

directly by county boards or by other public and private agencies and organizations, both profit and nonprofit, and individuals, pursuant to contract. Nothing herein shall prevent the state authority from entering into contracts with and making grants to other state agencies for the purpose of providing specific services and programs. With the approval of the county board, the state authority may make grants or contracts for research or demonstration projects specific to needs within that county.

Sec. 33. Minnesota Statutes 1980, Section 254A.08, Subdivision 1, is amended to read:

Subdivision 1. Every county board shall provide a detoxification ~~pro-~~gram services for drug dependent persons. The board may utilize existing treatment programs and other agencies to meet this responsibility.

Sec. 34. **REPEALERS.**

Minnesota Statutes 1980, Sections 245.67; 245.68; 252.26; 256E.06, Subdivisions 4 and 11; and 261.27 are repealed. Minnesota Statutes 1980, Section 245.72 is repealed effective January 1, 1983.

Sec. 35. **EFFECTIVE DATE.**

Sections 1 to 21, 23 to 27, and 29 to 34 are effective January 1, 1982. Section 22 is effective the day following final enactment. In 1981, the commissioner shall send notice of the availability of sliding fee program grants as soon as possible following the effective date. For counties applying for grants in 1981 under section 20 that have not received grants under Laws 1979, Chapter 307, the application deadline is June 8; the counties shall apply as soon as possible after the effective date of section 22 and the commissioner shall make grants in 1981 under section 22 no later than July 1. Section 28 is effective January 1, 1983.

Approved June 1, 1981

CHAPTER 356 — H.F.No. 1443

An act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; creating a department of energy, planning and development; transferring all the functions of the state planning agency, energy agency, and department of economic development, and the staff of the crime control planning

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

board, to the department of energy, planning and development; abolishing the state planning agency, energy agency, and department of economic development; creating an advisory committee on energy policy development; amending Minnesota Statutes 1980, Sections 3.3005, Subdivision 3; 3.304, by adding a subdivision; 3.922, Subdivision 1; 4.10; 4.11, Subdivisions 4, 5 and 8; 4.12; 4.125; 4.13; 4.17; 4.18, Subdivision 2; 4.191; 4.26, Subdivision 1; 4.27; 4.29; 4.35; 4.36, Subdivisions 2, 3, 4, and 5; 5.08, Subdivision 2; 9.061, Subdivision 5; 11A.20, Subdivision 3; 15.01; 15.057; 15.50, Subdivision 2; 15A.081, Subdivision 1; 16.014, Subdivision 1; 16.084; 16.086, Subdivisions 1 and 2; 16.125, Subdivision 2; 16.756, Subdivision 1; 16A.123; 17.59, Subdivision 5, as amended; 17A.04, Subdivision 5; 17B.15; 18.023, Subdivision 11; 18.024, Subdivision 1; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 27.041, Subdivision 2; 28A.08; 32.075; 32.59; 40.071; 43.09, Subdivision 2a; 43.46, Subdivisions 2 and 3; 60A.15, Subdivision 1; 84.028, Subdivision 2; 84.54; 85.016; 85.017; 85.05, Subdivisions 1 and 2; 85.22, Subdivision 2a; 85A.04, Subdivision 1, and by adding a subdivision; 86.72, Subdivision 3; 86A.06; 86A.09, Subdivisions 1, 2, 3, and 4; 89.43; 92.35; 92.36; 92.37; 97.40, Subdivision 1; 97.482, Subdivision 1; 98.45, Subdivision 6; 98.46, Subdivisions 2 to 12, 14 to 19, and by adding a subdivision; 98.47, Subdivision 1; 98.50, Subdivision 5; 99.28, Subdivision 5; 100.273, Subdivision 7; 100.35, Subdivisions 1 and 5; 101.44; 104.03, Subdivision 1; 104.35, Subdivisions 2 and 3; 105.484; 105.485, Subdivision 3; 114A.03, Subdivision 1; 115A.07, Subdivision 1; 115A.12, Subdivision 2; 115A.15, Subdivision 5; 116C.03, Subdivisions 2, 3, and 4; 116C.69, Subdivisions 2, 2a and 3; 116F.06, Subdivision 2; 116H.05; 116H.06; 116H.07; 116H.08; 116H.085; 116H.087; 116H.088, Subdivision 1; 116H.089; 116H.09, Subdivisions 1, 4, and 5; 116H.10; 116H.11; 116H.12, Subdivisions 1, 1b, 2, 4, 5, 6, and 9; 116H.121, Subdivisions 1 and 2; 116H.122; 116H.123; 116H.124; 116H.126; 116H.127; 116H.128; 116H.129, Subdivisions 1, 4, 5, 6, and 8; 116H.13; 116H.14; 116H.15, Subdivision 2; 116H.17; 116H.18; 116H.19, Subdivision 1; 116H.23; 120.78, Subdivision 1; 124.225, Subdivision 4a; 126.111, Subdivision 2; 137.31, Subdivision 6; 138.93, Subdivision 4; 139.16; 139.17, and by adding a subdivision; 139.18, Subdivisions 1, 3 and 4; 139.19, Subdivisions 3, 4, 5 and 6; 145.834; 145.835, Subdivision 1; 145.836, Subdivision 1; 145.837, Subdivision 1; 145.845; 145.912, Subdivision 15; 160.262, Subdivisions 1 and 3; 160.265, Subdivision 1; 174.03, Subdivision 7; 176.131, Subdivision 10; 176.183, Subdivision 2; 179.71, Subdivision 2; 204A.06, Subdivision 1b; 216B.241, Subdivision 2; 222.62; 222.65; 223.03, as amended; 231.16; 232.02, Subdivisions 1, 2, and 3; 233.08; 245.783, Subdivision 2; 268.014; 270.66; 271.02; 273.74, Subdivisions 2 and 5; 275.53, Subdivisions 1, 3, and 4; 284.28, Subdivision 8; 290.06, Subdivision 14; 290.431; 298.48, Subdivision 4; 299A.03, Subdivision 5; 299A.04; 300.49, Subdivision 1; 301.071, Subdivision 2; 301.75; 301.77, Subdivision 1; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 322A.16; 322A.71; 325F.19, Subdivisions 3 and 6; 325F.20, Subdivision 1; 325F.21, Subdivision 2; 325F.23, Subdivision 1; 325F.24, Subdivision 3a; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 345.42, Subdivision 1; 345.53; 352E.04; 354.43, Subdivision 3; 355.06; 362.12, Subdivision 1; 362.13; 362.132; 362.40, Subdivisions 8, 9, and 10; 362.41, Subdivision 5; 362.42; 362.51, Subdivisions 8 and 10; 362A.06; 402.045; 402.062, Subdivision 1; 402.095; 451.09, Subdivision 2; 453.52, Subdivision 3; 462.375; 462.384, Subdivision 7; 462.385, Subdivisions 1 and 3; 462.386, Subdivision 1; 462.387; 462.39, Subdivisions 2 and 3; 462.391, Subdivisions 2, 3, and 4; 462.395; 462.396, Subdivision 1; 462.398; 462.421, Subdivision 21; 462A.05, Subdivision 15b; 473.204, Subdivision 2; 473.411, Subdivision 1; 473.857, Subdivision 2; 473H.06, Subdivision 5;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

474.01, Subdivisions 6, 7, and 8; 480.0595; 546.27; 611.23; 611.24; 611.26, Subdivisions 1 to 5; 638.08; 641.24; and 648.39; proposing new law coded as Minnesota Statutes, Chapter 116J; proposing new law coded in Minnesota Statutes, Chapters 85, 97, 116H, 270 and 611; amending Laws 1976, Chapter 337, Section 1, Subdivisions 2, as amended, 3, and 4, as amended; Laws 1978, Chapter 510, Sections 2 and 5; repealing Minnesota Statutes 1980, Sections 3.86; 4.11, Subdivisions 1, 2, 3, 6, and 7; 4.15; 4.16; 7.07; 16.014, Subdivision 3; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 116H.001; 116H.02, Subdivisions 2 and 4; 116H.03; 116H.09, Subdivisions 2 and 3; 116H.12, Subdivision 3b; 126.52, Subdivision 12; 168B.11; 254A.06; 299A.03; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12, Subdivisions 2 and 3; 362.15; 362.17; 362.18; 362.19; 362.23; 362.45, Subdivision 2; 363.073, Subdivisions 1 and 2; 462.711; 473.556, Subdivision 15; 473.571, Subdivisions 2, 3, and 4; 480.053; 481.15, Subdivision 3; 483.01; 483.02; 648.45; 648.46; Laws 1961, Chapter 66, Section 1, as amended; Laws 1976, Chapter 337, Section 4, as amended; Laws 1977, Chapter 310, Section 17; Laws 1978, Chapter 510, Section 10; and Laws 1981, Chapter 151, Section 1.

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

Section 1. STATE DEPARTMENTS; APPROPRIATIONS.

The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1981", "1982", and "1983", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1981, June 30, 1982, or June 30, 1983, respectively.

SUMMARY BY FUND

	1981	1982	1983	TOTAL
General	\$	\$602,749,000	\$686,299,600	\$1,289,048,600
Special	156	2,650,400	2,643,100	5,293,656
Game and Fish	32,271	22,336,200	22,968,900	45,337,371
Park Maintenance and Operation		2,400,500	2,400,500	4,801,000
Tr. Hwy.	548,627	2,010,000	2,010,000	4,568,627
Hwy. Usr.	1,655	1,109,100	1,127,200	2,237,955
TOTAL	\$582,709	\$633,255,200	\$717,449,300	\$1,351,287,209

APPROPRIATIONS Available for the Year Ending June 30

1982	1983
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Sec. 2. LEGISLATURE.

Subdivision 1. Total for this section	\$24,064,800	\$27,054,100
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. House of Representatives	\$ 11,463,000	\$ 12,496,000
Subd. 3. Senate	7,176,900	8,248,400
Subd. 4. Legislative Coordinating Commission	3,243,900	4,086,200

The amounts that may be expended from this appropriation for each activity are as follows:

General Support

1982	1983
\$ 125,700	\$ 93,500

Legislative Reference Library

\$ 402,900	\$ 455,500
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Revisor of Statutes

\$ 2,089,000	\$ 2,842,500
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The appropriation in Laws 1980, Chapter 614, Section 3, Clause (b) for the unpublished laws is also available to match money from a private foundation. This paragraph is effective the day following final enactment.

The unencumbered balance in the Minnesota Statutes Revolving Fund on June 30, 1981 shall be transferred to the general fund.

Legislative Committee on Science and Technology

\$ 105,900	\$ 125,300
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Advisory Council on the Economic Status of Women

\$ 89,900	\$ 101,100
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Great Lakes Commission

\$ 37,000	\$ 38,500
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Legislative Commission on Pensions and Retirement

\$ 120,000	\$ 134,800
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Legislative Commission on Employee Relations

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 100,000 \$ 100,000

Legislative Commission to Review Administrative Rules

\$ 83,500 \$ 95,000

Legislative Commission on Waste Management

\$ 80,000 \$ 90,000

Mississippi River Parkway Commission

\$ 10,000 \$ 10,000

This appropriation is from the trunk highway fund.

Subd. 5. Legislative Audit Commission	2,181,000	2,223,500
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The amounts that may be expended from this appropriation for each activity are as follows:

Legislative Audit Commission

\$ 15,000 \$ 15,000

Legislative Auditor

\$ 2,166,000 \$ 2,208,500

Sec. 3. SUPREME COURT

General Operations and Management	4,509,700	4,821,400
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The amounts that may be expended from this appropriation for each program are as follows:

Supreme Court Operations

\$ 2,305,000 \$ 2,328,900

State Court Administrator

\$ 1,776,200 \$ 2,049,800

Of this amount, \$200,000 the second year is available for judicial district computer hardware costs. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

This appropriation includes \$50,000 the first year and \$50,000 the second year to enable the judicial planning council (JPC) to study alternative dispute resolution programs and to award grants to local government agencies and nonprofit organizations based upon the JPC's determination that such grants will provide accessible, cost-effective resolution of disputes, utilizing neighborhood, local and community resources (including volunteers and available space in public facilities). The JPC will report to the legislature by October 1, 1983, the types of programs which provide convenient access to effective, inexpensive and expeditious alternative dispute resolution. The legislative auditor may conduct periodic post-award audits as may be requested by the JPC and approved by the legislative audit commission. If the appropriation for either year is insufficient, the appropriation for the other year is available.

