units of government upon receiving documentation of reimbursable expenditures. The commissioner shall determine project priorities as appropriate based upon need.

Of this appropriation, \$300,000 is to provide a grant to Winona county for the purchase of the scenic vista on Hiawatha-Appleblossom Scenic Drive in Winona county. These funds must be matched on a dollar-for-dollar basis.

\$500,000 of this appropriation is for grants to units of government to acquire and better natural and scenic areas under new Minnesota Statutes, section 85.019, subdivision 4a.

Subd. 21. Trail Acquisition and Development

4,778,000

For acquisition and betterment of state trails as specified in Minnesota Statutes, section 85.015.

This appropriation includes \$378,000 for the Northshore trail. Debt service on the bonds sold to finance the Northshore trail part of this appropriation is appropriated and must be paid from the snowmobile trails account in the natural resources fund to the commissioner of finance as required by Minnesota Statutes, section 16A.643.

Of this appropriation, \$100,000 is to build a nonmotorized trail between the entrance to Lake Louise State Park and the city of LeRoy.

The commissioner shall determine all other project priorities as appropriate based on need.

Subd. 22. St. Louis River Land Acquisition 1,200,000

To acquire and preserve undeveloped lands located along the St. Louis, Cloquet, and Whiteface rivers.

This and previous appropriations fund the first phase of a two-phase acquisition of the lands described. It is the intent of the legislature to appropriate money needed to complete the acquisition of approximately 20,000 acres of blocks of contiguous riparian lands before July 1, 1996. The appropriation in this subdivision is not available until one or more willing sellers have committed themselves to making the lands available for purchase by the state until July 1, 1997.

Subd. 23. RIM Wildlife and Natural Area Land Acquisition 4,000,000

To acquire land related to wildlife management areas, scientific and natural areas, and prairie bank easements. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 24. Water Access Acquisition and Betterment 350,000

This appropriation is for acquisition and construction of a multipurpose access on Lake Minnetonka.

Subd. 25. State Park Acquisition 2,000,000

To acquire from willing sellers private lands within park boundaries established by law. The commissioner shall determine project priorities as appropriate based upon need.

Subd. 26. Forestry Land Acquisition 250,000

To acquire private lands within established boundaries of state forests throughout the state. The commissioner

shall determine project priorities as appropriate based upon need.

Subd. 27. Lake Superior Safe Harbors 2,200,000

To develop a new small craft harbor in Silver Bay or, if a suitable site is not available in Silver Bay, at another site determined by the commissioner in consultation with the North Shore Management Board. This appropriation is contingent on receipt of the federal matching grant.

Subd. 28. Environmental Learning Centers 11,500,000

This appropriation is to the commissioner of natural resources to plan, design, and construct facilities owned by political subdivisions at residential environmental learning centers as provided in this subdivision and new Minnesota Statutes, section 84.0875.

The appropriations in items (a) through (e) are available only when the commissioner has determined that matching money in the sum of \$17,500,000 has been committed by nonstate sources.

(a) Long Lake Conservation Center 1,200,000

This appropriation is for a grant to Aitkin county.

(b) Deep Portage Conservation Reserve 1,470,000

This appropriation is for a grant to Cass county.

(c) Wolf Ridge Environmental Learning Center 2,100,000

This appropriation is for a grant to independent school district No. 381, Lake Superior.

(d) Northwoods Audubon Center 1,080,000

This appropriation is for a grant to independent school district No. 2580, East Central.

(e) Forest Resource Center 1,650,000

This appropriation is for a grant to independent school district No. 229, Lanesboro.

If land and improvements in Fillmore county that were conveyed by the state to Southern Minnesota Forest Resource Center under Laws 1990, chapter 452, section 7, are pledged as security for a loan to assist with the completion of this project, the right of reverter retained by the state is waived in favor of the lender.

(f) Agassiz Environmental Learning Center	300,000
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This appropriation is for a grant to the city of Fertile.

(g) Laurentian Environmental Learning Center	450,000
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This appropriation is for a grant to independent school district No. 621, Mounds View.

(h) Prairie Woods Environmental Learning Center	250,000
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This appropriation is for a grant to Kandiyohi county.

(i) Prairie Wetlands Environmental Learning Center	3,000,000
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This appropriation is for a grant to the city of Fergus Falls.

Appropriations in this subdivision must be used for qualified capital expenditures.

Subd. 29. White Oak Fur Post	340,000
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To the commissioner of natural resources for a grant to the city of Deer River for site improvements and construction of a campground service building and education center for the White Oak Fur Post tourism and education facility. The facility shall be owned by the city. The city may enter into a

lease or management contract with a nonprofit entity under Minnesota Statutes, section 16A.695, for operation of the facilities. The rental amount need not require the lessee to pay rentals sufficient to pay debt service on the state bonds issued to acquire and better the facilities.

#### Subd. 30. Work Program

The commissioner of natural resources must submit a work program and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources and request its recommendation before spending any money appropriated by this section. The commission's recommendation is advisory only. Failure to respond to a request within 60 days after receipt is a negative recommendation. Work programs involving land acquisition must include a land acquisition plan.

#### Sec. 24. POLLUTION CONTROL AGENCY

Subdivision 1. To the commissioner of the pollution control agency for the purposes specified in this section

23,401,000

Subd. 2. Combined Sewer Overflow (CSO)

20,201,000

For the state share of combined sewer overflow grants under Minnesota Statutes, section 116.162, to complete the combined sewer overflow program.

This appropriation includes \$5,890,000 for the city of Minneapolis, \$13,970,000 for the city of St. Paul, and \$216,000 for the city of South St. Paul. This is the final appropriation for these projects.

This appropriation includes \$125,000 for the city of Red Wing.

The city of St. Paul shall use all reve-

nues derived from its clawback funding of sewer financing only for sewer separation projects that directly result in the elimination of combined sewer overflow.

Subd. 3. Water Quality Monitoring System

200,000

To purchase and install ten permanent water quality monitoring systems to be located throughout the state at sites selected by the commissioner.

Subd. 4. Solid Waste Capital Assistance Program

3,000,000

For state grants to cities, counties, and solid waste management districts to finance capital costs related to construction of publicly owned solid waste processing facilities, including resource recovery facilities, under Minnesota Statutes, sections 115A.49 to 115A.54.

Subd. 5. Eagle Lake Bond Defeasance

Of the amounts transferred to the public facilities authority under Minnesota Statutes, section 446A.071, subdivision 8, \$154,000 shall be transferred and is appropriated to the commissioner of the pollution control agency for a grant to the city of Eagle Lake. The grant must be used to pay, redeem or defease \$154,000 principal amount of outstanding indebtedness incurred by the city to pay for an interceptor connection to the wastewater treatment plant in the city of Mankato. This grant is for payment in the last quarter of fiscal year 1995. The commissioner of finance may propose further conditions on the use and investment of the proceeds as may be necessary to ensure that the interest on the state bonds issued to fund this appropriation is exempt from federal income taxation.

Sec. 25. PUBLIC FACILITIES  
AUTHORITY

13,400,000

To the public facilities authority for state matching money to federal grants to capitalize the state water pollution control revolving fund under Minnesota Statutes, section 446A.07.

Expenditure of this appropriation is limited to the minimum amount necessary to match the allotment of federal funds to Minnesota.

This appropriation must be used for qualified capital projects.

Sec. 26. BOARD OF WATER AND  
SOIL RESOURCES

Subdivision 1. To the board of water and soil resources for the purposes in this section

9,800,000

Subd. 2. Redwood 22 Reservoir Project

800,000

For land acquisition and permanent easements for the Redwood 22 reservoir project, contingent upon local matching money of \$266,666. These funds are not intended to be used for construction.

Subd. 3. RIM Conservation Easement Acquisition

9,000,000

This appropriation is for the purposes specified in paragraphs (a) to (c).

(a) To acquire conservation easements from landowners on marginal lands to protect soil and water quality and to support fish and wildlife habitat as provided in Minnesota Statutes, section 103F.515.

(b) To acquire perpetual conservation easements on existing type 1, 2, and 3 wetlands, adjacent lands, and for the establishment of permanent cover on adjacent lands, in accordance with Minnesota Statutes, section 103F.516.

(c) Up to \$300,000 of this appropriation may be used to establish and restore wetlands to provide credits for deposit in the state wetland bank established under Minnesota Statutes, section 103G.2242, subdivision 1. The board may enter into agreements with local government units and the commissioner of transportation for this purpose. An agreement with the commissioner of transportation may provide for borrowing or acquiring existing wetland credits from the wetland bank established by the commissioner. Proceeds from the sale of credits provided under this paragraph are appropriated to the board for the purposes of paragraph (b).

#### Subd. 4. Work Program

The board of water and soil resources must submit a work program and semi-annual progress reports in the form determined by the legislative water commission and request its recommendation before spending any money appropriated by subdivisions 4 and 5. The commission's recommendation is advisory only. Failure to respond to a request within 60 days after receipt is a negative recommendation. Work programs involving land acquisition must include a land acquisition plan.

### Sec. 27. MINNESOTA ZOOLOGICAL GARDEN

Subdivision 1. To the board of the Minnesota zoological garden for purposes specified in this section

21,500,000

Subd. 2. Marine Education Center

20,500,000

To design, construct, furnish, and equip a marine education center and related visitor improvements at the zoo. This appropriation is intended to complete the project.

