

CHAPTER 136

STATE UNIVERSITIES AND COMMUNITY COLLEGES

136.03	Management of state universities.	136.32	Bonds, investments.
136.031	Carry-over authority.	136.40	Minnesota state university bonds.
136.034	Repealed.	136.62	Powers of board.
136.144	Promotion of university; acceptance of gifts.	136.67	Receipts; funds.

136.03 MANAGEMENT OF STATE UNIVERSITIES.

The state universities shall be under the management, jurisdiction, and control of the state university board; and it shall have and possess all of the powers, jurisdiction, and authority, and shall perform all of the duties by them possessed and performed on and prior to April 1, 1901, except as hereinafter stated. Notwithstanding the provisions of sections 136.01, 136.015, and 136.017, the state university board, as it deems necessary, may close state universities under its jurisdiction. Prior to closing a state university the board shall hold a public hearing on the issue in the area which would be affected by the closing. At the hearing affected persons shall have an opportunity to present testimony. The hearing shall be conducted by the office of administrative hearings. The hearing examiner shall prepare a summary of testimony received at the hearing for the board. The board shall give notice of this hearing by publishing notice in the State Register and in a newspaper of general circulation in the affected area at least 30 days before the scheduled hearing.

History: 1983 c 258 s 36

136.031 CARRY-OVER AUTHORITY.

The state university board may carry over any unexpended balance from its appropriation from the first year of a biennium into the second year of the biennium. The board may carry over an unexpended balance up to a maximum of two percent of its biennial appropriation into the following biennium. These moneys shall not be taken into account in determining state appropriations.

History: 1983 c 258 s 37

136.034 [Repealed, 1983 c 258 s 72]

NOTE: This section was amended by Laws 1983, chapter 299, section 20, to read as follows:

"136.034 STATE UNIVERSITY SYSTEM; EXECUTIVE SALARIES.

Notwithstanding the provisions of chapter 43A, the state university board may establish executive salaries within the state university system, except for the salary of the chancellor, in accordance with a management compensation plan based on the level of responsibility and authority of various positions as well as appropriate market comparisons with similar positions in comparable public colleges and universities in the midwest.

The salary of the chancellor, which shall be established pursuant to section 15A.081, subdivision 1, is the upper limit of compensation for all other positions in the state university system.

The state university board shall survey compensation levels in comparable public colleges and universities in the midwest during the 1979-1981 biennium and report necessary adjustments in the above level of compensation to the governor and legislature as part of its 1981-1983 biennial budget request."

136.144 PROMOTION OF UNIVERSITY; ACCEPTANCE OF GIFTS.

The board may receive and accept on behalf of the state and for the state universities any gift, bequest, devise, endowment, or grant in the form of cash which any person, firm, corporation, association, or governmental agency may make to the board by will, deed, gift, or otherwise to carry out the purposes of section 136.143. Unless otherwise so expressed in the terms of the gift, bequest,

devise, endowment, or grant, moneys so received are not subject to the laws requiring budgeting, allotment, and encumbrance as provided in chapter 16A, or otherwise. These moneys shall be deposited in the state treasury and are appropriated to the board for use according to this section. These moneys shall not be taken into account in determining appropriations or allocations.

History: 1983 c 258 s 38

136.32 BONDS, INVESTMENTS.

The state, including the state board of investment, and all counties, cities, incorporated towns and other municipal corporations, political subdivisions and political bodies, and public officers of any thereof, all banks, bankers, trust companies, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds issued pursuant to sections 136.31 to 136.38, it being the purpose of this section to authorize the investment in such bonds of all sinking, insurance, retirement, compensation, pension and trust funds, whether owned or controlled by private or public persons or officers; provided, however, that nothing contained in this section may be construed as relieving any person, firm or corporation from any duty of exercising due care in selecting securities for purchase or investment. Such bonds are hereby constituted "authorized securities" within the meaning and for the purposes of section 50.14, notwithstanding the restrictions in part (c) of subdivision 4 thereof.

History: 1983 c 213 s 6

136.40 MINNESOTA STATE UNIVERSITY BONDS.

[For text of subs 1 to 7, see M.S.1982]

Subd. 8. **Bond authorization and appropriation.** For the purpose of providing money to be loaned to the Minnesota state university board for the acquisition and betterment of public land, buildings, and improvements of a capital nature, the state auditor is directed to sell and issue Minnesota state university bonds in the maximum amount of \$4,500,000 to be expended for dormitory, residence hall, and food service facilities at the state universities, in accordance with the recommendations of the legislative buildings commission to the 1969 session of the legislature, and in the maximum amount of \$7,500,000 to be expended for student union facilities at said universities, in the manner and upon the conditions provided in subdivisions 1 to 7, which total amounts are authorized to be expended for these purposes. No expenditures for the authorized purposes shall be made until the board has consulted the chairmen of the senate finance committee and house of representatives appropriations committee and received their recommendations thereon. Such recommendation shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. The bonds shall be sold, issued, and secured as provided in subdivisions 1 to 7 and in article XI, section 7, of the Constitution. In order to reduce the amount of taxes otherwise required by the Constitution to be levied for the payment of interest and principal thereon, there is appropriated annually to the Minnesota state university bond account in the state bond fund from the general

fund in the state treasury a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in said Minnesota state university bond account, to pay all principal and interest due and to become due on said bonds to and including July 1 in the second ensuing year. The moneys received and on hand pursuant to this annual appropriation are available in the state bond fund prior to the levy of the tax in any year required by the Constitution and by subdivision 7 and shall be used to reduce the amount of the tax otherwise required to be levied.

[For text of subd 9, see M.S.1982]

History: 1983 c 301 s 136

136.62 POWERS OF BOARD.

[For text of subds 1 to 6, see M.S.1982]

Subd. 7. **Closing authority.** Notwithstanding the provisions of sections 136.60 and 136.602, the board, as it deems necessary, may close community colleges under its jurisdiction. Prior to closing a community college the board shall hold a public hearing on the issue in the area which would be affected by the closing. At the hearing affected persons shall have an opportunity to present testimony. The hearing shall be conducted by the office of administrative hearings. The hearing examiner shall prepare a summary of testimony received at the hearing for the board. The board shall give notice of this hearing by publishing notice in the State Register and in a newspaper of general circulation in the affected area at least 30 days before the scheduled hearing.

History: 1983 c 258 s 39

136.67 RECEIPTS; FUNDS.

[For text of subds 1 to 4, see M.S.1982]

Subd. 5. **Carry-over authority.** The community college board may carry over any unexpended balance from its appropriation from the first year of a biennium into the second year of the biennium. The board may carry over an unexpended balance up to a maximum of two percent of its biennial appropriation into the following biennium. These moneys shall not be taken into account in determining state appropriations.

History: 1983 c 258 s 40