To facilitate the review process established in Minnesota Statutes, Section 546.27, the director of the state justice information system shall notify the executive secretary of the state board on judicial standards whenever a matter exceeds 90 days without a disposition.

If the appropriation for the state court administrator for either year is insufficient, the appropriation for the other year is available for it.

State Law Library

\$ 428,500 \$ 442,700

Included in this appropriation is \$29,200 the first year and \$29,200 the second year for an additional librarian to act as a liaison with county law libraries. By June 30, 1982, at least one-half of the county law libraries receiving this service shall agree to provide funding equal to or exceeding the appropriation for the second year of this program or the appropriation for the second year shall cancel. This revenue shall be deposited into the general fund.

Sec. 4. STATE COURTS

General Operations and Management

11,729,750 11,770,850

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The amounts that may be expended from this appropriation for each program are as follows:

District and County Court Judges

\$11,328,250 \$11,366,850

Included in this appropriation is \$21,250 the first year and \$21,250 the second year for judges' membership dues in state and local judges' associations.

District Court Administrators

\$ 519,800 \$ 522,600

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

General Reduction

(\$ 118,300) (\$ 118,600)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

Sec. 5. **BOARD ON JUDICIAL STANDARDS**

\$ 113,500 \$ 118,600

Approved Complement - 2.0

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 6. **BOARD OF PUBLIC DEFENSE**

343,100 343,400

This appropriation includes \$340,000 the first year and \$340,000 the second year to assist in the provision of criminal and juvenile defense to indigent individuals, allocated as follows:

St. Paul-Neighborhood Justice Center, Inc.

For cases arising in Ramsey county.

\$ 95,000 \$ 95,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Minneapolis-Legal Rights Center, Inc.

For cases arising in Hennepin county.

\$ 55,000 \$ 55,000

Duluth-Duluth Indian Legal Assistance Program

For cases arising in St. Louis and Mille Lacs counties.

\$ 85,000 \$ 85,000

Cass Lake-Leech Lake Reservation Criminal and Juvenile Defense Corp.

For cases arising in Cass, Itasca, Hubbard, and Beltrami counties.

\$ 52,500 \$ 52,500

White Earth-White Earth Reservation Criminal and Juvenile Defense Corp.

For cases arising in Mahnomon, Becker, and Clearwater counties.

\$ 52,500 \$ 52,500

The legislative auditor may conduct periodic post-award audits of these grants as may be requested by the judicial council and approved by the legislative audit commission.

Sec. 7. PUBLIC DEFENDER

General Operations and Management	792,000	809,100
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Approved Complement - 25

The amounts that may be expended from this appropriation for each activity are as follows:

Public Defender Operations

\$ 587,800 \$ 602,200

Legal Assistance to Minnesota Prisoners

\$ 127,200 \$ 128,800

Legal assistance to Minnesota prisoners shall serve the civil legal needs of persons confined to state institutions.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 2,143,000 \$ 2,122,000

(b) Game and Fish Fund

\$ 125,000 \$ 125,000

(c) Trunk Highway Fund

\$ 1,200,000 \$ 1,200,000

Subd. 4. Unemployment Compensation 350,000

This appropriation is available to pay unemployment compensation costs when an agency has utilized all other available resources.

Sec. 10. GOVERNOR

General Operations and Management 1,654,600 1,683,800

The amounts that may be expended from this appropriation for each program are as follows:

Executive Operations

\$ 1,461,200 \$ 1,490,400

This appropriation includes \$200,000 the first year and \$205,000 the second year for the office of lieutenant governor.

Of this appropriation, \$15,000 the first year and \$15,000 the second year is for personal expenses connected with the office of the governor.

\$5,900 the second year is for the official governor's portrait.

\$16,400 the first year and \$17,800 the second year is for the committee on appointments.

Interstate Representation and Cooperation

\$ 193,400 \$ 193,400

\$22,300 the first year and \$22,300 the second year is for the Great Lakes Basin Commission - State Share.

\$71,000 the first year and \$71,000 the second year is for the Upper Great Lakes Regional Commission - State Share.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$49,500 the first year and \$49,500 the second year is for the Upper Mississippi Basin Commission - State Share.

\$50,600 the first year and \$50,600 the second year is for the National Governors Association.

If federal funding is eliminated by congressional action for any of the commissions, the corresponding state funding shall cancel to the general fund.

Sec. 11. SECRETARY OF STATE

General Operations and Management	975,500	1,206,800
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Approved Complement - 35

The amounts that may be expended from this appropriation for each activity are as follows:

Elections and Publications

\$ 211,100	\$ 519,900
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Uniform Commercial Code

\$ 71,200	\$ 85,400
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Business Services

\$ 387,000	\$ 360,500
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Administration

\$ 284,900	\$ 239,400
------------	------------

\$50,000 the first year is for a study of the feasibility, costs, and benefits of computerizing the records of the office of secretary of state, and for the preparation of a design and plan for development of a computerized system if the study shows that the system is feasible. The secretary of state shall consider use of the system evaluation and development methodology developed by the commissioner of administration pursuant to Minnesota Statutes, Section 16.955, but this project is not subject to the requirements of that section. The system design and plan for development shall not be prepared until the results of the feasibility study have been reported to the chair-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

men of the senate finance committee and the house appropriations committee and the chairmen have made their recommendations on it. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Fiscal Operations

\$ 51,300 \$ 51,600

General Reduction

(\$ 30,000) (\$ 50,000)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The secretary of state may transfer unencumbered balances not specified for a particular purpose among the above activities. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 12. STATE AUDITOR	255,400	258,000
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Approved Complement - 122

General - 7.5

Revolving - 114.5

During the two year period ending June 30, 1983, the commissioner of finance shall not approve any rate increase for the state auditor beyond those in effect January 1, 1981 except for adjustments necessitated by negotiated salary increases.

Sec. 13. STATE TREASURER	900,900	901,000
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	1982	1983
Approved Complement -	31	29

The amounts that may be expended from this appropriation for each activity are as follows:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Treasury Management

\$ 549,700	\$ 549,100
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Property and Escheat Claims

\$ 351,200	\$ 351,900
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Sec. 14. ATTORNEY GENERAL

General Operations and Management	10,789,500	11,763,300
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Approved Complement -	288	
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General -	283	
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Federal -	5	
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The amounts that may be expended from this appropriation for each activity are as follows:

Public Administration

\$ 1,409,600	\$ 1,552,700
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Public Resources

\$ 2,630,500	\$ 2,874,200
--------------	--------------

Public Assistance

\$ 1,348,600	\$ 1,485,300
--------------	--------------

Public Protection

\$ 2,800,800	\$ 3,072,100
--------------	--------------

\$298,000 the first year and \$310,200 the second year is for costs and expenses incurred by the attorney general in enforcing and making claims under state and federal antitrust laws. The attorney general shall report the purposes for which this money is utilized. The reports shall be made to the committee on finance of the senate and the committee on appropriations of the house of representatives at the end of each fiscal year. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Legal Policy and Administration

\$ 2,830,100	\$ 3,023,900
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Of this appropriation, \$50,000 the first year and \$50,000 the second year is for a special account for unanticipated legal expenses.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

If the appropriation for either year is insufficient, the appropriation for the other years is available for it.

General Reduction

(\$ 230,100) (\$ 244,900)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The attorney general may transfer unencumbered balances not specified for a particular purpose among the above activities. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 15. EXECUTIVE COUNCIL	1,000,000	1,000,000
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For expenses in emergencies pursuant to Minnesota Statutes, Section 9.061.

Sec. 16. INVESTMENT BOARD	1,173,900	1,103,900
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Approved Complement - 30

Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

Sec. 17. ADMINISTRATIVE HEARINGS

Approved Complement

Revolving - 25.5

Sec. 18. ADMINISTRATION

General Operations and Management	17,441,500	19,150,300
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Approved Complement - 910

General - 454

Special - 11

Revolving - 445

The amounts that may be expended from this appropriation for each program are as follows:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Management Services

\$ 3,767,800	\$ 3,964,000
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Real Property Management

\$ 8,780,300	\$ 9,303,300
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The department shall receive the assistance of the Freshwater Biological Institute in a program of Dutch elm disease treatment in the capitol area.

The central motor pool revolving account may be used to provide material transfer services to departments and agencies of the state government.

The commissioner of administration shall charge the department of transportation and the iron range resources and rehabilitation board for engineering services performed on behalf of these agencies.

State Agency Services

\$ 1,534,600	\$ 1,561,500
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The commissioner of administration may lease portions of the federal surplus property building not needed for that activity to any state agency or activity. Notwithstanding the provisions of any other law to the contrary, all moneys collected shall be deposited into the surplus property revolving fund and are reappropriated for the purposes of that fund.

Any unexpended balance of the \$61,500 appropriated in Laws 1979, Chapter 333, Section 18, for the reduction of obligations shall remain available for expenditure as provided in that section through June 30, 1982. If the surplus property revolving fund is abolished prior to June 30, 1982, any portion of the \$61,500 that is outstanding shall be immediately returned to the general fund.

Public Services

\$ 2,862,700	\$ 3,867,900
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The handicapped accessibility function in the state building code activity shall be continued at the fiscal year 1981 level.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$47,832 the first year and \$52,615 the second year is for the state contribution to the National Conference of State Legislatures.

\$32,000 the first year and \$34,200 the second year is for expenses of the Citizens Advisory Task Force on the Boundary Waters Canoe Area.

\$240,000 the first year and \$240,000 the second year is for block grants to public television stations.

\$100,000 the first year and \$100,000 the second year is for matching grants to public television stations.

\$125,000 the first year and \$125,000 the second year is for grants to public radio stations pursuant to Minnesota Statutes, Section 139.19.

Any unencumbered balance remaining in the first year for grants to public television or radio stations does not cancel but is available for the second year of the biennium.

\$4,000 the first year and \$4,000 the second year is for the state employees' band.

COFARS shall be a priority for IISAC.

General Support

\$ 947,400 \$ 958,100

The commissioner of administration with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

General Reduction

(\$ 451,300) (\$ 504,500)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general re-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

duction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

Sec. 19. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD

80,100

82,700

Approved Complement - 2

Projects that are within the area under the jurisdiction of the capitol area architectural and planning board and are funded in total with federal money shall not be approved by the governor until a recommendation is received from the legislative advisory commission.

Sec. 20. FINANCE

General Operations and Management

5,707,100

5,877,800

Approved Complement -

1982 1983

127 124

The amounts that may be expended from this appropriation for each program are as follows:

Financial Operations

\$ 3,614,900 \$ 3,701,900

Budget and Control

\$ 1,055,200 \$ 1,139,600

Financial Management

\$ 421,400 \$ 426,500

General Support

\$ 643,200 \$ 665,300

\$48,200 the first year and \$52,500 the second year is for the state contribution to the Council of State Governments.

\$7,400 the first year and \$7,400 the second year is for the expenses of the Interstate Cooperation Commission.

General Staff Reduction

(\$ 27,600) (\$ 55,500)

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 21. EMPLOYEE RELATIONS

General Operations and Management	\$ 3,194,200	\$ 3,263,800
Approved Complement - 111		
General - 103		
Special - 7		
Federal - 1		

The amounts that may be expended from this appropriation for each program are as follows:

Personnel Technical Services		
\$ 1,187,900	\$ 1,215,300	
Human Resource Improvement		
\$ 657,800	\$ 675,100	

Each state department shall have a plan approved by the commissioner of personnel to use 50 percent of its training money, or the same percentage of its training money that its schedule "C" civil service employees are of its total number of departmental employees, whichever is less, for special career training programs for schedule "C" civil service employees. The money shall be used only for this purpose.

Labor Relations		
\$ 478,200	\$ 486,400	

Administration and Special Services

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 919,000 \$ 936,700

Included in the appropriation for the first year is \$31,300 for completion of the two-year job sharing pilot program. This amount is not subject to the general reduction.