All of the debt service costs on the

bonds sold to finance this project must be paid from dedicated receipts of the Minnesota zoological garden to the commissioner of finance as required by Minnesota Statutes, section 16A.643.

Subd. 3. Infrastructure Repair and Maintenance

1,000,000

Sec. 28. BOND SALE EXPENSES

628,000

To the commissioner of finance for bond sale expenses under Minnesota Statutes, section 16A.641, subdivision 8.

Sec. 29. Laws 1993, chapter 373, section 18, is amended to read:

**Sec. 18. BOND SALE SCHEDULE.**

The commissioner of finance shall schedule the sale of state general obligation bonds so that, during the biennium ending June 30, 1995, no more than ~~\$457,455,000~~ \$437,000,000 will need to be transferred from the general fund to the state bond fund to pay principal and interest due and to become due on outstanding state general obligation bonds. During the biennium, before each sale of state general obligation bonds, the commissioner of finance shall calculate the amount of debt service payments needed on bonds previously issued and shall estimate the amount of debt service payments that will be needed on the bonds scheduled to be sold, the commissioner shall adjust the amount of bonds scheduled to be sold so as to remain within the limit set by this section. The amount needed to make the debt service payments is appropriated from the general fund as provided in Minnesota Statutes, section 16A.641.

**Sec. 30. BOND SALE AUTHORIZATIONS REDUCED.**

In consideration of capital improvement projects that have been completed or abandoned and their remaining appropriation balances canceled by the commissioner of finance, the bond sale authorizations in the following laws are reduced by the amounts indicated:

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

(a) <u>Laws 1980, chapter 564, article VII, section 3</u>	\$ <u>2,500,000</u>
(b) <u>Laws 1987, chapter 400, section 25</u>	<u>240,000</u>
(c) <u>Laws 1989, chapter 300, section 23</u>	<u>895,000</u>
(d) <u>Laws 1990, chapter 610, article 1, section 30</u>	<u>115,000</u>
(e) <u>Laws 1992, chapter 558, section 28</u>	<u>65,000</u>
(f) <u>Laws 1993, chapter 373, section 19</u>	<u>15,000</u>
<b>TOTAL</b>	<b>\$ <u>3,830,000</u></b>

### Sec. 31. BOND SALE AUTHORIZATION.

Subdivision 1. BOND PROCEEDS FUND. To provide the money appropriated in this act from the bond proceeds fund the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$573,385,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 2. TRANSPORTATION FUND. To provide the money appropriated in this act from the state transportation fund, the commissioner of finance, on request of the governor, shall sell and issue general obligation bonds of the state in an amount up to \$45,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the state transportation fund.

Subd. 3. MAXIMUM EFFORT SCHOOL LOAN FUND. To provide the money appropriated in this act from the maximum effort school loan fund, the commissioner of finance, on request of the governor, shall sell and issue bonds of the state in an amount up to \$2,970,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7. The proceeds of the bonds, except accrued interest and any premium received on the sale of the bonds, must be credited to a bond proceeds account in the maximum effort school loan fund.

### Sec. 32. [16A.115] RELOCATION REQUESTS.

An agency request for an appropriation to fund relocation of all or part of the agency must include a statement of the cost per square foot of space currently occupied by the affected part of the agency, and the anticipated cost per square foot of the space the affected part of the agency will occupy after the proposed relocation.

### Sec. 33. [16A.501] REPORT ON MATCHING MONEY.

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

The commissioner of finance must report annually to the legislature on the degree to which entities receiving appropriations of bond proceeds contingent upon obtaining matching money have been successful in raising that money. The report must be submitted to the chairs of the house of representatives ways and means committee and the senate finance committee by February 1 of each year.

Sec. 34. Minnesota Statutes 1992, section 16A.641, subdivision 8, is amended to read:

Subd. 8. **APPROPRIATION OF PROCEEDS.** (a) The proceeds of bonds issued under each law are appropriated for the purposes described in the law and in this subdivision. This appropriation may never be canceled.

(b) Before the proceeds are received in the proper special fund, the commissioner may transfer to that fund from the general fund amounts not exceeding the expected proceeds. The commissioner shall return these amounts to the general fund by transferring proceeds when received. The amounts of these transfers are appropriated from the general fund and from the bond proceeds.

(c) Actual and necessary travel and subsistence expenses of employees and all other nonsalary expenses incidental to the sale, printing, execution, and delivery of bonds must be paid from the proceeds. The proceeds are appropriated for this purpose. Bond proceeds must not be used to pay any part of the salary of a state employee involved in the sale, printing, execution, or delivery of the bonds.

(d) Bond proceeds remaining in a special fund after the purposes for which the bonds were issued are accomplished or abandoned, as certified by the head of the agency administering the special fund, or as determined by the commissioner, unless devoted under the appropriation act to another purpose designated in the act, shall be transferred to the state bond fund.

Sec. 35. **HIGHER EDUCATION DEBT SERVICE SHARE.**

Subdivision 1. HIGHER EDUCATION BOARDS. The state board of technical colleges, the state board for community colleges, the state university board, or their successors shall pay one-third of the debt service on state bonds sold to finance projects authorized by this act. Appropriations for higher education asset preservation and renewal are not subject to the one-third debt service requirement. After each sale of general obligation bonds, the commissioner of finance shall notify the state board of technical colleges, the state board for community colleges, the state university board, and the higher education board of the amounts for which each system is assessed of each year for the life of the bonds.

Subd. 2. UNIVERSITY OF MINNESOTA. The board of regents of the University of Minnesota shall pay one-third of the debt service on state bonds sold to finance projects authorized by this act. Appropriations for higher education asset preservation and renewal are not subject to the one-third debt service requirement. After each sale of general obligation bonds, the commissioner of finance shall notify the board of regents of the amounts assessed for each year for the life of the bonds.

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

Subd. 3. METHOD OF PAYMENT. The commissioner shall reduce each system's assessment each year under subdivisions 1 and 2 by one-third of the net income from investment of general obligation bond proceeds that must be allocated among the systems in proportion to the amount of principal and interest otherwise required to be paid by each. Each higher education system shall pay its resulting net assessment to the commissioner of finance by December 1 each year. If a higher education system fails to make a payment when due, the commissioner of finance shall reduce allotments for appropriations from the general fund otherwise available to the system and apply the amount of the reduction to cover the missed debt service payment. The commissioner of finance shall credit the payments received from the higher education systems to the bond debt service account in the state bond fund each December 1 before money is transferred from the general fund under Minnesota Statutes, section 16A.641, subdivision 10.

**Sec. 36. [16A.695] PROPERTY PURCHASED WITH STATE BOND PROCEEDS.**

Subdivision 1. DEFINITIONS. (a) The definitions in this subdivision apply to this section.

(b) "State bond financed property" means property acquired or bettered in whole or in part with the proceeds of state general obligation bonds authorized to be issued under article XI, section 5, clause (a), of the Minnesota Constitution.

(c) "Public officer or agency" means a state officer or agency, the University of Minnesota, the Minnesota historical society, and any county, home rule charter or statutory city, school district, special purpose district, or other public entity, or any officer or employee thereof.

(d) "Fair market value" means, with respect to the sale of state bond financed property, the price that would be paid by a willing and qualified buyer to a willing and qualified seller as determined by an appraisal of the property, or the price bid by a purchaser under a public bid procedure after reasonable public notice.

Subd. 2. LEASES AND MANAGEMENT CONTRACTS. (a) A public officer or agency that is authorized by law to lease or enter into a management contract with respect to state bond financed property shall comply with this subdivision.

(b) The lease or management contract may be entered into for the express purpose of carrying out a governmental program established or authorized by law and established by official action of the contracting public officer or agency, in accordance with orders of the commissioner intended to ensure the legality and tax-exempt status of bonds issued to finance the property, and with the approval of the commissioner. A lease or management contract, including any renewals that are solely at the option of the lessee, must be for a term substan-

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

tially less than the useful life of the property, but may allow renewal beyond that term upon a determination by the lessor that the use continues to carry out the governmental program. A lease or management contract must be terminable by the contracting public officer or agency if the other contracting party defaults under the contract or if the governmental program is terminated or changed, and must provide for program oversight by the contracting public officer or agency. Money received by the public officer or agency under the lease or management contract that is not needed to pay and not authorized to be used to pay operating costs of the property must be paid to the commissioner in the same proportion as the state bond financing is to the total public financing for the property, deposited in the state bond fund, and used to pay or redeem or defease bonds issued to finance the property in accordance with the commissioner's order authorizing their issuance; the money paid to the commissioner is appropriated for this purpose.

(c) With the approval of the commissioner, a lease or management contract between a city and a nonprofit corporation under section 471.191, subdivision 1, need not require the lessee to pay rentals sufficient to pay the principal, interest, redemption premiums, and other expenses when due with respect to state bonds issued to acquire and better the facilities.