General Reduction

(\$ 48,700) (\$ 49,700)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commissioner of employee relations with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 22. REVENUE

General Operations and Management	27,220,400	27,633,200
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	1982	1983
Approved Complement -	948	942

The complement number includes 30 unfunded positions.

The amounts that may be expended from this appropriation for each program are as follows:

Revenue Management

\$ 8,125,300 \$ 8,282,700

Income, Sales, and Use Tax Management

\$14,745,900 \$15,207,300

During the biennium ending June 30, 1983, the commissioner of revenue shall establish within the department of revenue a special project to be known as "Project Fair

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Share." The project shall attempt to locate individuals who have unreported or underreported Minnesota income or have not filed a Minnesota income tax return; to locate corporations doing business in Minnesota which have unreported or underreported Minnesota income or failed to file a Minnesota income tax return; to locate estates that have unreported or underreported Minnesota income or whose personal representatives have failed to file a Minnesota income tax return; to locate Minnesota residents who attempt to evade Minnesota income taxes by establishing a false residency in another state; and to locate any other cases in which any tax owed to the state is unpaid or underpaid. Personnel operating the project shall then take appropriate action to obtain payment of the taxes, interest, and penalty, and to seek criminal or civil action in appropriate cases.

The commissioner of revenue shall report to the chairman of the senate finance committee and the chairman of the house of representatives appropriations committee by March 1, 1983. The report shall state the amount of taxes recovered as a result of Project Fair Share, a breakdown of the various groups of cases and taxes recovered by group, the total cost of the project, and other relevant information requested by either chairman or suggested by the commissioner.

Property and Special Taxes Management

\$ 4,514,000	\$ 4,461,400
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Assessors Board

\$ 118,200	\$ 126,900
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General Staff Reduction

(\$ 156,400)	(\$ 314,500)
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The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

all programs and activities does not exceed the amount appropriated for general operations and management for that year.

No more than one-half of the general staff reduction shall be in the tax payers assistance project.

General Reduction

(\$ 126,600) (\$ 130,600)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

None of the appropriation for the development of computer systems shall be expended until the commissioner of revenue has submitted to the legislature a report on the actions taken to correct the management and performance deficiencies identified in the legislative auditor's program evaluation and a plan for the development of new computer systems and has received the recommendations of the chairmen of the committee on finance of the senate and the committee on appropriations of the house of representatives on the report and the plan.

When projects for computer systems have been approved in writing by the commissioner of revenue, the commissioner may cause funds to be encumbered in the state accounting system and the encumbered funds shall not cancel at the end of the fiscal year but shall be available for the approved project only, for a period not exceeding one year or until the approved project has been completed, whichever is shorter.

After the commissioner of revenue begins to expend the appropriation, he shall prepare a report every three months describing the progress made and the money expended in developing computer systems. The

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

report shall be submitted to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The commissioner of revenue with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfer shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 23. AGRICULTURE

General Operations and Management		\$14,881,900	\$11,460,900
	1982	1983	
Approved Complement -	514	496	
General -	233	215	
Special/Revolving	265	265	
Federal -	16	16	

The amounts that may be expended from this appropriation for each program are as follows:

Agricultural Protection Service

\$ 5,574,700	\$ 3,620,400
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\$2,000,000 the first year shall be transferred to the grain inspection account as working capital, and shall be repaid from the grain inspection account when inspection fee receipts permit. At least \$1,000,000 shall be repaid by June 30, 1982, and the remainder by June 30, 1983.

The commissioners of agriculture and finance shall review the fees for all inspections, licenses and audits administered by the commissioner of agriculture. The commissioners shall make recommendations on the appropriate fee levels, the time interval upon which the fee levels should be reassessed, and the need for statutory changes to update fees on a timely basis. These recommendations shall be submitted to the committees on agriculture and appropriations in the house of representatives and to the committees on agriculture and environment and finance in the senate by January 1, 1982.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Agricultural Promotion

\$ 2,786,000 \$ 3,506,200

\$111,700 the first year and \$115,800 the second year is from the commodities research and promotion account in the special revenue fund.

\$2,100,000 the first year and \$2,800,000 the second year is for family farm security interest payment adjustments. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Administration and Financial Aids Service

\$ 6,686,800 \$ 4,667,300

\$335,000 the first year and \$335,000 the second year is for aid to county and district agricultural societies.

Of this amount, \$4,500 the first year and \$4,500 the second year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

This amount shall be disbursed according to Minnesota Statutes, Section 38.02.

Out of this amount, \$1,000 the first year and \$1,000 the second year shall be available for agricultural aid to the Red Lake Band of Chippewa Indians, to be expended as may be directed by the Indian council for the purpose of encouraging activities and arts that will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by them. This appropriation may be used to help maintain an agricultural extension service, to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.

\$10,000 the first year and \$10,000 the second year is for payment of claims relating to livestock damaged by endangered animal species.

\$4,536,300 the first year and \$2,463,700 the second year is for the shade tree disease control program. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

General Staff Reduction

(\$ 165,600) (\$ 333,000)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commissioner of agriculture with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 24. BOARD OF ANIMAL HEALTH

General Operations and Management	1,280,300	1,314,500
Approved Complement - 40		

This appropriation includes \$40,000 each year for payment of indemnities. If the appropriation for indemnities for either year is insufficient, the appropriation for the other year is available for it. Indemnities of less than \$1 shall not be paid.

Sec. 25. NATURAL RESOURCES

General Operations and Management	67,565,600	69,351,300
Approved Complement -	1589	
General -	982	
Special -	28	
Game and Fish -	504	
Federal -	73	
Gifts -	2	

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Of this appropriation, \$41,878,900 for the first year and \$43,031,900 for the second year are from the general fund; \$500,000 the first year and \$500,000 the second year is from the consolidated conservation area account in the special revenue fund; \$700,000 each year is from the nongame wildlife management account in the special revenue fund; \$2,400,500 each year is from the parks maintenance and operations account in the special revenue fund; and \$22,086,200 the first year and \$22,718,900 the second year are from the game and fish fund, including \$549,400 the first year and \$535,600 the second year pursuant to Minnesota Statutes, Section 296.421, Subdivision 4.

The amounts that may be expended from this appropriation for each program are as follows:

Administrative Management Services

\$ 4,969,100 \$ 5,114,600

\$1,687,000 the first year and \$1,765,100 the second year is from the game and fish fund.

\$275,000 the first year and \$275,000 the second year is for boating safety.

\$150,000 the first year and \$150,000 the second year is for the Minnesota environmental education board.

Regional Administration

\$ 3,103,300 \$ 3,144,000

\$621,000 the first year and \$628,900 the second year is from the game and fish fund.

Field Services Support

\$ 4,615,700 \$ 4,981,000

\$1,384,700 the first year and \$1,494,300 the second year is from the game and fish fund.

Water Resources Management

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 3,176,400 \$ 3,287,100

\$200,000 the first year and \$200,000 the second year is for water bank leases and is from the game and fish fund. ✓

Mineral Resources Management

\$ 2,152,600 \$ 2,209,400

\$246,800 the first year and \$256,100 the second year is for mineland reclamation.

\$256,300 the first year and \$274,300 the second year is for peat inventory or studies.

Forest Management

\$14,034,700 \$14,443,500

\$500,000 the first year and \$500,000 the second year is from the consolidated conservation areas account in the special revenue fund.

\$340,000 the first year and \$358,700 the second year is for emergency fire fighting. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. Except on an emergency basis, no part of this appropriation shall be expended for contracts for standby air tankers until the department has attempted to make similar arrangements for the use of air national guard tankers.

\$3,750,000 the first year and \$3,750,000 the second year is to implement the federal Boundary Waters Canoe Area legislation and is available only to match federal money on a basis of 80 percent federal, 20 percent state, provided that no more than \$250,000 the first year and \$240,000 the second year may be expended prior to the appropriation of federal funds. If the federal reimbursement is appropriated, the state appropriations are available until September 30, 1982 and September 30, 1983 respectively. The federal reimbursement shall be deposited in the general fund.

Fish Management

\$ 6,185,200 \$ 6,310,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Except for \$47,500 the first year and \$28,000 the second year from the general fund for acid rain, this appropriation is from the game and fish fund.

Wildlife Management

\$ 7,258,300 \$ 7,397,900

This appropriation is from the game and fish fund.

\$300,000 the first year and \$300,000 the second year is for deer habitat improvement.

\$810,000 in the first year and \$818,000 the second year is for payments to counties in lieu of taxes.

\$1,125,000 the first year and \$1,125,000 the second year is from the wildlife acquisition account for the acquisition and development of wildlife management areas.

\$700,000 the first year and \$700,000 the second year is from the nongame wildlife management account.

\$40,000 the first year and \$40,000 the second year is a supplement for the voluntary adult hunter education program.

Ecological Services

\$ 697,400 \$ 706,300

\$348,700 the first year and \$353,200 the second year is from the game and fish fund.

Parks and Recreation Management

\$ 8,510,600 \$ 8,591,100

\$2,400,500 the first year and \$2,400,500 the second year is from the parks maintenance and operations account.

\$163,500 the first year and \$163,500 the second year is for the program to employ needy elderly persons in the maintenance and operation of state parks.

\$63,000 the first year and \$63,000 the second year is for scientific and natural areas.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$24,000 the first year and \$24,000 the second year is for payments in lieu of taxes on lands in Voyageurs national park and St. Croix Wild River state park. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Soil and Water Conservation Board

\$ 2,873,000 \$ 2,880,300

\$425,000 the first year and \$425,000 the second year is for general purpose grants in aid to soil and water conservation districts.

\$225,800 the first year and \$225,000 the second year is for grants to watershed districts and other local units of government in the southern Minnesota river basin study area 2 for flood plain management.

\$1,585,000 the first year and \$1,585,000 the second year is for grants to soil and water conservation districts for cost sharing contracts for erosion control and water quality management. Priority shall be given to projects designed to solve lakeshore, stream bank, and roadside erosion.

\$246,300 the first year and \$246,300 the second year is for grants in aid to soil and water conservation districts and local units of government to assist them in solving sediment and erosion control problems. Grants shall not exceed 50 percent of total project costs or 50 percent of the local share if federal money is used. Priority shall be given to projects designed to solve lakeshore, stream bank, and roadside erosion and to projects eligible for federal matching money.

\$92,000 the first year and \$92,000 the second year is for grants to soil and water conservation districts for review and comment on water permits.

Enforcement

\$ 6,891,100 \$ 7,040,800

\$1,000,000 the first year and \$1,000,000 the second year is for grants to counties for boat and water safety.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$4,712,900 the first year and \$4,832,600 the second year is from the game and fish fund, provided that if the investment income on balances credited to the game and fish fund during the first year is less than \$700,000, the appropriation for the second year from the game and fish fund is \$4,530,600.

The appropriation from the game and fish fund includes \$20,000 the first year and \$20,000 the second year for the purpose of controlling smelt fishing activities on the north shore, including development of parking facilities, traffic control, coordination of regulatory agencies, control of trespass and vandalism, control of littering and sanitation, and public information and education. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Planning and Research

\$ 389,500 \$ 396,100

Youth Employment

\$ 410,800 \$ 428,600

The department shall insure that youths in all parts of the state shall have an equal opportunity for employment. The youth conservation corps shall provide service for the various DNR disciplines including parks, forestry and stream improvement.

\$100,000 the first year and \$100,000 the second year shall be used for planting, timber stand improvement, and forest development on state owned lands, other than trust fund lands, for forestry purposes.

Trails and Waterways Management

\$ 2,297,900 \$ 2,420,600

\$232,200 the first year and \$240,800 the second year is for development and maintenance of canoe and boating routes.

\$923,700 the first year and \$993,400 the second year represents unrefunded gas taxes paid for snowmobiles and shall be used

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for acquisition, development, and maintenance of recreational trails and for related purposes.

An amount not to exceed \$50,000 of all money deposited in the general fund pursuant to Minnesota Statutes, Section 84.58, Subdivision 8, during the biennium ending June 30, 1981, is appropriated to the commissioner of natural resources for the purposes of paying expenses relating to receiving, processing, and analyzing permits applied for under sections 84.57 to 84.621, and inspecting and monitoring activities authorized by the permits. All money so appropriated is available until expended.

\$435,900 the first year and \$464,900 the second year is from the game and fish fund for public access and lake improvements.

The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 26. ZOOLOGICAL BOARD

General Operations and Management		5,209,300	5,255,500
Approved Complement -	162.5		
General -	146		
Special -	16.5		

The amounts that may be expended from this appropriation for each program are as follows:

Visitor Programs

 \$ 1,238,900 \$ 1,282,900

Zoo Ride

All receipts from the operation of the zoo ride shall be deposited in a special account in the state treasury. All receipts from the zoo ride are appropriated and available until June 30, 1983 for the purposes of the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

zoo ride. These receipts are the only money appropriated for zoo ride operating expenses or debt service.

Biological Programs

\$ 1,301,100 \$ 1,330,200

Management Services

\$ 360,800 \$ 366,300

Two positions shall be moved from the unclassified to the classified service.

Physical Facilities

\$ 2,308,500 \$ 2,276,100

\$100,000 the first year and \$100,000 the second year is for a major maintenance reserve fund. Any unencumbered balance remaining in the first year does not cancel but is available for the second year of the biennium.

The director of the Minnesota zoological garden with the approval of the commissioner of finance may transfer unencumbered balances among the above programs, except that he shall make no transfer into the zoo ride program. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

The fee structure for the Minnesota zoological garden shall not exceed \$3.50 for adults, age 17-61; \$1.75 for senior citizens, age 62 and over; \$1.75 for juniors age 12-16, \$1.25 for children ages 6-11 and free for children 5 and under.

The Minnesota zoological garden board shall work with the Como zoo and the Como zoological society of the city of St. Paul to develop and adopt a joint position statement regarding cooperative programs at the two facilities. The statement shall include plans to promote complementary exhibits and to develop a process for continued coordination. The statement shall be submitted to the committees on appro-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

priations in the house of representatives and finance in the senate by January 1, 1982.

Sec. 27. WATER RESOURCES BOARD

103,200 105,400

Approved Complement - 3

Sec. 28. POLLUTION CONTROL AGENCY

General Operations and Management 6,273,600 6,127,300

	1982	1983
Approved Complement -	381	374
General -	175.5	168.5
Federal -	205.5	205.5

The amounts that may be expended from this appropriation for each program are as follows:

Water Pollution Control

 \$ 2,416,400 \$ 2,470,100

Air Pollution Control

 \$ 699,800 \$ 706,800

\$25,000 the first year and \$25,000 the second year is for special studies. The agency shall negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$56,600 the first year and \$58,700 the second year is for the acid rain study.

Solid Waste Pollution Control

 \$ 729,800 \$ 1,014,200

\$300,000 the first year and \$300,000 the second year is for grants to counties for planning and demonstration grants.

\$375,000 the first year is for enforcement assistance grants to local governments.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The agency shall reinstate the packaging program.

Regional Support

\$ 514,700 \$ 525,300

General Support

\$ 1,977,300 \$ 1,540,400

\$450,000 the first year is for environmental impact statements on candidate hazardous waste disposal sites. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

General Staff Reduction

(\$ 64,400) (\$ 129,500)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The health department shall continue to render staff services the agency requires from time to time through health's division of environmental health. The health department shall be reimbursed from the appropriation for general support for this cost.

The director of the pollution control agency with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above activities. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

<p>Sec. 29. WASTE MANAGEMENT BOARD</p> <p>Approved Complement - 20</p> <p>General - 14</p> <p>Bond Fund - 6</p>	<p>1,400,400</p> <p>1,357,100</p>
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$210,000 the first year and \$120,000 the second year is for grants to counties and local project review committees for their participation in the siting process.

Sec. 30. ENERGY, DEVELOPMENT AND PLANNING

General Operations and Management	11,208,700	9,637,350
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Approved Complement - 249

General - 161

Federal - 86

Revolving - 2

Planning

\$ 3,882,750

\$ 3,882,750

The following functions are included in this program: planning for crime control, human resources, physical planning, developmental disabilities, program review, health and critical areas; land management information center; state demographer; EQB administration; power plant studies; and environmental impact statement preparation.

\$99,000 each year is for criminal justice planning and grants administration, including expenses for the crime control planning board.

\$75,000 each year is for criminal justice grants and administration and shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, Section 3.30.

\$250,000 each year is for grants for youth intervention programs.

\$101,000 each year is for a grant to the environmental conservation library (ECOL).

\$261,000 each year is for the service bureau of the land management information center.

Community Development

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$ 2,923,550

\$ 1,665,000

The following functions are included within this program: technical assistance, fiscal studies, planning assistance grants, small business assistance, business and community contact, international trade, grants and loans, and Indian business loans.

\$87,000 each year is for a grant to the Duluth Port Authority.

\$215,000 each year is for community development corporations.

\$959,000 the first year and \$479,500 the second year is for regional planning grants.

\$300,000 the first year and \$150,000 the second year is for land use planning grants to local governments.

The payment of \$300,000 to the Arrowhead regional development commission made in 1979 by action of the legislative advisory commission upon request of the state planning agency shall be repaid by the Arrowhead commission through the performance by the Arrowhead commission of community and economic development projects. Beginning in fiscal year 1982, \$75,000 of the appropriation authorized under Minnesota Statutes, Section 462.396 shall be committed for the purposes of this repayment and shall continue to be committed in succeeding fiscal years until the sum of the original payment is reached. Proposed community and economic development projects for which this funding will be utilized will be specified by the Arrowhead commission in a detailed work program contained within the annual work program required under section 462.396. This detailed work program shall be submitted to the legislative commission on Minnesota resources annually for approval prior to the expenditure of any monies provided in this section. The work program and any progress reports shall be in the form determined by the legislative commission on Minnesota resources.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$42,500 each year is for a grant to the government training service.

Tourism

\$ 1,293,300 \$ 1,306,800

\$600,000 each year is for tourism advertising and promotion.

\$350,000 each year is for tourism grants.

Energy

\$ 2,154,100 \$ 1,826,500

\$300,000 in the first year is for district heating preliminary planning grants to municipalities for planning related to the development of district heating systems. The municipality must demonstrate that a community heatload survey and map have been successfully completed, that potential district heating load is sufficiently large to justify further consideration, and that sufficient resources are available for the municipality to meet its financial requirements. Eligible planning grant costs include project definition, development of preliminary financing and distribution system plans, and obtaining community commitment for detailed planning or design and preparation of a final report. The amount of a grant shall be limited to 90 percent of eligible planning costs and shall not exceed \$20,000.

The director of the energy agency shall prepare and submit to the legislative advisory commission a list of district heating grant requests. The list shall contain the necessary supporting information. The recommendation of the legislative advisory commission shall be transmitted to the governor. The governor shall approve or disapprove, or return for further consideration, each project recommended for approval by the legislative advisory commission. The grants may be disbursed only upon approval by the governor.

\$130,000 the first year and \$70,000 the second year is for a superinsulated home

demonstration project. Grants from this appropriation are available only when matched from private resources on a dollar for dollar basis.

General Support

\$ 955,000 \$ 956,300

In the first year the amount for each agency prior to the merger of the four agencies is as follows:

Crime Control Planning Board

\$ 100,000

State Planning Agency

\$ 325,000

Economic Development

\$ 330,000

Energy Agency

\$ 200,000

When the merger occurs, any unexpended balances from the above appropriation are available to the merged department for the purposes of general support.

The commissioner shall present a complete budget and staffing plan to the committees on finance in the senate and appropriations in the house by September 1, 1981.

Sec. 31. NATURAL RESOURCES ACCELERATION

Subdivision 1. General Operations and Management

15,315,000 12,821,000

Approved Complement - 133

The amounts that may be expended from this appropriation for each activity are more specifically described in the following subdivisions of this section.

For all appropriations in this section, except as otherwise specifically provided, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. Legislative Commission on Minnesota Resources	238,000	237,000
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The commission shall during the 1981-1983 biennium review the work programs and progress reports required under this section, and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives and other appropriate committees. The commission shall establish oversight committees to continue review of a variety of natural resource subject areas as it deems necessary to carry out its legislative charge.

Subd. 3. State Planning Agency	4,580,000	4,359,000
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Approved complement - 16

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Land Use Change

\$ 65,000	\$ 65,000
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Approved Complement - 2

To complete a pilot program to develop rapid and inexpensive procedures to update the land use information. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(b) Outdoor Recreation Act Implementation

\$ 37,000	\$ 37,000
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Approved Complement - 1

For the agency review process required in Minnesota Statutes, Chapter 86A.

(c) Local Significance Contingency

\$ 2,000,000	\$ 2,000,000
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This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching money are used, of long term lease, acquisition

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

and development of recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7, Paragraph g, except that no lake improvement grants are authorized under this subdivision and the per project limit for state grants is \$200,000.

\$1,000,000 the first year and \$1,000,000 the second year is reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2.

The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government. Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures.

(d) Regional Significance Contingency

\$ 2,000,000 \$ 2,000,000

This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching money are used, for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government and special units of government authorized to acquire, maintain and operate recreational and natural areas.

\$1,000,000 the first year and \$1,000,000 the second year shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2. Priorities for the use of funds provided in this subdivision will be given to

projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

The amount needed but not to exceed \$1,000,000 the first year and \$1,000,000 the second year, from this appropriation shall be transferred to the metropolitan council to pay principal and interest coming due in the respective fiscal years on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

The state planning agency shall administer the natural resources and land and water grants-in-aid program.

This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures. If a balance remains on July 1, 1982, then the remainder of the appropriation may be made available for either local or regional significance grants.

(e) Grant Administration

Approved Complement - 6

Up to \$185,000 the first year and \$185,000 the second year of the amounts appropriated in the above paragraphs for local and regional significance grants is available for grant administration.

(f) Soils and Topographic Data Computerization

\$ 50,000 \$ 40,000

Approved Complement - 1

To incorporate topographic information into the land management information system and determine the most productive ways to incorporate soils information.

(g) Public Land Records

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$150,000 \$149,000

Approved complement - 2

In conjunction with the department of natural resources and in cooperation with the historical society and administration department, develop a comprehensive land ownership system. Of this amount, \$105,000 is to preserve original land records of the department of natural resources. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(h) Computer Work Station

\$210,000 \$ -0-

Approved Complement - 1

To augment the present computer equipment to accommodate increased levels of service demanded by state agencies and other clientele.

(i) Information and Data Exchange

\$ 68,000 \$ 68,000

Approved Complement - 3

To complete the centralized source index for natural resource information.

Subd. 4. Department of Natural Resources

6,466,000 6,022,000

Approved Complement - 96

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Floodwater Retention Assistance

\$534,000 \$534,000

Approved Complement - 1

To assist the lower Red River watershed management board by providing up to 50 percent of the non-federal share of the cost of projects approved by the board for floodwater retention in the jurisdiction of the board. All available local, state, feder-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

al and private sources shall be requested to provide financial assistance. Of this amount, up to \$34,000 the first year and \$34,000 the second year is available for the biennium to the department for staff and essential equipment, and \$87,500 the first year and \$87,500 the second year is available for watershed planning and related activities on the same cost sharing basis. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(b) Koochiching County Ditch Investigation

\$ 35,000 \$ -0-

The department may contract for consulting services to determine the basis for state share of ditch repair costs and shall recommend a proposed policy for ditch repair where state land is involved.

(c) Regional Water Data Network

\$ 34,000 \$ 33,000

Approved Complement - 1

To train employees, establish, and test a statewide data system through regional offices. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(d) Shoreland Update

\$119,000 \$119,000

Approved Complement - 2

The department shall provide an update to the 1969 shoreland study, assess the current management program and assist counties by making the data accessible to all levels of government. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(e) Wild and Scenic Rivers Operations

\$ 58,000	\$ 58,000
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Approved Complement - 2

The department shall assist local units through technical and administrative support to implement the wild and scenic rivers program.