Subd. 3. SALE OF PROPERTY. A public officer or agency shall not sell any state bond financed property unless the public officer or agency determines by official action that the property is no longer usable or needed by the public officer or agency to carry out the governmental program for which it was acquired or constructed, the sale is made as authorized by law, the sale is made for fair market value, and the sale is approved by the commissioner. If any state bonds issued to purchase or better the state bond financed property that is sold remain outstanding on the date of sale, the net proceeds of sale must be applied as follows:

(1) if the state bond financed property was acquired and bettered solely with state bond proceeds, the net proceeds of sale must be paid to the commissioner, deposited in the state bond fund, and used to pay or redeem or defease the outstanding bonds in accordance with the commissioner's order authorizing their issuance, and the proceeds are appropriated for this purpose; or

(2) if the state bond financed property was acquired or bettered partly with state bond proceeds and partly with other money, the net proceeds of sale must first be used to pay or redeem or defease the state bonds as provided in clause (1), and any excess over the amount needed for that purpose must be divided in proportion to the shares contributed to its acquisition or betterment and paid to the interested public and private entities, and the proceeds are appropriated for this purpose.

Subd. 4. RELATION TO OTHER LAWS. This section applies to all state bond financed property unless otherwise provided by law.

#### Sec. 37. REPORTS.

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

Subdivision 1. LEASES OR MANAGEMENT CONTRACTS. A public officer or agency that has entered into a lease or management contract with respect to state bond financed property on or after January 1, 1989, and before the effective date of this act shall file a report with the commissioner stating the purpose of the lease or contract, the name and nature of the lessee or contracting party, the terms of the lease or contract, and the use or disposition of any money received by the public officer or agency under the lease or contract.

Subd. 2. SALES. A public officer or agency that has sold state bond financed property on or after January 1, 1989, and before the effective date of this act shall file a report with the commissioner stating the reason for sale, the method of sale, the purchaser, the sale price, and the use or disposition of the net sale proceeds.

Sec. 38. Minnesota Statutes 1992, section 16A.85, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION.** The commissioner of administration may determine, in conjunction with the commissioner of finance, the personal property needs of the various state departments, agencies, boards, and commissions and the legislature of the kinds of property identified in this subdivision that may be economically funded through a master lease program and request the commissioner of finance to execute a master lease. The master lease may be used only to finance the following kinds of purchases:

(a) The master lease may be used to finance purchases by the commissioner of administration with money from an internal services fund.

(b) The master lease may be used to refinance a purchase of equipment already purchased under a lease-purchase agreement.

(c) The master lease may be used to finance purchases of large equipment with a capital value of more than \$100,000 and a useful life of more than ten years.

(d) The legislature may specifically authorize a particular purchase to be financed using the master lease. The legislature anticipates that this authorization will be given only to finance the purchase of major pieces of equipment with a capital value of more than \$10,000.

The commissioner of finance may authorize the sale and issuance of certificates of participation relative to a master lease in an amount sufficient to fund these personal property needs. The term of the certificates must be less than the expected useful life of the equipment whose purchase is financed by the certificates. The commissioner of administration may use the proceeds from the master lease or the sale of the certificates of participation to acquire the personal property through the appropriate procurement procedure in chapter 16B. Money appropriated for the lease or acquisition of this personal property is appropriated to the commissioner of finance to make master lease payments.

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

Sec. 39. Minnesota Statutes 1992, section 16B.24, subdivision 1, is amended to read:

Subdivision 1. **OPERATION AND MAINTENANCE OF BUILDINGS.** The commissioner is authorized to maintain and operate the state capitol building and grounds, subject to whatever standards and policies are set for its appearance and cleanliness by the capitol area architectural and planning board and the commissioner under section 15.50, subdivision 2, clause (h), and the state office building, the judicial center, the jobs and training buildings in Minneapolis and St. Paul, the state department of health building, and the surplus property building, and their grounds, and, when the commissioner considers it advisable and practicable, any other building or premises owned or rented by the state for the use of a state agency. The commissioner shall assign and reassign office space in the capitol and state buildings to make an equitable division of available space among agencies. The commissioner shall regularly update the long-range strategic plan for locating agencies and shall follow the plan in assigning and reassigning space to agencies. The plan must include locational and urban design criteria, a cost-analysis method to be used in weighing state ownership against leasing of space in specific instances, and a transportation management plan. If the commissioner determines that a deviation from the plan is necessary or desirable in a specific instance, the commissioner shall provide the legislature with a timely written explanation of the reasons for the deviation. The power granted in this subdivision does not apply to state hospitals or to educational, penal, correctional, or other institutions not enumerated in this subdivision the control of which is vested by law in some other agency.

Sec. 40. **[16B.241] COORDINATED FACILITY PLANNING.**

The commissioner of administration shall develop a coordinated facility planning process for offices located outside the metropolitan area for the following agencies: the departments of health, agriculture, and natural resources; the pollution control agency; and the board of water and soil resources. Any proposals for consolidation or construction of facilities for these agencies that are included in budget documents submitted to the legislature under section 16A.11 must first be considered as part of the planning process required by this section.

Sec. 41. Minnesota Statutes 1992, section 16B.305, subdivision 2, is amended to read:

Subd. 2. **REVIEW OF REQUESTS.** The commissioner shall review agency requests for state buildings and help agencies prepare adequate plans for use in presenting their capital budget requests to the commissioner of finance, the governor, and the legislature. ~~The commissioner shall consider locational questions in siting state buildings and include answers to locational questions~~ provide information on how a building project is consistent with the department's long-range strategic plan for locating state agencies in the commissioner's recommendations on a request.

Sec. 42. Minnesota Statutes 1993 Supplement, section 16B.335, is amended to read:

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

**16B.335 REVIEW OF PLANS AND PROJECTS.**

Subdivision 1. **CONSTRUCTION AND MAJOR REMODELING.** The commissioner, or any other agency recipient to whom an appropriation is made to acquire or better public lands or buildings or other public improvements of a capital nature, must not prepare final plans and specifications for any construction, major remodeling, or land acquisition authorized by in anticipation of which the appropriation was made until the agency that will use the project has presented the program plan and cost estimates for all elements necessary to complete the project to the chair of the senate finance committee and the chair of the house ways and means committee and the chairs have made their recommendations. "Construction or major remodeling" means construction of a new building or substantial alteration of the exterior dimensions or interior configuration of an existing building. The presentation must note any significant changes in the work that will be done, or in its cost, since the appropriation for the project was enacted. The program plans and estimates must be presented for review at least two weeks before a recommendation is needed. The recommendations are advisory only. Failure or refusal to make a recommendation is considered a negative recommendation.

Subd. 2. **OTHER PROJECTS.** All other capital projects except for those contained in agency operations budgets, including building improvements, small structures at experiment stations, asbestos removal, life safety, PCB removal, tuckpointing, roof repair, code compliance, landscaping, drainage, electrical and mechanical systems work, paving of streets, parking lots, and the like for which a specific appropriation is made must not proceed until the agency recipient undertaking the project has notified the chair of the senate finance committee and the chair of the house ways and means committee that the work is ready to begin. Notice is not required for capital projects needed to comply with the Americans with Disabilities Act or funded by an agency's operating budget or by a capital asset preservation and replacement account under section 16A.632, or a higher education capital asset preservation and renewal account under section 135A.046.

Sec. 43. Minnesota Statutes 1993 Supplement, section 16B.335, is amended by adding a subdivision to read:

Subd. 3. **PREDESIGN REQUIREMENT.** A recipient to whom an appropriation is made for a project subject to review under subdivision 1 or notice under subdivision 2 shall prepare a predesign package and submit it to the commissioner for review and recommendation before proceeding with design activities. The commissioner must complete the review and recommendation within ten working days after receiving it. Failure to review and recommend within the ten days is considered a positive recommendation. The predesign package must be sufficient to define the scope, cost, and schedule of the project and must demonstrate that the project has been analyzed according to appropriate space needs standards.

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

Sec. 44. Minnesota Statutes 1993 Supplement, section 16B.335, is amended by adding a subdivision to read:

Subd. 4. ENERGY CONSERVATION. A recipient to whom a direct appropriation is made for a capital improvement project shall ensure that the project complies with the applicable energy conservation standards contained in law, including sections 216C.19 to 216C.21, and rules adopted thereunder. The recipient may use the energy planning and intervention and energy technologies units of the department of public service to obtain information and technical assistance on energy conservation and alternative energy development relating to the planning and construction of the capital improvement project.

Sec. 45. Minnesota Statutes 1993 Supplement, section 16B.335, is amended by adding a subdivision to read:

Subd. 5. INFORMATION TECHNOLOGY. Agency requests for construction and remodeling funds shall include money for cost-effective information technology investments that would enable an agency to reduce its need for office space, provide more of its services electronically, and decentralize its operations. The information policy office must review and approve the information technology portion of construction and major remodeling program plans before the plans are submitted to the chairs of the senate finance committee and the house of representatives ways and means committee for their recommendations as required by subdivision 1.

Sec. 46. ~~[84.0875]~~ ENVIRONMENTAL LEARNING CENTERS.

The commissioner may acquire and better, or make grants to counties, home rule charter or statutory cities, or school districts to acquire and better, residential environmental learning centers where students may learn how to use, preserve, and renew the natural resources of this state. A facility and reasonable access to it must be owned by the state or a political subdivision but may be leased to or managed by a nonprofit organization to carry out an environmental learning program established by the commissioner. The lease or management agreement must comply with the requirements of section 16A.695.