(f) Rainy River Navigation Improvement

\$ 88,000	\$ -0-
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The department shall provide a grant to Lake of the Woods county to remove pilings and to disburse rock cribs in the river.

(g) Hydroelectric Pilot Plant

\$250,000	\$ -0-
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For the design and engineering phase of hydropower redevelopment of the Kettle River dam.

(h) Geological Test Drilling Equipment Augmentation

\$ 75,000	\$ -0-
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To improve the applicability of existing state owned drilling equipment by adding tools and equipment designed for deep hole boring, as required by the joint project between department of transportation, Minnesota geologic survey and department of natural resources.

(i) Forest Resource Plan

\$355,000	\$355,000
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Approved complement - 8

To prepare a forest resources plan and develop a mangement information system, including the appropriate land suitability analyses and program budgets. Data shall be collected in a format consistent and compatible with the Minnesota land mangement information system and provided to that system as appropriate.

(j) Accelerate Private Forest Management

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$330,000 \$330,000

Approved Complement - 10

To provide increased technical management assistance to private nonindustrial forest land owners throughout the state, and, in cooperation with the soil and water conservation board, encourage landowners to apply for available federal cost sharing assistance for implementation of practices. Of this amount, \$60,000 the first year and \$60,000 the second year is available for a pilot project in the seven counties within the Richard J. Dorer memorial hardwood forest to provide up to 50 percent of the nonfederal share of the costs of implementing forestry practices which are eligible for federal cost sharing assistance. After October 1, 1982, the unused portion for the pilot project may also be used for cost sharing assistance in other areas of the state as indicated by landowner interest and request.

(k) Accelerate Phase II Inventory

\$367,000 \$367,000

Approved Complement - 10

To accelerate the inventory in Beltrami state forest, Aitkin and Pine counties. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(l) Fire Management Analysis

\$ 85,000 \$ 85,000

Approved Complement - 6

To analyze fire management in the balance of the state and determine methods for internal savings and improved management.

(m) Pulpwood Weight Study

\$150,000 \$150,000

Approved Complement - 6

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The department shall establish uniform cord weights for jack pine, tamarack, balsam fir and balsam poplar after sufficient research and measurement. The department shall provide a comparison between consultation and staff performance of this project, prior to work program approval.

(n) Forest Soil Specialization

\$ 66,000 \$ 66,000

Approved Complement - 3

To improve efficiency of management by providing technical soil interpretation to field foresters and planners. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(o) Wildlife Area Inventory

\$ 73,000 \$ 74,000

Approved Complement - 1

To complete the data collection and recording on the remaining wildlife management areas. Data shall be collected in a format consistent and compatible with the *Minnesota land management information system* and provided to that system as appropriate.

(n) Park Development

\$2,304,000 \$2,304,000

Approved Complement - 14

To accelerate development in state parks and recreation areas. \$1,225,000 the first year and \$1,225,000 the second year is from the state park development account in the special revenue fund. \$150,000 of this amount represents the balance of the appropriation made in Laws of 1977, Chapter 455, Section 28 for Lake Bronson park, which is cancelled.

Eighty percent of this appropriation shall be spent on projects which qualify for federal reimbursement, grant or match. Ex-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

penditures shall be for major rehabilitation and new capital improvement. Up to 15 percent may be spent for professional services.

(o) Outdoor Recreation Act Implementation

\$350,000 \$350,000

Approved Complement - 17

To conduct the master planning and other activities required by Minnesota Statutes 1980, Chapter 86A.

Of this amount, \$250,000 the first year and \$250,000 the second year and 12 staff complement are for parks planning.

Of this amount, \$100,000 the first year and \$100,000 the second year and five staff complement are for rivers planning to prepare management plans, assist initial implementation of approved plans, oversee acquisition and develop a plan update process. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(p) Minnesota Natural Heritage Program

\$ 87,000 \$ 88,000

Approved Complement - 2

To continue development and application of the integrated data system in order to expedite state land inventories and improve environmental assessment and decision making, and for planning scientific and natural areas required by Minnesota Statutes 1980, Chapter 86A. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(q) River Planning

\$ 80,000 \$ 80,000

The department shall administer a grant to the upper Mississippi headwaters board, if

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

it is created in 1981 law, of up to 50 percent of the cost of implementing the plan.

(r) Natural Resource Policy Development

\$138,000 \$138,000

Approved Complement - 4

To continue accelerated efforts in developing administrative resource management policies, strategies and recommendations for more effective management and policy analysis.

(s) Land Resource and Management Plan

\$238,000 \$238,000

Approved Complement - 4

To initiate a program to assess the relative suitability of each parcel of state owned land for each use which could occur and adjust ownership accordingly through sale, land exchange or acquisition. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate. The department shall provide a comparison between consultation and staff performance of this project, prior to work program approval.

(t) Natural Resource Data System

\$150,000 \$153,000

Approved Complement - 4

To continue coordination and development of resource information for improved management and analysis of programs for effectiveness. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(u) Water Access

\$500,000 \$500,000

Approved Complement - 1

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

For acquisition of access sites statewide. Up to 25 percent of this amount is available for development. The department shall make every effort to maximize the use of local effort and finances in the program. Up to 15 percent of the appropriation is available for professional services.

Subd. 5. Water Planning Board

\$262,000 \$ -0-

Approved Complement - 7

For fiscal year 1982, to further analyze, develop and promote implementation of management recommendations of the 1979 framework water plan.

Subd. 6. Pollution Control Agency

158,000 158,000

Approved Complement - 4

The agency shall complete phase II of the two phase lake classification study and monitor existing grants. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

Subd. 7. Minnesota Energy Agency

705,000 207,000

Approved Complement - 6

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Special Peat Energy Project

\$ 57,000 \$ -0-

To organize state efforts, and develop a grant proposal for future peat or biomass demonstration projects. Federal and private money which may become available is appropriated.

(b) Wind Energy Monitoring

\$44,000 \$ -0-

Approved Complement - 1

To design and implement a wind monitoring system.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(c) Hydropower Redevelopment Coordination

\$14,000	\$14,000
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Approved Complement - 1

To coordinate the activities of the St. Anthony Falls hydraulics laboratory and the department of natural resources in hydropower activities.

(d) Bagley District Heating

\$400,000	\$ -0-
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To provide technical support by the agency and a grant of \$380,000 conditional upon the city of Bagley match of \$30,000, to finance the required engineering design phase preparatory to the city seeking full scale development financing for a wood residue fueled district heat system.

(e) Industrial Cogeneration Potential

\$38,000	\$39,000
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To assess the potential for industrial cogeneration of electricity and thermal energy and review the state role in cogeneration issues.

(f) Combustion Turbine Capacity

\$42,000	\$43,000
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Approved Complement - 1

To review the under used potential and the prospects for modification of existing combustion turbines statewide, including alternative fuel use.

(g) Energy Impact Analysis

\$37,000	\$38,000
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Approved Complement - 1

To continue assessment of the economic costs and benefits associated with alternative energy development.

(h) Solar Performance Monitoring

\$73,000	\$73,000
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 2

To collect, analyze and report information on conventional and low cost solar domestic hot water heaters, passive solar superinsulated homes, and to compare relative performance.

Subd. 8. University of Minnesota 2,331,000 1,263,000

(a) Accelerated Soil Survey

\$889,000 \$889,000

To continue the survey for the fourth biennium of a six biennium effort to provide the appropriate detailed soil survey on all lands, based upon the adopted cost share formula between counties, state and federal ownership ratios. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(b) Aeromagnetic Survey

\$818,000 \$ -0-

To acquire aeromagnetic survey information for the second biennium of a four biennium effort. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(c) Geology of Southeast Minnesota

\$30,000 \$30,000

To determine subsurface drainage and hydrology, and evaluate the impact of land practices.

(d) Environmental Technology

\$244,000 \$244,000

To investigate technical solutions to environmental problems identified with current industrial processes and determine the appropriate future level of effort which may be necessary.

(e) Cement Project Equipment

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

\$250,000

To purchase research equipment needed for experiments with novel cement production techniques.

(f) Hydropower Technology

\$100,000

\$100,000

To determine the full potential for hydropower development at existing sites, investigate and recommend procedures to deal with environmental impacts and to develop improved hydropower technology.

Subd. 9. Historical Society

75,000

75,000

Approved Complement - 4

For the final effort to develop an archeologic data base which is compatible with the Minnesota land management information system. The society shall publish reports on the location, characteristics and significance for preservation of archeologic sites which will serve to eliminate the delays in environmental assessments and impact statements. Confidentiality and disclosure requirements shall be observed concerning publication of the reports.

Subd. 10. Work Programs

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program. Upon request from the commission the agency head shall submit an evaluation by July 1, 1982 as to whether the program should be incorporated in the next agency budget.

Subd. 11. Complement Temporary

Persons employed by a state agency and paid by an appropriation in this section are in the unclassified civil service and their

continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been expended, their positions shall be cancelled and the approved complement of the agency reduced accordingly.

Subd. 12. Natural Resources Federal Reimbursement Account	500,000	500,000
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This appropriation is from the natural resources federal reimbursement account. The commission may engage in a soil erosion sedimentation study, and a report on the 20 year history of the commission.

Sec. 32. LABOR AND INDUSTRY

General Operations and Management	7,587,900	7,442,200
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	1982-	1983
Approved Complement -	262	262.5
General -	220.5	219.8
Federal -	36.5	37.7
Special -	5.0	5.0

The amounts that may be expended from this appropriation for each program are as follows:

Employment Standards		
\$ 646,600	\$	647,600

Workers' Compensation		
\$ 4,673,000	\$	4,563,300

Of this appropriation, \$113,700 the first year and \$102,300 the second year are from the special compensation fund.

\$800,000 the first year and \$800,000 the second year is for reimbursement of the special compensation fund pursuant to Minnesota Statutes, Section 176.183, Subdivision 2.

The commissioner of labor and industry shall designate by July 1, 1981 a person with demonstrated proficiency in the field of workers' compensation laws, practices, and procedures as assistant commissioner to supervise the workers' compensation program.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

One of the two additional paralegal positions authorized under the advocacy program shall be assigned to the Duluth office.

\$149,500 the first year and \$149,500 the second year is for payment of peace officer survivor benefits pursuant to section 352E.04. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Code Enforcement

\$ 605,500 \$ 609,800

OSHA

\$ 871,800 \$ 851,200

Included in this appropriation is \$61,000 the first year and \$28,000 the second year for an on-site consultation unit. The department of labor and industry is directed to seek federal match of 90 percent for the appropriation for the second year.

General Support

\$ 791,000 \$ 770,300

Of this appropriation \$50,000 is for fiscal year 1982 legal costs, approved by the attorney general or his designee, related to recovery of claims against third parties.

The commissioner of labor and industry with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 33. MEDIATION SERVICES

General Operations and Management	912,000	926,300
Approved Complement - 25.5		

Sec. 34. PUBLIC EMPLOYMENT RELATIONS BOARD

General Operations and Management	44,700	45,800
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Approved Complement - 1

Sec. 35. MILITARY AFFAIRS

General Operations and Management	4,770,600	4,834,200
	1982	1983
Approved Complement -	234	231
General -	133	130
Federal -	101	101

Plus additional personnel as may be financed entirely from federal money for the period federal money is available.

The amounts that may be expended from this appropriation for each program are as follows:

Maintenance of Military Training Facilities

\$ 3,767,000 \$ 3,905,800

General Support

\$ 1,142,800 \$ 1,106,600

\$150,000 the first year and \$150,000 the second year is for expenses of military forces ordered to active duty pursuant to chapter 192. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

General Staff Reduction

(\$ 36,800) (\$ 74,000)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

General Reduction

(\$102,400) (\$104,200)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The adjutant general with the approval of the commissioner of finance may transfer unencumbered balances between the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Notwithstanding any other provision of this act or any other law, the portion of appropriations made in this section that relate to facility maintenance and repairs shall be available for allotment, encumbrance and expenditure upon passage of this act, for the purpose of financing federal reimbursement contracts.

Sec. 36. VETERANS AFFAIRS

General Operations and Management 8,619,000 8,924,100

1982 1983

Approved Complement - 319.5 317.5

The amounts that may be expended from this appropriation for each program are as follows:

Veterans Benefits and Services

 \$ 2,147,000 \$ 2,258,300

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Of this appropriation, \$48,000 the first year and \$48,000 the second year is for war veterans and war orphans education aid, to be expended pursuant to Minnesota Statutes, Section 197.75.

Veterans Home - Minneapolis

 \$ 4,936,700 \$ 5,152,400

Veterans Home - Hastings

 \$ 1,669,300 \$ 1,670,000

The department of veterans affairs is directed to review the ratio of direct to indirect resident care positions at the Hastings Veterans Home and reassign staff positions to achieve the ratio recommended by the

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

department of administration's management study or based on an independent needs assessment of the residents. The department shall report to the chairmen of the house appropriations and senate finance committees its efforts to comply with this section by February 15, 1982.

The commissioner of veterans affairs is directed to study the long-term health care needs of veterans in Minnesota and to prepare recommendations relative to further capital construction. The commissioner may utilize the findings of the united veterans legislative council, the northwest steering committee, and studies completed pursuant to Minnesota Laws 1977, Chapter 329. The department of health, the department of public welfare, the management analysis division of the department of administration, the University of Minnesota center for health services research, and the state demographer shall provide consultation assistance as requested and as resources allow. Community alternatives and the use of existing buildings may be considered. The report shall be presented to the chairmen of the veterans affairs committees and the appropriations and finance committees of the legislature by January 1, 1982.

If nondedicated receipts from the federal government and from maintenance charges for the veterans homes are less than \$4,364,700 for fiscal year 1982, and \$5,063,400 for fiscal year 1983, the commissioner of finance shall reduce the amount available to the veterans homes by the amount of the difference. The reductions shall be noted in the budget document submitted to the 73rd legislature.

The nondedicated receipt limitation in Laws 1979, Chapter 333, Section 40 for fiscal year 1981 is reduced by \$396,100.

The commissioner of veterans affairs is authorized to establish an imprest cash fund at each of the state operated residential facilities to be utilized for payment to

residents participating in on-campus work programs.

Big Island Veterans Camp

\$ 16,600 \$ 17,200

The appropriation for the second year shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30. By January 15, 1982, the commissioner shall report to the chairmen of the house appropriations and senate finance committees the options considered by the department and the intended future use of the Big Island veterans camp.

General Staff Reduction

(\$ 18,400) (\$ 37,000)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

General Reduction

(\$132,200) (\$136,800)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commissioner of veterans affairs with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 37. INDIAN AFFAIRS INTERTRIBAL BOARD	185,200	189,700
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Approved Complement - 7.5
 General - 6
 Federal - 1.5

Sec. 38. COUNCIL ON BLACK MINNESOTANS	64,700	95,700
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	1982	1983
Approved Complement -	2	3

Sec. 39. COUNCIL FOR THE HANDICAPPED	296,500	305,200
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Approved Complement - 10

The approved complement includes one clerk typist position, which shall be paid for entirely within this appropriation and not eligible for any supplemental appropriation to cover increases in compensation or fringe benefits.

Sec. 40. HUMAN RIGHTS		
General Operations and Management	1,107,400	1,129,500

	1982	1983
Approved Complement -	57	56
General -	43	42
Federal -	14	14

The amounts that may be expended from this appropriation for each program are as follows:

Human Rights Enforcement

\$ 668,400	\$ 680,000
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The commissioner of human rights may assign priority to the investigation of charges based on likelihood of early settlement, potential for widespread impact on discriminatory behavior, or other criteria as established by the commissioner.

Planning, Public Information and Administrative Services

\$ 439,000	\$ 449,500
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The commissioner of human rights with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 41. COUNCIL ON AFFAIRS OF SPANISH - SPEAKING PEOPLE

87,700 89,100

Approved Complement - 3

Notwithstanding any law to the contrary, a staff person of the council in the classified service on or before July 1, 1981, may remain in the classified service.

Sec. 42. HOUSING FINANCE, AGENCY

Approved Complement - 121

Spending limit on cost of general administration of agency programs:

1982	1983
\$ 3,488,800	\$ 3,543,500

Sec. 43. TORT CLAIMS

825,000 825,000

To be disbursed by the commissioner of finance.

Of this amount \$400,000 the first year and \$400,000 the second year is from the general fund, \$400,000 the first year and \$400,000 the second year is from the trunk highway fund, and \$25,000 the first year and \$25,000 the second year is from the game and fish fund.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

The following amounts are appropriated from the funds listed below to reimburse the general fund in fiscal year 1981 for tort claims paid on behalf of the funds.

Trunk highway fund	\$548,627
Iron range resources	156
Highway users fund	1,655
Game and fish fund	32,271

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 44. DEBT SERVICE

111,950,600 114,389,000

For transfer by the commissioner of finance to the state bond fund.

If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount of the deficiency and shall then transfer that amount pursuant to the statutory open appropriation.

Sec. 45. WORKERS' COMPENSATION

The appropriations in this act for the operation of each state department or agency, except the department of natural resources, in fiscal 1982 and 1983 include amounts needed to pay workers' compensation obligations to the state compensation revolving fund. It is the intent of the legislature not to appropriate additional money at any future time to pay workers' compensation obligations for fiscal 1982 and 1983, except for the department of natural resources or as may be required by an increase in the statutory level of workers' compensation benefits.

Sec. 46. UNEMPLOYMENT COMPENSATION

The appropriations in this act for the operation of each state department or agency, except the department of natural resources, in fiscal 1982 and 1983 include amounts needed to pay unemployment compensation obligations to the unemployment compensation fund. It is the intent of the legislature not to appropriate additional money at any future time to pay unemployment compensation obligations for fiscal 1982 and 1983, except for the department of natural resources or as may be required by an increase in the statutory level of unemployment compensation benefits.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 47. RETIREMENT. 180,377,600 194,458,900
 The amounts that may be expended for each purpose are more specifically described in sections 48 to 59 of this act.

Sec. 48. MINNESOTA STATE RETIREMENT SYSTEM 3,119,500 4,482,500
 The amounts estimated to be needed for each program are as follows:

Legislators

\$ 579,000 \$ 1,755,000

Pursuant to Minnesota Statutes, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; and 3A.11.

Judges

\$ 2,394,100 \$ 2,586,100

\$1,774,100 the first year and \$1,951,100 the second year is pursuant to Minnesota Statutes, Section 490.123, Subdivision 1.

\$620,000 the first year and \$635,000 the second year is pursuant to Minnesota Statutes, Section 490.106.

Constitutional Officers

\$ 86,400 \$ 86,400

Pursuant to Minnesota Statutes, Sections 352C.04, Subdivision 3; and 352C.09, Subdivision 2.

State Employee Supplemental Benefits

\$ 60,000 \$ 55,000

Pursuant to Minnesota Statutes, Section 352.73.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 49. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION 40,000 33,000

For supplement benefits pursuant to Minnesota Statutes, Section 353.83.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 50. MUNICIPAL EMPLOYEES RETIREMENT FUND

4,950,000 4,950,000

To the commissioner of finance for payment to the Minneapolis municipal employees retirement fund pursuant to Minnesota Statutes, Section 422A.101, Subdivision 3.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 51. POLICE AND FIRE AMORTIZATION AID

6,535,800 6,535,800

To the commissioner of finance for state aid to amortize the unfunded liability of local police and salaried firefighters' relief associations, pursuant to Minnesota Statutes, Section 423A.02. If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 52. DEPARTMENT OF EDUCATION

408,900 439,800

For employer contributions for members of the teachers retirement association pursuant to Minnesota Statutes, Section 354.43.

Sec. 53. MINNESOTA EDUCATIONAL COMPUTING CONSORTIUM

25,500 27,400

For employer contributions for members of the teachers retirement association pursuant to Minnesota Statutes, Section 354.43.

Sec. 54. STATE UNIVERSITY BOARD

5,030,000 5,030,000

This appropriation includes money to pay employer contributions for state university faculty members' supplemental retirement pursuant to Minnesota Statutes, Section 136.81, Subdivision 1, estimated to require \$855,000 the first year and \$855,000 the second year, and money to pay employer contributions for state university faculty members' teacher retirement pursuant to Minnesota Statutes, Section 354.43, estimated to require \$4,175,000 the first year and \$4,175,000 the second year.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 55. STATE COMMUNITY COLLEGE BOARD

2,751,500 2,745,700

This appropriation includes money to pay employer contributions for community college faculty members' supplemental retirement pursuant to Minnesota Statutes, Section 136.81, Subdivision 1, estimated to require \$478,400 the first year and \$478,400 the second year, and money to pay employer contributions for community college faculty members' teachers retirement pursuant to Minnesota Statutes, Section 354.43, estimated to require \$2,273,100 the first year and \$2,267,300 the second year.

Sec. 56. DEPARTMENT OF CORRECTIONS

95,900 103,200

For employer contributions for members of the teachers retirement association pursuant to Minnesota Statutes, Section 354.43.

Sec. 57. DEPARTMENT OF PUBLIC WELFARE

161,200 173,400

For employer contributions for members of the teachers retirement association pursuant to Minnesota Statutes, Section 354.43.

Sec. 58. DEPARTMENT OF ECONOMIC SECURITY

11,200 12,000

For employer contributions for members of the teachers retirement association pursuant to Minnesota Statutes, Section 354.43.

Sec. 59. TEACHERS RETIREMENTS

157,248,100 169,926,100

Subdivision 1. The amounts that may be expended for each purpose are more specifically described in the following subdivisions of this section.

Subdivision 1. TEACHERS RETIREMENT ASSOCIATION

76,535,100 82,855,500

The amounts estimated to be needed for each program are as follows:

Teachers Statewide

\$76,533,100 \$82,854,000

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

pursuant to sections 43.12, subdivision 10 and 43.127 for classified employees, pursuant to section 43.128 for unclassified employees who are paid salaries comparable to employees in the classified service, and pursuant to action of the appointing authority for unclassified employees in the executive, judicial, and legislative branches of state government, and employees of the Minnesota historical society and academic and nonacademic employees of the University of Minnesota who are paid from state appropriations. For agencies whose request to the legislature in the governor's proposed biennial budget for 1981-83 did not include an amount to pay the annualized cost of the cost of living increases covered by this subdivision, the amounts necessary to pay those costs are appropriated from the various funds in the state treasury from which salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1982 and June 30, 1983. The amount provided by the general fund shall not exceed \$13,872,000 the first year and \$13,872,000 the second year. In the case of salaries that are paid from one fund, but that fund is reimbursed by another fund, the amounts necessary to make these reimbursements are also appropriated.

Subd. 2. INSURANCE. For agencies whose request to the legislature in the governor's proposed biennial budget for 1981-83 did not include an amount to pay the annualized cost of the premium rate increases effective October 1, 1980 for basic life insurance and basic health benefit coverage for eligible state employees and their dependents, the amounts necessary to pay those costs are appropriated from the various funds in the state treasury from which these premiums are paid to the commissioner of finance for the fiscal years ending June 30, 1982 and June 30, 1983. The amount provided by the general fund shall not exceed \$2,504,000 the first year and \$2,504,000 the second year. In the case of premiums that are paid from one fund, but that fund is reimbursed by another fund, the amounts necessary to make these reimbursements are also appropriated.

Sec. 62. APPROPRIATION; SALARY SUPPLEMENT.

Subdivision 1. APPROPRIATION. The compensation and economic benefit increases covered by this subdivision are those paid to classified and unclassified employees in the executive, judicial, and legislative branches of state government, and to employees of the Minnesota historical society and academic and nonacademic employees of the University of Minnesota who are paid from state appropriations, if the increases are authorized by law during the 1981 session of the legislature or by appropriate resolutions for employees of the legislature, or are given interim approval by the legislative commission on employee relations pursuant to section 3.855 and section 43.113 or section 179.74, subdivision 5. The amounts necessary to pay compensation and economic benefit increases covered by this subdivision are appropriated from the various funds in the state treasury from which salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1982, and June 30,

1983. The amount provided by the general fund shall not exceed \$55,890,500 the first year and \$122,347,800 the second year. In the case of salaries that are paid from one fund, but that fund is reimbursed by another fund, the amounts necessary to make these reimbursements are also appropriated.