Sec. 47. Minnesota Statutes 1992, section 85.015, subdivision 4, is amended to read:

**Subd. 4. DOUGLAS TRAIL, OLMSTED, WABASHA, AND GOODHUE COUNTIES.** (a) The trail shall originate at Rochester in Olmsted county and shall follow the route of the Chicago Great Western Railroad to Pine Island in Goodhue county and there terminate.

(b) Additional trails may be established that extend the Douglas Trail System to include Pine Island, Mazeppa in Wabasha county to Zumbrota, Goodhue, and Red Wing in Goodhue county. In addition to the criteria in section 86A.05, subdivision 4, these trails must utilize abandoned railroad rights-of-way where possible.

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

(c) The trail shall be developed primarily for riding and hiking.

(e) (d) Under no circumstances shall the commissioner acquire any of the right-of-way of the Chicago Great Western Railroad until the abandonment of the line of railway described in this subdivision has been approved by the Interstate Commerce Commission.

Sec. 48. Minnesota Statutes 1993 Supplement, section 85.019, is amended by adding a subdivision to read:

Subd. 4a. GRANTS FOR NATURAL AND SCENIC AREAS. The commissioner shall administer a program to provide grants to units of government for the acquisition and betterment of natural and scenic areas such as blufflands, prairies, shorelands, wetlands, and wooded areas. A grant may not exceed 50 percent of the costs of acquisition and betterment of land acquired under this subdivision.

Sec. 49. Minnesota Statutes 1992, section 103G.005, is amended by adding a subdivision to read:

Subd. 14a. POLITICAL SUBDIVISION. "Political subdivision" means a county, city, town, school district, or other local government jurisdiction to which the state provides state aids or on which the state imposes state mandates.

Sec. 50. Minnesota Statutes 1992, section 103G.511, is amended to read:

**103G.511 PUBLICLY OWNED DAM REPAIR.**

Subdivision 1. **AUTHORIZATION.** The commissioner may:

- (1) repair or reconstruct state-owned dams;
- (2) make engineering evaluations related to the repair or reconstruction of dams owned by ~~local governmental units~~ political subdivisions; and
- (3) grant aid to ~~local governmental units~~ political subdivisions to repair or reconstruct dams owned by ~~local governmental units~~ political subdivisions.

Subd. 2. **ENGINEERING EVALUATIONS.** The engineering evaluations may include studies of the feasibility, practicality, and environmental effects of using dams for hydroelectric power generation.

Subd. 3. **FUNDING.** (a) Except as provided in this section, a grant to a ~~local government unit~~ political subdivision may not exceed the amount contributed to the project by the ~~local government unit~~ political subdivision from local funds.

(b) Federal general revenue sharing money may be counted as local funds, but other federal grants or loans must be used to reduce equally the state share and the local share of project costs.

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(c) A grant to study the feasibility, practicality, and environmental effects of using a dam for hydroelectric power generation may be for an amount up to 90 percent of the costs of the study.

Subd. 4. **INVESTIGATION.** The commissioner may repair or reconstruct a state-owned dam or make a grant to a ~~local governmental unit~~ political subdivision only after making an investigation of the dam.

Subd. 5. **APPLICATION.** A ~~local governmental unit~~ political subdivision desiring a grant for the repair or reconstruction of a dam may apply for the grant on forms supplied by the commissioner.

Subd. 6. **DETERMINATION OF GRANT.** The commissioner shall consider all relevant factors in determining whether to repair or reconstruct a state-owned dam or to make a grant to a ~~local governmental unit~~ political subdivision including:

- (1) the age and type of construction of the dam;
- (2) the use of the dam for water supply, flood control, navigation, hydroelectric power generation, recreation, wildlife management, scenic value, or other purposes related to public health, safety, and welfare;
- (3) the consequences of abandonment, removal, or alteration of the dam;
- (4) prospective future uses of the dam; and
- (5) the relative importance of the dam to the statewide water resource program.

Subd. 7. **HEARING.** The commissioner may hold a public hearing under section 103G.311 on the proposed repair or reconstruction after giving notice. If the hearing is held at the request of a ~~local government unit~~ political subdivision, the costs of publishing notice and of taking and preparing the stenographic record must be paid by the ~~local government unit~~ political subdivision.

Subd. 8. **OPERATION AGREEMENT.** To receive a grant, the ~~local government unit~~ political subdivision must enter into an agreement with the commissioner giving assurance that the government unit will operate and maintain the dam in a safe condition for the benefit of the public and must agree to other conditions the commissioner considers reasonable.

Subd. 9. **LIMITATIONS.** (a) If the cost of repair or reconstruction of a state-owned dam or a grant to a ~~local government unit~~ political subdivision is less than \$250,000, the commissioner may direct that the state-owned dam be repaired or reconstructed or that a grant be made to repair or reconstruct a dam owned by a ~~local government unit~~ political subdivision.

(b) If the cost of repair or reconstruction of a state-owned claim or grant to a ~~local government unit~~ political subdivision is \$250,000 or more, the commis-

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sioner may recommend the project to the legislature for its consideration and action, except in an emergency under paragraph (c).

(c) The commissioner, with the approval of the commissioner of finance after consulting with the legislative advisory commission, may direct that a state-owned dam be repaired or reconstructed or a grant be made to a ~~local government unit~~ political subdivision if the commissioner determines that an emergency exists and:

- (1) there is danger that life will be lost; or
- (2) that substantial property losses will be suffered if action is not promptly taken.

Subd. 10. **LOANS FOR LOCAL SHARE OF PROJECT COSTS.** (a) If the commissioner decides to recommend a dam repair or reconstruction grant for a ~~local government unit~~ political subdivision to the legislature, the commissioner must notify the ~~local government unit~~ political subdivision and the commissioner of finance of the decision. After being notified by the commissioner of natural resources, the ~~local government unit~~ political subdivision may apply to the commissioner of finance on forms supplied by the commissioner of finance for a loan up to 90 percent of the local share of the project costs.

(b) The loan is repayable over a period not longer than 20 years, with interest at a rate sufficient to cover the cost to the state of borrowing the money.

(c) A ~~local government unit~~ political subdivision receiving a dam safety loan must levy for the loan payment in the year the loan proceeds were received and each later year, until the loan is paid. The levy must be for:

- (1) the amount of the annual loan payment; or
- (2) the amount of the loan payment less the amount the ~~local government unit~~ political subdivision certifies is available from other sources for the loan payment.

(d) Upon approval of the project grant by the legislature, the commissioner of finance shall make the loan in an amount and on terms that are appropriate. Loans made under this subdivision do not require approval by the electors of the ~~local government unit~~ political subdivision as provided in section 475.58.

(e) Principal and interest payments received by the commissioner of finance in repayment of these loans are appropriated to the state ~~building bond account~~ fund.

Subd. 11. **COMMISSIONER'S ORDER TO REPAIR OR RECONSTRUCT A DAM.** (a) If a ~~local government unit~~ political subdivision fails to comply with a commissioner's order to repair or remove a dam under section 103G.515, the commissioner may repair or remove the dam as provided in this subdivision.

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(b) The commissioner must hold a hearing under section 103G.311 on the failure of the ~~local government unit~~ political subdivision to repair or remove the dam. After the hearing, the commissioner must make findings specifying the failure of the ~~local government unit~~ political subdivision to act and shall, by order, assume the powers of the legislative authority of the ~~local government unit~~ political subdivision in regard to the repair or removal of dams.

(c) After issuing the order, the commissioner has the same powers, insofar as applicable to the repair or removal of dams, as the commissioners of administration and the pollution control agency have in the construction, installation, maintenance, or operation of a municipal disposal system, or part of a system, or issuing bonds and levying taxes under section 115.48.

Subd. 12. **PRIORITY LIST OF DAMS NEEDING REPAIR.** After reviewing examinations of dams owned by the state and ~~local government units~~ political subdivisions, the commissioner shall prioritize the state and ~~local government unit~~ political subdivision dams in need of repair or reconstruction and report annually to the legislature. The commissioner must prioritize projects considering danger to life, damage to property, and the factors listed in subdivision 6.

Sec. 51. Minnesota Statutes 1992, section 103G.521, subdivision 1, is amended to read:

Subdivision 1. **APPLICATION FOR TRANSFER.** (a) Upon application by resolution of the governing body of a ~~local government unit~~ political subdivision authorized to maintain and operate dams or other control structures affecting public waters, the commissioner, with the approval of the executive council, may transfer to the ~~local government unit~~ political subdivision the custody of a dam or other control structures owned by the state and under the supervision or control of the commissioner if the commissioner determines that the transfer will promote the best interests of the public. The transfer must be made by order of the commissioner on the terms and conditions the commissioner sets for maintenance and operation of the project.

(b) In connection with the transfer, the commissioner may convey land, easements, or other state property pertaining to the project to the transferee by deed or another appropriate instrument in the name of the state, subject to conditions and reservations prescribed by the commissioner. A duplicate of each order, conveyance, or other instrument executed by the commissioner in connection with a transfer must be filed with the commissioner of finance.

Sec. 52. Minnesota Statutes 1992, section 103G.535, is amended to read:

**103G.535 HYDROPOWER GENERATION.**

Subdivision 1. **PUBLIC PURPOSE.** The legislature finds that:

(1) the public health, safety, and welfare of the state is also promoted by the

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use of state waters to produce hydroelectric or hydromechanical power in a manner consistent with laws relating to dam construction, reconstruction, repair, and maintenance; and

(2) the leasing of existing dams and potential dam sites primarily for power generation is a valid public purpose.