Subd. 2. TRANSFER. The commissioner shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.

Subd. 3. UNIVERSITY OF MINNESOTA. Money certified as needed by the University of Minnesota and transferred to it under this subdivision shall be used only for the purpose certified. Any amount transferred that exceeds the actual amount of cost of living increases or insurance premium increases paid to or for university employees until June 30, 1983 shall be returned to the general fund.

Sec. 63. FEDERAL BLOCK GRANT MONEYS.

If federal moneys become available to the state for expenditure while the legislature is not in session as a result of consolidation into block grants of federal moneys previously distributed as categorical grants, one-fourth of the federal fiscal year 1982 moneys are allocated as provided by clauses (1) and (2). The balance of the moneys shall be appropriated or allocated by the legislature at its next session or as provided by Minnesota Statutes, Section 3.3005, Subdivisions 1 to 3.

(1) To the extent that the block grant moneys replace federal moneys appropriated for the preceding fiscal year which were distributed to the state, the moneys shall be allocated in proportions equal to their respective shares of the total amount of the moneys included in the governor's budget, otherwise approved pursuant to Minnesota Statutes, Section 3.3005, or authorized by law.

(2) To the extent that the block grant moneys replace federal moneys appropriated during the preceding fiscal year which were distributed directly to local governments or to nongovernmental entities, the moneys shall be allocated and distributed to the same entities and in the same proportion as the federal categorical grants were distributed during the preceding fiscal year, unless otherwise provided by federal law. Grants for projects the funding of which terminate during the preceding fiscal year shall be subject to review by the legislature pursuant to Minnesota Statutes, Section 3.3005, Subdivision 4, and if terminated, the amount of the grant shall not be considered in calculating the distributions pursuant to this clause. Distribution of these moneys shall not be subject to the provisions of Minnesota Statutes, Sections 15.041 to 15.052.

The amounts of each block grant that shall be distributed under clause (1) and clause (2) shall be in proportion to the percentage of the total amount of moneys replaced by the block grant distributed during the preceding fiscal

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year (a) to the state and (b) directly to local governments or nongovernmental entities.

DEPARTMENT OF ENERGY, PLANNING AND DEVELOPMENT

Sec. 64. [116J.01] DEPARTMENT OF ENERGY, PLANNING AND DEVELOPMENT.

Subdivision 1. APPOINTMENT. The department of energy, planning and development shall be supervised and controlled by the commissioner of energy, planning and development, who shall be appointed by the governor and serve under the provisions of section 15.06.

Subd. 2. UNCLASSIFIED POSITIONS. The commissioner may appoint a deputy commissioner and a personal secretary in the unclassified service.

Subd. 3. DEPARTMENTAL ORGANIZATION. The commissioner shall organize the department as provided in section 15.06.

Sec. 65. [116J.02] TRANSFER OF POWERS.

Subdivision 1. STATE PLANNING AGENCY. All powers, duties, and functions heretofore vested in or imposed on the state planning agency, state planning officer, or the director of planning by sections 4.10 to 4.36 and chapters 116C, 116D, 116G, or any other law relating to the duties and powers of the state planning agency are transferred to, vested in, and imposed on the commissioner of energy, planning and development. The position of director of planning and the state planning agency as heretofore constituted are abolished.

Subd. 2. ENERGY AGENCY. All powers, duties, and functions heretofore vested in or imposed on the Minnesota energy agency or the director of the Minnesota energy agency by chapter 116H or any other law relating to the duties and powers of the director of the Minnesota energy agency are transferred to, vested in, and imposed on the commissioner of energy, planning and development. The position of director of the Minnesota energy agency and the Minnesota energy agency as heretofore constituted are abolished.

Subd. 3. DEPARTMENT OF ECONOMIC DEVELOPMENT. All powers, duties, and functions heretofore vested in or imposed on the department of economic development or the commissioner of economic development by chapter 362 or any other law relating to the duties and powers of the commissioner of economic development are transferred to, vested in, and imposed on the commissioner of energy, planning and development. The position of commissioner of economic development and the department of economic development as heretofore constituted are abolished.

Subd. 4. POSITIONS TRANSFERRED. Personnel positions in the state planning agency, energy agency, department of economic development

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

and crime control planning board in the classified civil service, and temporary positions in the unclassified service established pursuant to section 43.05, subdivision 2, clause (9), formerly assigned to functions that are transferred by this section to the department of energy, planning and development are continued and transferred to the department of energy, planning and development along with the function transferred.

Subd. 5. BALANCES TRANSFERRED. The unexpended balance of any appropriation to the state planning agency, the energy agency, the department of economic development, the crime control planning board, or any of their divisions or agencies is transferred to the commissioner of energy, planning and development, who shall pay all valid claims presented against those appropriations.

Subd. 6. RECORDS TRANSFERRED. The director of planning, the director of the energy agency, the commissioner of economic development, and the chairperson of the crime control planning board shall transfer to the commissioner of energy, planning and development all contracts, books, maps, plans, papers, records, and property of every description within his jurisdiction or control.

Subd. 7. PROCEEDINGS CONTINUED. Any proceeding, court action, prosecution, or other business or matter that is pending on the effective date of this section and that involved or was commenced by the director of planning, the director of the energy agency, or the commissioner of economic development may be conducted and completed by the commissioner of energy, planning and development in the same manner, under the same terms and conditions, and with the same effect as though it involved or were commenced and conducted or completed by the officer who began it.

Subd. 8. AUTHORITY CONTINUED. The authority of the commissioner of energy, planning and development regarding functions transferred to the commissioner by this section is a continuation of the authority of the officer from which it was transferred regarding those functions, with the same force and effect as though the functions, powers, or duties of the officer had not been assigned or transferred, and does not constitute a new authority for the purpose of succession to all rights, powers, duties, and obligations of the officer, as constituted at the time of the assignment or transfer. All rules heretofore promulgated under authority of a power, duty, or responsibility transferred by this section to the commissioner of energy, planning and development shall remain in full force and effect until amended or repealed.

Subd. 9. PERSONNEL POSITIONS ABOLISHED. All personnel positions formerly in the state planning agency, energy agency, or department of economic development and not transferred by this section to the department of energy, planning and development are abolished. All staff positions formerly serving the crime control planning board are abolished. Nothing in this

section is intended to abrogate or modify any rights now enjoyed by affected employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.

Subd. 10. REPORT. The commissioner shall report to the energy and housing committee and the governmental operations committee of the senate and the regulated industries and energy committee and the governmental operation committee of the house of representatives by November 15, 1981. The report shall detail recommendations on the proper organization of state-wide energy functions, including but not limited to, power plant siting and capacity, certification of need, environmental impact studies, rate setting, and the jurisdiction and role of the environmental quality board.

Subd. 11. REPORT. The commissioner shall report to the governmental operations committees of the senate and the house of representatives on the reorganization authorized by this section on or before March 1, 1982.

Sec. 66. [116J.03] DEFINITIONS.

Subdivision 1. SCOPE. As used in sections 4.11 to 4.30; 4.35; 4.36; 116H.01 to 116H.23; 299A.03; 299A.04; and 362.12 to 362.53, the terms defined in this section have the meaning given them.

Subd. 2. COMMISSIONER. "Commissioner" means the commissioner of energy, planning and development.

Subd. 3. DEPARTMENT. "Department" means the department of energy, planning and development.

Sec. 67. [116J.04] ENERGY POLICY DEVELOPMENT COUNCIL.

A council of 15 members to act in an advisory capacity on energy policy development to the commissioner is created. Members shall be appointed by the governor, with the advice and consent of the senate, one from each congressional district and seven from the state at large. The council members shall broadly represent the scientific, technical, educational, business and labor fields and at least four members shall be from educational and scientific research institutions. The council shall develop recommendations on policy for energy issues and energy needs and shall advise the commissioner on the energy related functions of the department. The commissioner shall report to the legislature on the major energy policy recommendations of the council. The council shall organize and elect among its members such other officers as it may deem necessary. The council shall meet at the call of the chair. The terms, compensation and removal of members shall be as provided by section 15.059. The council may advise the commissioner on the transfer of energy agency personnel and functions.

Sec. 68. Minnesota Statutes 1980, Section 3.922, Subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by strikeout.

Subdivision 1. **CREATION, MEMBERSHIP.** There is created a state Indian affairs intertribal board to consist of the following ex-officio members: The governor or a member of his official staff designated by him, the commissioner of education, the commissioner of public welfare, the commissioner of natural resources, the commissioner of human rights, the commissioner of ~~economic development~~ energy, planning and development, the commissioner of corrections, the executive director of the Minnesota housing finance agency, the commissioner of iron range resources and rehabilitation, and the commissioner of health each of whom may designate a member of his staff to serve in his place, three members of the state house of representatives appointed by the speaker of the house of representatives, and three members of the state senate appointed by the committee on committees of the senate. Voting members of the board shall be: the duly elected tribal chairmen of the Fond du Lac reservation business committee; the Grand Portage reservation business committee; the Mille Lacs reservation business committee; the White Earth reservation business committee; the Bois Forte (Nett Lake) reservation business committee; the Leech Lake reservation business committee; the Red Lake tribal council; the Upper Sioux board of trustees; the Lower Sioux tribal council; the Shakopee-Mdewankanton general council; the Prairie Island tribal council; and two members to be selected pursuant to subdivision 2. The chairmen of the above Indian committees, trusts, or councils may designate in writing a member who shall have been elected at large to an office in the committee, trust, or council, to serve in his place. Board members appointed to represent the state house of representatives, the state senate or tribal governments shall no longer serve on the board at such time as they are no longer members of the bodies which they represent, and upon such circumstances, their offices shall be vacant. A member who is a designee of a tribal chairman shall cease to be a member at the end of the term of the tribal chairman who designated him. Ex-officio members or their designees on the board shall not be voting members of the board.

Sec. 69. Minnesota Statutes 1980, Section 4.10, is amended to read:

4.10 STATEWIDE PLANNING; PURPOSES.

In order that the state benefit from an integrated program for the development and effective employment of its resources, and in order to promote the health, safety, and general welfare of its citizens, it is in the public interest that a planning agency department be created in the executive branch of the state government to engage in a program of comprehensive statewide planning. The agency department shall act as a directing, advisory, consulting, and coordinating agency to harmonize activities at all levels of government, to *render planning assistance to all governmental units, and to stimulate public interest and participation in the development of the state.*

Sec. 70. Minnesota Statutes 1980, Section 4.11, Subdivision 4, is amended to read:

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Subd. 4. To the greatest extent practicable the state planning officer commissioner shall limit the permanent staff engaged in the programs authorized by sections 4.10 to 4.17 and shall contract for basic research, employ consultants, and use the existing facilities of state departments and agencies. It is desirable that he utilize the facilities of the university of Minnesota to provide (a) continuing geographic projection and detailed studies of the state's population, economy, and land use; (b) a central repository for the research data necessary for such functions; and (c) educational activities essential to the implementation of state planning.

Sec. 71. Minnesota Statutes 1980, Section 4.11, Subdivision 5, is amended to read:

Subd. 5. The governor may direct any state department or other agency of the state government to furnish the state planning agency commissioner with such personnel, equipment, and services as are necessary to enable ~~it~~ the commissioner to carry out ~~its~~ the commissioner's powers and duties, and prescribe the terms thereof. When requested by the state planning agency commissioner to perform planning work, state agencies will be expected to use existing staff.

Sec. 72. Minnesota Statutes 1980, Section 4.11, Subdivision 8, is amended to read:

Subd. 8. Within the organization of the state planning agency department of energy, planning and development, the position of state demographer shall be appointed by and serve under the supervision and control of the director of planning commissioner. The state demographer shall be professionally competent in the field of demography and shall possess demonstrated ability, based upon experience and past performance.

Sec. 73. Minnesota Statutes 1980, Section 4.12, is amended to read:

4.12 POWERS AND DUTIES.

Subdivision 1. The state planning officer commissioner shall:

(1) Prepare comprehensive, long range recommendations for the orderly and coordinated growth of the state including detailed recommendations for long range plans of operating state departments and agencies.