**Subd. 2. AUTHORITY FOR LEASE OF SITES.** A ~~local government unit~~ political subdivision, or the commissioner with the approval of the state executive council for state-owned dams, may provide by a lease or development agreement for the development and operation of dams, dam sites, and hydroelectric or hydromechanical power generation plants by an individual, a corporation, an organization, or other legal entity on terms and conditions in subdivision 5.

**Subd. 3. INSTALLATIONS LESS THAN 15,000 KILOWATTS UNUSED ON JANUARY 1, 1984.** If an installation of 15,000 kilowatts or less at a dam site and reservoir was unused on January 1, 1984, in connection with the production of hydroelectric or hydromechanical power, the lease or development agreement negotiated by the ~~local government unit~~ political subdivision and the developer constitutes full payment by the lessee and may be in lieu of all real or personal property taxes that might otherwise be due to a ~~local government unit~~ political subdivision.

**Subd. 4. MUNICIPALITY OR TOWN APPROVAL.** If the dam, dam site, or power generation plant is located in or contiguous to a municipality or town, other than the lessor ~~local government unit~~ political subdivision, the lease or agreement is not effective unless it is approved by the governing body of the municipality or town.

**Subd. 5. CONTENTS OF DEVELOPMENT AGREEMENT.** (a) An agreement for the development or redevelopment of a hydropower site must contain provisions to assure the maximum financial return to the ~~local government unit~~ political subdivision or the commissioner.

(b) An agreement may contain:

(1) the period of the development agreement up to 99 years, subject to negotiations between the parties, and conditions for extension, modification, or termination;

(2) provisions for a performance bond on the developer or certification that the equipment and its installation have a design life at least as long as the lease; and

(3) provisions to assure adequate maintenance and safety in impoundment structures and access to recreational sites.

Sec. 53. Minnesota Statutes 1992, section 116.162, subdivision 2, is amended to read:

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Subd. 2. **PROGRAM PURPOSE.** The agency shall administer a state financial assistance program to assist eligible recipients to abate combined sewer overflow to the Mississippi river from its confluence with the Rum river to ~~its confluence with the St. Croix river~~ easternmost boundary of the city of Red Wing.

Sec. 54. **[116J.558] EFFECT OF ISSUANCE OF GRANTS.**

The issuance of a contamination cleanup grant under sections 116J.551 to 116J.557 has no effect on the responsibility or the liability of the state, under chapter 115B or any other law, in relation to the contamination at a site or sites for which the grant is issued. The issuance of a grant neither implies any state responsibility for the contamination nor imposes any obligation on the state to participate in the cleanup of the contamination or in the cleanup costs beyond the amount of the grant.

Sec. 55. Minnesota Statutes 1993 Supplement, section 124.494, subdivision 1, is amended to read:

Subdivision 1. **QUALIFICATION.** Any group of school districts that meets the criteria required under subdivision 2 may apply for an incentive grant ~~in an amount not to exceed~~ for construction of a new secondary facility or for remodeling and improving an existing secondary facility. A grant for new construction must not exceed the lesser of \$5,000,000 or 75 percent of the approved construction costs of a cooperative secondary education facility. A grant for remodeling and improving an existing facility must not exceed \$200,000.

Sec. 56. Minnesota Statutes 1993 Supplement, section 124.494, subdivision 2, is amended to read:

Subd. 2. **REVIEW BY COMMISSIONER.** (a) Any group of districts that submits an application for a grant shall submit a proposal to the commissioner for review and comment under section 121.15, and the commissioner shall prepare a review and comment on the proposed facility, regardless of the amount of the capital expenditure required to acquire, construct, remodel or improve the secondary facility. The commissioner must not approve an application for an incentive grant for any secondary facility unless the facility receives a favorable review and comment under section 121.15 and the following criteria are met:

- (1) a minimum of ~~three~~ two or more districts, with kindergarten to grade 12 enrollments in each district of no more than 1,200 pupils, enter into a joint powers agreement;
- (2) a joint powers board representing all participating districts is established under section 471.59 to govern the cooperative secondary facility;
- (3) the planned secondary facility will result in the joint powers district meeting the requirements of Minnesota Rules, parts 3500.2010 and 3500.2110;
- (4) at least 198 pupils would be served in grades 10 to 12, 264 pupils would be served in grades 9 to 12, or 396 pupils would be served in grades 7 to 12;

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(5) no more than one superintendent is employed by the joint powers board as a result of the cooperative secondary facility agreement;

(6) a statement of need is submitted, that may include reasons why the current secondary facilities are inadequate, unsafe or inaccessible to the handicapped;

(7) an educational plan is prepared, that includes input from both community and professional staff;

(8) a combined seniority list for all participating districts is developed by the joint powers board;

(9) an education program is developed that provides for more learning opportunities and course offerings, including the offering of advanced placement courses, for students than is currently available in any single member district;

(10) a plan is developed for providing instruction of any resident students in other districts when distance to the secondary education facility makes attendance at the facility unreasonably difficult or impractical; and

(11) the joint powers board established under clause (2) discusses with technical colleges located in the area how vocational education space in the cooperative secondary facility could be jointly used for secondary and post-secondary purposes.

(b) To the extent possible, the joint powers board is encouraged to provide for severance pay or for early retirement incentives under section 125.611, for any teacher or administrator, as defined under section 125.12, subdivision 1, who is placed on unrequested leave as a result of the cooperative secondary facility agreement.

(c) For the purpose of paragraph (a), clause (8), each school district must be considered to have started school each year on the same date.

(d) The districts may develop a plan that provides for the location of social service, health, and other programs serving pupils and community residents within the cooperative secondary facility. The commissioner shall consider this plan when preparing a review and comment on the proposed facility.

(e) The districts shall schedule and conduct a meeting on library services. The school districts, in cooperation with the regional public library system and its appropriate member libraries, shall discuss the possibility of including jointly operated library services at the cooperative secondary facility.

(f) The school board of a district that has reorganized under section 122.23 or 122.243 and that is applying for a grant for remodeling or improving an existing facility may act in the place of a joint powers board to meet the criteria of this subdivision.

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Sec. 57. Minnesota Statutes 1992, section 124.494, subdivision 3, is amended to read:

Subd. 3. **DISTRICT PROCEDURES.** A joint powers board of a secondary district established under subdivision 2 or a school board of a reorganized district that intends to apply for a grant shall adopt a resolution stating the proposed costs of the project, the purpose for which the ~~debt is~~ costs are to be incurred, and an estimate of the dates when the facilities for which the grant is requested will be contracted for and completed. Applications for the state grants must be accompanied by (a) a copy of the resolution, (b) a certificate by the clerk and treasurer of the joint powers board showing the current outstanding indebtedness of each member district, and (c) a certificate by the county auditor of each county in which a portion of the joint powers district lies showing the information in the auditor's official records that is required to be used in computing the debt limit of the district under section 475.53, subdivision 4. The clerk's and treasurer's certificate shall show, as to each outstanding bond issue of each member district, the amount originally issued, the purpose for which issued, the date of issue, the amount remaining unpaid as of the date of the resolution, and the interest rates and due dates and amounts of principal thereon. Applications and necessary data must be in the form prescribed by the commissioner and the rules of the state board of education. When an application is received, the commissioner shall obtain from the commissioner of revenue, and from the public utilities commission when required, the information in their official records that is required to be used in computing the debt limit of the joint powers district under section 475.53, subdivision 4.

Sec. 58. Minnesota Statutes 1992, section 124.494, subdivision 4, is amended to read:

Subd. 4. **AWARD OF GRANTS.** (a) The commissioner shall examine and consider all applications for grants, and if any ~~joint powers~~ district is found not qualified, the commissioner shall promptly notify that ~~joint powers~~ board. ~~On July 1 of 1989, the commissioner shall make awards to no more than two qualified applicants whose applications have been on file with the commissioner more than one month.~~

(b) ~~On July 1, 1992, the commissioner shall make awards to no more than two groups of districts. Notwithstanding paragraphs (a) and (c), the first grant shall be made to the group of districts consisting of independent school districts No. 240, Blue Earth; No. 225, Winnebago; No. 219, Elmore; and No. 218, Delevan; if that group has submitted an application and if the application has been approved. The second grant, if money remains, shall be made to the group of districts that make up the Grant county project; if that group has submitted an application and if that application has been approved. Applications must be filed on or before June 1, 1992, for the July 1, 1992, grant award consideration.~~

(c) A grant award is subject to verification by the ~~joint powers districts~~ district as specified in subdivision 6. A grant award for a new facility must not be

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made until the site of the secondary facility has been determined. A grant award to remodel or improve an existing facility must not be made until the districts have reorganized. If the total amount of the approved applications exceeds the amount that is or can be made available, the commissioner shall allot the available amount equally between the approved applicant districts. The commissioner shall promptly certify to each qualified ~~joint powers~~ district the amount, if any, of the grant awarded to it.

Sec. 59. Minnesota Statutes 1993 Supplement, section 124.494, subdivision 4a, is amended to read:

Subd. 4a. **COLOCATION GRANT.** A group of districts that receives a grant for a new facility under subdivision 4 is also eligible to receive an additional grant in the amount of \$1,000,000. To receive the additional grant, the group of districts must develop a plan under subdivision 2, paragraph (d), that provides for the location of a significant number of noneducational student and community service programs within the cooperative secondary facility.

Sec. 60. Minnesota Statutes 1992, section 124.494, subdivision 5, is amended to read:

Subd. 5. **REFERENDUM; BOND ISSUE.** Within 180 days after being awarded a grant for a new facility under subdivision 4, the joint powers board shall submit the question of authorizing the borrowing of funds for the secondary facility to the voters of the joint powers district at a special election, which may be held in conjunction with the annual election of the school board members of the member districts. The question submitted shall state the total amount of funding needed from all sources. A majority of those voting in the affirmative on the question is sufficient to authorize the joint powers board to accept the grant and to issue the bonds on public sale in accordance with chapter 475. The clerk of the joint powers board must certify the vote of the bond election to the commissioner of education. If the question is approved by the voters, the commissioner shall notify the approved applicant districts that the grant amount certified under subdivision 4 is available and appropriated for payment under this subdivision. If a majority of those voting on the question do not vote in the affirmative, the grant must be canceled.

Sec. 61. Minnesota Statutes 1992, section 124.494, subdivision 6, is amended to read:

Subd. 6. **CONTRACT.** Each grant must be evidenced by a contract between the ~~joint powers~~ board and the state acting through the commissioner. The contract obligates the state to pay to the ~~joint powers~~ board an amount computed according to subdivision 4, and according to a schedule, and terms and conditions acceptable to the commissioner of finance.

Sec. 62. **[124C.498] METROPOLITAN MAGNET SCHOOL GRANTS.**

Subdivision 1. POLICY AND PURPOSE. A metropolitan magnet school

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grant program is established for the purpose of promoting integrated education for students in prekindergarten through grade 12, increase mutual understanding among all students, and address the inability of local school districts to provide required construction funds through local property taxes. The program seeks to encourage school districts located in whole or in part within the seven county metropolitan area to make available to school age children residing in the metropolitan area those educational programs, services, and facilities that are essential to meeting all children's needs and abilities. The program anticipates using the credit of the state, to a limited degree, to provide grants to metropolitan area school districts to improve the educational opportunities and academic achievement of disadvantaged children and the facilities that are available to those children.

Subd. 2. APPROVAL AUTHORITY; APPLICATION FORMS. To the extent money is available, the commissioner of education, may approve projects from applications submitted under this section. The grant money must be used only to acquire, construct, remodel, or improve the building or site of a magnet school facility according to contracts entered into within 15 months after the date on which a grant is awarded.

Subd. 3. GRANT APPLICATION PROCESS. (a) Any group of school districts that meets the criteria required under paragraph (b)(i) may apply for a magnet school grant in an amount not to exceed \$10,000,000 for the approved construction costs of a magnet school facility.

(b)(i) Any group of districts that submits an application for a grant shall submit a proposal to the commissioner for review and comment under section 121.15, and the commissioner shall prepare a review and comment on the proposed magnet school facility, regardless of the amount of the capital expenditure required to acquire, construct, remodel, or improve the facility. The commissioner must not approve an application for a magnet school grant for any facility unless the facility receives a favorable review and comment under section 121.15 and the participating districts:

(1) establish a joint powers board under section 471.59 to represent all participating districts and govern the magnet school facility;

(2) design the planned magnet school facility to meet the applicable requirements contained in Minnesota Rules, chapter 3535;

(3) submit a statement of need, including reasons why the magnet school will facilitate integration and improve learning;

(4) prepare an educational plan, that includes input from both community and professional staff; and

(5) develop an education program that will improve learning opportunities for students attending the magnet school.

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(ii) The districts may develop a plan that permits social service, health, and other programs serving students and community residents to be located within the magnet school facility. The commissioner shall consider this plan when preparing a review and comment on the proposed facility.

(c) When two or more districts enter into an agreement establishing a joint powers board to govern the magnet school facility, all member districts shall have the same powers.

(d) A joint powers board of participating school districts established under paragraphs (b) and (c) that intends to apply for a grant shall adopt a resolution stating the costs of the proposed project, the purpose for which the debt is to be incurred, and an estimate of the dates when the contracts for the proposed project will be completed. A copy of the resolution must accompany any application for a state grant under this section.

(e)(i) The commissioner shall examine and consider all grant applications. If the commissioner finds that any joint powers district is not a qualified grant applicant, the commissioner shall promptly notify that joint powers board. The commissioner shall make awards to no more than two qualified applicants whose applications have been on file with the commissioner more than 30 days.

(ii) A grant award is subject to verification by the joint powers board under paragraph (f). A grant award must not be made until the participating districts determine the site of the magnet school facility. If the total amount of the approved applications exceeds the amount of grant funding that is or can be made available, the commissioner shall allot the available amount equally between the approved applicant districts. The commissioner shall promptly certify to each qualified joint powers board the amount, if any, of the grant awarded to it.

(f) Each grant must be evidenced by a contract between the joint powers board and the state acting through the commissioner. The contract obligates the state to pay to the joint powers board an amount computed according to paragraph (e)(ii) and a schedule, and terms and conditions acceptable to the commissioner of finance.

#### Sec. 63. [134.45] LIBRARY ACCESSIBILITY GRANTS.

Subdivision 1. APPLICATION; DEFINITION. Public library jurisdictions may apply to the commissioner of education for grants to improve accessibility to their library facilities. For the purposes of this section, "public library jurisdictions" means regional public library systems, regional library districts, cities, and counties operating libraries under chapter 134.

Subd. 2. APPROVAL BY COMMISSIONER. The commissioner of education, in consultation with the state council on disability, may approve or disapprove applications under this section. The grant money must be used only to remove architectural barriers from a building or site.

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Subd. 3. APPLICATION FORMS. The commissioner of education shall prepare application forms and establish application dates.

Subd. 4. MATCH. A public library jurisdiction applying for a grant under this section must match the grant with local funds.

Subd. 5. QUALIFICATION. A public library jurisdiction may apply for a grant in an amount up to 50 percent of the approved costs of removing architectural barriers from a building or site.

Subd. 6. AWARD OF GRANTS. The commissioner, in consultation with the state council on disability, shall examine and consider all applications for grants. If a public library jurisdiction is found not qualified, the commissioner shall promptly notify it. The commissioner shall prioritize grants on the following bases: the public library jurisdiction's tax burden, the long-term feasibility of the project, the suitability of the project, and the need for the project. If the total amount of the applications exceeds the amount that is or can be made available, the commissioner shall award grants according to the commissioner's judgment and discretion and based upon a ranking of the projects according to the factors listed in this subdivision. The commissioner shall promptly certify to each public library jurisdiction the amount, if any, of the grant awarded to it.

Subd. 7. PROJECT BUDGET. A public library jurisdiction that receives a grant must provide the commissioner with the project budget and any other information the commissioner requests.

#### Sec. 64. [135A.045] POST-SECONDARY SYSTEMS.

Each post-secondary governing board shall report on any petroleum tank release cleanup account reimbursements as part of each biennial budget request. The board shall specify its costs in relation to any tank removal, replacement, and cleanup and shall identify all petroleum tank release cleanup account reimbursements it received or assigned and the specific activity for which the reimbursement or assignment was made. The board must place all reimbursements it receives into its capital repair and betterment account.

#### Sec. 65. [135A.046] HIGHER EDUCATION ASSET PRESERVATION AND RENEWAL.

Subdivision 1. PURPOSE. The legislature recognizes that post-secondary governing boards operate campus physical plants that in number, size, and programmatic use differ significantly from the physical plants operated by state departments and agencies. However, the legislature recognizes the need for standards to aid in categorizing and funding capital projects. The purpose of this section is to provide standards for those higher education projects that are intended to preserve and replace existing campus facilities.

Subd. 2. STANDARDS. Capital budget expenditures for Higher Education Asset Preservation and Renewal (HEAPR) projects must be for one or more of

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the following: code compliance including health and safety, Americans with Disabilities Act requirements, hazardous material abatement, access improvement, or air quality improvement; building or infrastructure repairs necessary to preserve the interior and exterior of existing buildings; or renewal to support the existing programmatic mission of the campuses.

**Subd. 3. REPORTING PRIORITIES.** Each post-secondary governing board shall establish priorities within its HEAPR projects. By December 31 of each year, it shall submit a list of those priorities for which capital bonding appropriations will be sought in the next legislative session, as well as a list of the projects that have received bond proceeds during that calendar year to the chairs of the higher education finance divisions, the senate finance committee, and the house of representatives capital investment committee.

Sec. 66. Minnesota Statutes 1992, section 135A.06, subdivision 4, is amended to read:

**Subd. 4. CAPITAL REQUESTS.** A capital budget request submitted by a system must specifically relate a proposed capital project to the plans required under this section.

In its planning for new program offerings at a particular campus, each public post-secondary governing board shall consider the availability of physical space and the adequacy of facilities at that campus. If the board determines that new space or facilities are required, it shall examine the feasibility of developing the program at a different campus within its system or in cooperation with other systems and the higher education board. In planning for new library facilities, each public post-secondary governing board shall consider whether on-campus student study space needs can be more efficiently accommodated within existing facilities.

Sec. 67. Minnesota Statutes 1993 Supplement, section 136.261, subdivision 1, is amended to read:

**Subdivision 1. PURCHASE OF NEIGHBORING PROPERTY.** The state university board may purchase property adjacent to or in the vicinity of the campuses as necessary for the development of the universities. Before taking action, the board shall consult with the chairs of the senate finance committee and the house ways and means committee about the proposed action. The board shall explain the need to acquire property, specify the property to be acquired, and indicate the source and amount of money needed for the acquisition. The amount needed may be spent from sums previously appropriated for purposes of the state universities, including but not limited to general fund appropriations for instructional or noninstructional expenditures, general fund appropriations carried forward, or university activity fund appropriations.

Sec. 68. Minnesota Statutes 1992, section 136.651, is amended to read:

#### 136.651 SURPLUS COMMUNITY COLLEGE LAND.

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At the request of the state board for community colleges, the commissioner of administration shall transfer and convey, or lease for a term of years, state land under the control of but no longer needed by a community college to the city where the community college is located. The land must be used by the city for student housing. The conveyance must be made for no monetary consideration, and by quitclaim deed in a form approved by the attorney general. The deed must provide that the land reverts to the state if it is no longer used for student housing unless the owner of improvements on the land agrees before the reversion to pay the state the value of the unimproved land as determined by the commissioner before the improvements were made. The commissioner shall inflate the value of the unimproved land by three percent compounded annually for each year of ownership after the improvements were made. For purposes of determining the value, the commissioner shall designate two or more of the regularly appointed and qualified state appraisers to determine the value of the land.

Sec. 69. **LIBRARY PLANNING TASK FORCE.**

Subdivision 1. TASK FORCE MEMBERSHIP. An 18-member planning task force for library and information services shall be established and shall be composed of: three representatives appointed by the chancellor of the higher education board, one of whom may be serving on the MINITEX advisory committee; two representatives appointed by the president of the University of Minnesota, one of whom may be serving on the MINITEX advisory committee; one representative appointed by the president of the Minnesota private college council; the director of MINITEX; one representative appointed by the commissioner of finance; one representative appointed by the executive director of the Minnesota higher education coordinating board; the director of the office of library development and services; five representatives of public libraries appointed by the director of library development and services; two representatives of elementary and secondary schools appointed by the commissioner of education; and one representative appointed by the governor. The executive director of the Minnesota higher education coordinating board shall confer with the other appointing authorities to ensure that at least one-half of the task force members are employed in occupations unrelated to library science. The executive director of the Minnesota higher education coordinating board shall convene the first meeting of the task force.

Subd. 2. PLAN REVIEW. The task force may review plans for proposed library projects, not including projects which have construction money available before January 1, 1995, to ensure that they:

(1) provide statewide access to and are integrated with library, information and archival services and networks;

(2) promote coordinated exchange of information among Minnesota's post-secondary systems, public libraries, and school libraries;

(3) include the use of appropriate technologies for current and future storage of electronic library information;

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(4) coordinate use of electronic storage and transmission in providing library and information services;

(5) collaborate with multitype and regional public library systems established in Minnesota Statutes, sections 134.20 and 134.351; and

(6) maximize current library funding sources and identify additional sources.

Proposed library projects may be considered for an appropriation after task force review. The task force shall report on its review of library projects to the legislature by December 15 each year.

The task force shall expire on June 30, 1999.

Sec. 70. Minnesota Statutes 1992, section 167.51, subdivision 1, is amended to read:

Subdivision 1. **ACCOUNT; APPROPRIATION.** The commissioner of finance shall maintain in the state bond fund a separate account which shall be designated the Minnesota trunk highway bond account. On the first day of ~~November~~ December of each year there shall be transferred from the trunk highway fund to the Minnesota trunk highway bond account a sum sufficient, with all money previously transferred to such account, and all income from the investment of such money, to pay all principal and interest then and theretofore due and to become due within the next ensuing year and to and including July 1 in the second ensuing year on Minnesota trunk highway bonds. There is annually appropriated from the trunk highway fund a sum of money sufficient to carry out the provisions of this subdivision.

Sec. 71. **[216C.41] HYDROPOWER PRODUCTION INCENTIVE.**

Subdivision 1. DEFINITIONS. For purposes of this section, a "qualified hydroelectric facility" or "facility" means a hydroelectric generating facility in this state that:

(1) is located at the site of a dam, if the dam was in existence as of March 31, 1994; and

(2) begins generating electricity after July 1, 1994.

Subd. 2. INCENTIVE PAYMENT. Incentive payments shall be made according to this section to the owner or operator of a qualified hydropower facility for electric energy generated and sold by the facility. Payment may only be made upon receipt by the commissioner of finance of an incentive payment application that establishes that the applicant is eligible to receive an incentive payment and that satisfies other requirements the commissioner deems necessary. The application shall be in a form and submitted at a time the commissioner establishes. There is annually appropriated from the general fund sums sufficient to make the payments required under this section.

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Subd. 3. ELIGIBILITY WINDOW. Payments may be made under this section only for electricity generated from a qualified hydroelectric facility that is operational and generating electricity before January 1, 2001.

Subd. 4. PAYMENT PERIOD. A facility may receive payments under this section for a ten-year period. No payment under this section may be made for electricity generated after December 31, 2010. The payment period begins and runs consecutively from the first year in which electricity generated from the facility is eligible for incentive payment.

Subd. 5. AMOUNT OF PAYMENT. An incentive payment is based on the number of kilowatt hours of electricity generated. The amount of the payment is 1.5 cents per kilowatt hour.

**Sec. 72. TEACHER TRAINING INSTITUTE; CITY OF ST. PAUL.**

The city of St. Paul may establish and maintain a teacher training institute and related activities that provides new models for professional development for teachers. The city may exercise the powers granted in Minnesota Statutes, section 471.191, to acquire and better facilities for the institute. Facilities that have been acquired or bettered in whole or in part with the proceeds of state bonds must be owned by the city but may be leased or managed by a nonprofit organization to carry out the purposes of the institute program established by the city. The lease or management agreement must comply with the requirements of new Minnesota Statutes, section 16A.695.

**Sec. 73. [268.917] EARLY CHILDHOOD LEARNING FACILITIES.**

The commissioner may make grants to state agencies and political subdivisions to construct or rehabilitate facilities for head start, early childhood and family education facilities, other early childhood intervention programs, or demonstration family service centers housing multiagency collaboratives, with priority to centers in counties or municipalities with the highest number of children living in poverty. The facilities must be owned by the state or a political subdivision, but may be leased under section 16A.695 to organizations that operate the programs. The commissioner shall prescribe the terms and conditions of the leases. A grant for an individual facility must not exceed \$200,000. The commissioner shall give priority to grants that involve collaboration among sponsors of early childhood learning programs. At least 25 percent of the amounts appropriated for these grants must be used in conjunction with the youth employment and training programs operated by the commissioner. Eligible programs must consult with appropriate labor organizations to deliver education and training.

**Sec. 74. [462.3911] PRAIRIELAND EXPO.**

The southwest regional development commission is authorized to establish, construct, and operate a facility to display, preserve, and interpret historical information and to enhance the tourism potential of the region. The commission may enter into a lease or management contract with another entity for operation of the facility.

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Sec. 75. Minnesota Statutes 1992, section 471.191, subdivision 1, is amended to read:

Subdivision 1. Any city operating a program of public recreation and playgrounds pursuant to sections 471.15 to 471.19 may acquire or lease, equip, and maintain land, buildings, and other recreational facilities, including, but without limitation, outdoor or indoor swimming pools, skating rinks and arenas, athletic fields, golf courses, marinas, concert halls, museums, and facilities for other kinds of athletic or cultural participation, contests, and exhibitions, together with related automobile parking facilities as defined in section 459.14, and may expend funds for the operation of such program and borrow and expend funds for capital costs thereof pursuant to the provisions of this section. Any facilities to be operated by a nonprofit corporation, as contemplated in section 471.16, may be leased to the corporation upon such rentals and for such term, not exceeding 30 years, and subject to such other provisions as may be agreed; including but not limited to provisions (a) permitting the lessee, subject to whatever conditions are stated, to provide for the construction and equipment of the facilities by any means available to it and in the manner determined by it, without advertisement for bids as required for other municipal facilities, and (b) granting the lessee the option to renew the lease upon such conditions and rentals, or to purchase the facilities at such price, as may be agreed; provided that (c) any such lease shall require the lessee to pay net rentals sufficient to pay the principal, interest, redemption premiums, and other expenses when due with respect to all city bonds issued for the acquisition or betterment of the facilities, less such amount of taxes and special assessments, if any, as may become payable in any year of the term of the lease, on the land, building, or other facilities leased, and (d) no option shall be granted to purchase the facilities at any time at a price less than the amount required to pay all principal and interest to become due on such bonds to the earliest date or dates on which they may be paid and redeemed, and all redemption premiums and other expenses of such payment and redemption.

Sec. 76. **PROGRAM FUNDING.**

Recipients of grants from money appropriated in this act must demonstrate to the commissioner of the agency making the grant that the recipient has the ability and a plan to fund the program intended for the facility.

Sec. 77. **RENT STUDY.**

The commissioner of administration must report on rent billing to state agencies for the use of state facilities. The report must include:

- (1) the amount of rent billed;
- (2) a description of the way rent amounts are determined;
- (3) an explanation of the disposition of rent proceeds;

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(4) recommendations on ways that state agency rent billings can be used to fund capital asset preservation and repair needs in state facilities, replacing the program established in Minnesota Statutes, section 16A.632; and

(5) other information which the commissioner deems relevant.

The report must be submitted to the legislature by January 31, 1995.

#### Sec. 78. AGENCY LOCATION STUDY.

To enable the legislature to assess the administration's assertion that public agencies need to be located in close proximity to the state capitol, the commissioner of administration shall study the feasibility of developing a public agency corridor in St. Paul. The study shall include the area that runs from 194 south to east 7th place between Cedar and Jackson streets. The study shall include a comparison of the building costs and building restrictions in the designated area as compared to the immediate capitol area. In addition the study shall evaluate the issues of public and employee locational preferences, access to locations by the public using various forms of transportation, parking availability, interagency convenience in communications and the general overall impact the development would have on the city of St. Paul. The study shall be completed and a report made to the legislature by December 15, 1994.

#### Sec. 79. SECURE JUVENILE DETENTION FACILITY CONSTRUCTION GRANTS.

Subdivision 1. GRANTS AUTHORIZED. The commissioner of corrections shall make grants to Hennepin county, Ramsey county, or groups of counties, excluding counties in the joint powers board operating the northwestern Minnesota juvenile training center for grants made in 1994 or 1995, for up to 75 percent of the construction cost of secure juvenile detention and treatment facilities. The commissioner shall ensure that grants are distributed so that facilities are available for both male and female juveniles, and that the needs of very young offenders can be met. The commissioner shall also require that programming in the facilities be culturally specific and sensitive. To the extent possible, grants should be made for facilities or living units of 15 beds or fewer. No more than one grant shall be made in each judicial district. Grant proposals may include more than one site.

Subd. 2. APPLICATIONS. Applications for grants shall be submitted to the commissioner using forms and instructions which the commissioner shall provide. The commissioner must notify counties, excluding counties in the joint powers board operating the northwestern Minnesota juvenile training center for grants made in 1994 or 1995, of the amount available for grants under this section for the counties in their judicial district. Applications can be submitted by Hennepin county, Ramsey county, or by a group of counties, excluding counties in the joint powers board operating the northwestern Minnesota juvenile training center for grants made in 1994 or 1995. The application must indicate that all counties in the judicial district have been consulted in the development of

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the proposal for the facility. If a county bordering a judicial district requests to join with counties in the adjoining judicial district, the commissioner may allow the county to cooperate in the grant application with the counties in the adjoining district. If the commissioner allows this, the commissioner shall reallocate the grant money attributable to that county to the judicial district with which the county will be cooperating.

Subd. 3. ELIGIBILITY. Applicants must include a cooperative plan for the secure detention and treatment of juveniles among the applicant counties. The cooperative plan must identify the location of facilities. Facilities must be located within 15 miles of a permanent chambers within the judicial district, as specified in section 2.722, or at the site of an existing county home facility, as authorized in section 260.094, or at the site of an existing detention home, as authorized in section 260.101.

Subd. 4. ALLOCATION FORMULA. (a) The commissioner must determine the amount available for grants for counties in each judicial district under this subdivision.

(b) Five percent of the money appropriated for these grants shall be allocated for the counties in each judicial district for a mileage distribution allowance in proportion to the percent each county's surface area comprises of the total surface area of the state. Ninety-five percent of the money appropriated for these grants shall be allocated for the counties in each judicial district using the formula in section 401.10.

(c) The amount allocated for all counties within a judicial district shall be totaled to determine the amount available for a grant within that judicial district. Amounts attributable to a county which the commissioner has authorized to cooperate in a grant with a county or counties in an adjacent judicial district shall be reallocated to that judicial district.

Subd. 5. AWARD OF GRANT. The commissioner shall determine the amount of the grant for each applicant. Prior to determining the amount of the grant, the commissioner must determine that a facility of the size proposed is needed in the proposed service area, and that the proposed facility meets the minimum standards and requirements established by the commissioner under section 241.0221, subdivision 4, paragraph (a). The commissioner may reduce the amount of the grant below the amount requested by the applicant if the commissioner determines that the facility could be constructed at lesser cost, or that a smaller facility is warranted. Grants shall be for up to 75 percent of the cost of the facility, but not to exceed the amount allocated for the counties in the judicial district under subdivision 4. The grant may only be used for capital expenditures to acquire, design, construct, renovate, equip, and furnish a secure juvenile detention and treatment facility.

Subd. 6. AGREEMENT. Counties receiving grants must agree to provide the money needed to finance the nonstate share of the cost of construction of the facility, and if the grant is to a group of counties, the counties must specify how

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this cost is allocated among the counties in the group. In Hennepin and Ramsey counties, no more than 50 percent of this amount may be used for short-term preadjudication secure beds, and each facility shall have secure long-term postadjudication beds but may have no more than 15 secure long-term postadjudication beds. Counties receiving grants must also agree that the county or group of counties will operate the facility according to the minimum standards and requirements established by the commissioner under section 241.0221, subdivision 4, paragraph (a). Counties and groups of counties receiving grants must also agree to make beds available to all other counties in the judicial district. All costs of operation of the facility must be paid by the county or counties receiving the grants, except that costs for juveniles placed in the facility may be billed to their county of residence by agreement among the counties or by law.

**Subd. 7. BONDS FOR LOCAL SHARE.** Counties receiving a grant under this section may issue general obligation bonds under chapter 475 without an election to finance the nonstate share of the cost of the facility, and the indebtedness will not be included in the net debt limit of the county. Groups of counties receiving a grant may issue these bonds individually, or may agree that the bonds will be issued by a single county, with the full faith, credit, and taxing power of each of the counties in the group pledged for the repayment of the obligations.

**Subd. 8. REALLOCATION OF UNUSED GRANT MONEY.** On December 31, 1995, the commissioner shall determine whether any money remains of the appropriations made in 1994 for the purposes of this section. If any money remains that has not been granted to counties, the commissioner shall invite counties to submit applications for capital improvements to acquire or better publicly owned secure juvenile detention facilities. The commissioner shall consider the needs of applicants for improvements at the facilities and shall make grants to counties whose needs, in the commissioner's judgment, are greatest.

#### **Sec. 80. PROGRAM FUNDING.**

A private nonprofit organization that leases or manages a facility acquired or bettered with grant money appropriated in this act must demonstrate to the commissioner of the agency making the grant that the organization has the ability and a plan to fund the program intended for the facility.

#### **Sec. 81. MUSEUMS IN ST. PAUL.**

The city of St. Paul may establish and maintain one or more museums for purposes of public education and enlightenment, including but not limited to a museum of natural science and technology and a museum for children. The city may exercise the powers granted in Minnesota Statutes, section 471.191, to acquire and better facilities for a museum. Museum facilities that have been acquired or bettered in whole or in part with the proceeds of state bonds must be owned by the city but may be leased to or managed by a nonprofit organization to carry out the purposes of the museum program established by the city. The lease or management agreement must comply with the requirements of new Minnesota Statutes, section 16A.695.

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**Sec. 82. GUIDELINES FOR CAPITAL PROJECT GRANTS.**

The commissioner of finance shall develop budget guidelines for capital improvement projects that involve grants to political subdivisions to acquire and better facilities to be used for educational or cultural purposes. The commissioner shall give particular attention to projects where the facilities will be leased to or managed by a nonprofit organization. The commissioner shall review budget guidelines and processes used by other states to evaluate and prioritize projects of this kind. The commissioner shall consider for inclusion in the guidelines a method of measuring the fiscal capacity and fiscal effort of nonprofit organizations and the political subdivisions to whom the grants are proposed to be paid. The commissioner shall report proposed guidelines to the legislature by November 15, 1994.

**Sec. 83. EFFECTIVE DATE.**

This act is effective the day after its final enactment, except that section 71 is effective July 1, 1994, and applies to electricity produced on and after that date.

Section 68 applies to land improved after July 1, 1994.

Presented to the governor May 9, 1994

Signed by the governor May 16, 1994, 3:10 p.m.

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**CHAPTER 644—H.F.No. 2591**

*An act relating to utilities; eliminating duplicate reporting relating to energy demand forecasting information by public utilities; authorizing low-income rates in certain circumstances; establishing a pilot program; amending Minnesota Statutes 1992, sections 116C.57, subdivision 3; 216B.16, by adding a subdivision; 216B.241, subdivision 1a; and 216C.17, subdivision 2; Minnesota Statutes 1993 Supplement, sections 216B.2422, by adding a subdivision; and 216C.17, subdivision 3; repealing Minnesota Statutes 1993 Supplement, section 116C.54.*

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

Section 1. Minnesota Statutes 1992, section 116C.57, subdivision 3, is amended to read:

Subd. 3. **EMERGENCY CERTIFICATION.** Any utility whose electric power system requires the immediate construction of a large electric power generating plant or high voltage transmission line may make application to the board for an emergency certificate of site compatibility or permit for the construction of high voltage transmission lines, which certificate or permit shall be issued in a timely manner no later than 195 days after the board's acceptance of

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