(2) The state, in the development of long range planning, shall take into consideration its relationship to local units of government and the planning to be accomplished on such levels.

Subd. 2. The state planning officer commissioner shall:

(1) Review current programming and future planning of all state departments and agencies.

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(2) Report regularly and on or before November 15 of each even numbered year to the legislature, reviewing in each report the state planning program, and the progress and development thereof. Thereafter, as soon as practicable, he shall make recommendations for desirable legislation and necessary appropriations.

(3) To the extent practicable coordinate with state budgets the items therein relating to and reflecting statewide planning as authorized by the legislature and as recommended for the consideration of the legislature.

(4) Require each state department and agency having planning programs to regularly file copies thereof with him for review.

(5) Make available to the legislature or any authorized committee or commission thereof information concerning statewide development plans and basic research from which the plans have been developed.

(6) Act as the coordinating agency for the planning activities of all state departments and agencies and local levels of government.

(7) Review all plans filed with the federal government by state departments and agencies pursuant to section 16A.30, or any other law as a part of his duties prescribed by this section. The commissioner of finance shall furnish the ~~state planning officer~~ commissioner the information required by this clause.

(8) Encourage the development of planning programs by state departments and agencies and local levels of government.

(9) Act as the coordinating agency for submission of the environmental impact statements required by the National Environmental Policy Act and the state's comments thereon to the appropriate federal agencies.

Subd. 3. The ~~state planning officer~~ commissioner: (1) shall appear before the Minnesota municipal board when requested by the board to present studies and data regarding any annexation, incorporation, or detachment proceedings pending before the board;

(2) may contract with a county or regional planning agency or a planning consultant for the making of studies and the compiling of data relating to any annexation, incorporation, or detachment proceedings before the board;

(3) at his discretion or upon the written request of any governmental unit, group of governmental units, or a regional planning agency, may conduct studies relating to the feasibility of annexation, incorporation, or consolidation of a town or governmental units. ~~Such~~ The studies shall be undertaken only in areas where there is reasonable grounds to believe that problems of urban growth may require the incorporation, or consolidation of governmental units, or the annexation of unincorporated areas in order to provide essential urban services.

Subd. 4. ~~The office of local and urban affairs commissioner~~ shall: (1) undertake studies to obtain information and data on urban and rural needs, assistance programs, and activities. ~~It~~ The commissioner shall provide technical assistance and advice in the solution of such problems. The duties of the ~~office~~ commissioner shall include, but are not limited to, the assembly, the correlation, and dissemination of physical, social, and economic development data to inform local governmental units and interested persons and organizations of the availability and status of federal, state, and local programs and other resources for the solution of urban and rural problems;

(2) make available to the governor and the legislature pertinent information relating to federal grants in aid to local governmental units and an analysis thereof;

(3) inform local governmental units about federal programs of social or economic aid or assistance for which they are eligible, together with the criteria, standards, and conditions upon which ~~such~~ the aid is based.

Subd. 5. ~~The office of local and urban affairs commissioner~~: (1) shall not undertake on behalf of any local governmental unit the responsibility of filling out application forms for federal grants in aid unless required by federal law or regulation promulgated thereunder, but instead will limit ~~its~~ the activities of the department in relation to federal aid applications to the publication and distribution of manuals and the furnishing of advice and otherwise guide the officers of local governmental units in properly making out required application forms;

(2) shall not be responsible in any way to promote any federal grant in aid or planning program;

(3) shall coordinate information which shall be submitted to ~~it~~ the commissioner by a special district, or region recognized by the federal government with responsibility of reviewing federal grants in aid applications for community and nonprofit corporations within the district or region. ~~Such~~ Special districts or regions shall submit copies of approved applications for ~~such~~ this purpose. Unless the requirements of this clause are complied with no state department or agency may provide assistance or funds for any project submitted to the federal government through a special district or region. Where there is a metropolitan planning agency or regional council created by law, the ~~state planning officer~~ commissioner may delegate to ~~such~~ the council or agency the responsibilities of this clause;

(4) shall have only advisory responsibility or jurisdiction in any area of the state within the jurisdiction of a metropolitan planning agency or regional council created by law.

Subd. 6. ~~The director of planning~~ commissioner shall:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(1) Employ personnel with qualifications as are needed to perform the duties prescribed in this section. To the greatest extent practicable, the ~~director of planning~~ commissioner shall limit the permanent demographic staff and shall contract for basic research, employ consultants, and use the existing facilities of state departments, other agencies, and the state educational institutions, and

(2) Utilize the computer facilities of the state or state educational institutions for the research data necessary for periodic population projections.

Subd. 7. The state demographer commissioner:

(1) Shall continuously gather and develop demographic data within the state; .

(2) Shall design and test methods of research and data collection;

(3) Shall have the power to call upon any agency of the state or political subdivision for data as may be available, and the agencies and political subdivisions shall cooperate to the fullest extent possible;

(4) Shall periodically prepare population projections for designated regions and for the state and may periodically prepare projections for each county, or other political or geographic division;

(5) Shall review, comment, and prepare analysis of population estimates and projections made by state agencies, political subdivisions, other states, federal agencies or nongovernmental persons, institutions or commissions;

(6) Shall serve as the state liaison with the federal bureau of census, shall coordinate his activities with federal demographic activities to the fullest extent possible, and shall aid the legislature in preparing a census data plan and form for each decennial census;

(7) Shall compile an annual study of population estimates on the basis of county, regional or other political or geographic divisions as necessary to carry out the purposes of ~~Laws 1974, Chapter 327~~ this subdivision and section 4.125;

(8) Shall, on or before January 1 of each year, issue a report to the legislature containing an analysis of the demographic implications of the annual population study and population projections;

(9) Shall cause to be prepared maps of all counties in the state, all municipalities with a population of 10,000 or more, and any other municipalities as deemed necessary for census purposes, according to scale and detail recommended by the federal bureau of the census, with the maps of cities showing boundaries of precincts; and

(10) Shall annually prepare a population estimate for each governmental subdivision for which the metropolitan council does not prepare an annual population estimate, and shall communicate the estimate to the governing body of each governmental subdivision by May 1 of each year.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 8. The ~~state planning officer~~ commissioner may charge a fee to each user of the Minnesota land management information system.

Sec. 74. Minnesota Statutes 1980, Section 4.125, is amended to read:

4.125 POPULATION ESTIMATES AND PROJECTIONS, SUBMISSION BY STATE AGENCIES.

Each state agency shall submit to the ~~director of planning~~ commissioner for his comment all population estimates and projections prepared by it prior to:

- (a) Submitting those estimates and projections to the state legislature or federal government to obtain appropriations or grants,
- (b) The issuance of bonds based upon those estimates and projections, and
- (c) Releasing any plan based upon those estimates and projections.

Sec. 75. Minnesota Statutes 1980, Section 4.13, is amended to read:

4.13 COOPERATIVE CONTRACTS.

The ~~state planning officer~~ commissioner may apply for, receive and expend funds money from municipal, county, regional and other planning agencies; apply for, accept, and disburse grants and other aids for planning purposes from the federal government and from other public or private sources, and may enter into contracts with agencies of the federal government, local governmental units, the university of Minnesota, and other educational institutions, and private persons as may be necessary in the performance of his duties. Contracts made pursuant to this section shall not be subject to the provisions of chapter 16, as they relate to competitive bidding.

The ~~state planning officer~~ commissioner may apply for, receive, and expend funds money made available from federal sources or other sources for the purposes of carrying out the duties and responsibilities of the ~~office of commissioner~~ relating to local and urban affairs.

All moneys received by the ~~state planning officer~~ commissioner pursuant to this section shall be deposited in the state treasury and are ~~hereby~~ appropriated ~~annually therefrom~~ to the ~~state planning officer~~ commissioner for the purposes for which ~~such~~ the moneys have been received. ~~None of such~~ The money shall not cancel and shall be available until expended.

Sec. 76. Minnesota Statutes 1980, Section 4.17, is amended to read:

4.17 RULES AND REGULATIONS.

No moneys, regardless of the source thereof, made available to the ~~state planning officer~~ commissioner pursuant to sections 4.10 to 4.17 or any other

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law shall be expended by him for planning programs until he promulgates and adopts rules ~~and regulations~~ prescribing the criteria, standards, and procedures to govern the expenditure thereof. ~~Such~~ The rules ~~and regulations~~ shall be ~~promulgated and~~ adopted under the administrative procedure act as contained in chapter 15, and shall conform with all terms and conditions imposed on the ~~state planning officer~~ commissioner when ~~such~~ the moneys are made available to him.

Sec. 77. Minnesota Statutes 1980, Section 4.18, Subdivision 2, is amended to read:

Subd. 2. **POLICY.** The ~~state planning agency~~ commissioner shall recommend policies relating to the location of any new buildings proposed by the state or any of its departments or agencies and shall recommend policies relating to the location of state facilities and offices. The policies shall require that whenever feasible and practicable, after due consideration having been given to the functions, uses and services for which ~~such~~ the buildings or offices are required, ~~that such~~ the buildings, facilities and offices, shall be located in areas of the state not included in a standard metropolitan statistical area to the end that a more equitable balance between urban areas and rural areas in the location of state facilities be finally accomplished. The policies shall provide that in determining the location of ~~any such~~ the building, facility or office, first priority shall be given to locating it where the service need dictates. Second priority shall be given to locating the building, facility or office outside of a standard metropolitan statistical area, to avoid over-urbanization. The policies shall not apply when the legislature has designated the specific location of ~~any such~~ the building facility or office.

Sec. 78. Minnesota Statutes 1980, Section 4.191, is amended to read:

4.191 PLANNING PROGRAMS.

Prior to commencing a study, research, or planning program, a state agency or department shall file with the ~~state planning agency~~ commissioner on a form prescribed by the ~~agency~~ commissioner, a description of the proposed project, including title, purpose, staff assigned, consultants to be used, cost, completion date, and other information prescribed by the agency as appropriate. The ~~agency~~ commissioner shall develop rules to exclude from the filing requirement projects that the ~~agency~~ commissioner determines are of minor significance.

Upon completion of the project, a copy shall be filed with the ~~state planning agency~~ commissioner. The ~~state planning agency~~ commissioner shall review the planning programs of state departments and agencies and submit to the legislature by November 15 of each year a report of findings and recommendations.

Sec. 79. Minnesota Statutes 1980, Section 4.26, Subdivision 1, is amended to read:

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Subdivision 1. In order to improve the land use decision-making capability of local government, the state planning agency commissioner shall make grants to the metropolitan council pursuant to section 4.30, and to towns, counties, municipalities, and Indian reservations. The state planning agency commissioner shall give priority when granting funds money to those areas that show a special need according to the provisions of clauses (a) and (b). The grants may be used to employ staff or contract with other units of government or qualified consultants for the following purposes:

(a) To prepare and implement plans which are required for certain areas by law or by designation as a critical area under chapter 116G.

(b) To prepare and implement plans which the unit of government is authorized by law to undertake for the management of problems resulting from (1) rapid population or economic growth or decline; (2) potential development in environmentally sensitive areas including but not limited to flood plains, wild and scenic rivers, and shorelands; and (3) the addition or elimination of a major state or federal facility;

(c) To assist neighborhood organizations in cities of the first class to do land use and related planning by making grants to the municipality;

(d) To analyze and prepare plans to preserve and protect agricultural land as defined in ~~Minnesota Statutes 1974~~, section 500.24.

Sec. 80. Minnesota Statutes 1980, Section 4.27, is amended to read:

4.27 ADMINISTRATION.

The state planning agency commissioner shall determine priorities pursuant to section 4.26, and shall promulgate rules for the submittal and review of applications hereunder in accordance with the provisions of chapter 15.

Sec. 81. Minnesota Statutes 1980, Section 4.29, is amended to read:

4.29 REGIONAL DEVELOPMENT COMMISSION REVIEW.

An application for grants from this program shall be submitted to the appropriate regional development commission for review pursuant to ~~Minnesota Statutes 1974~~, section 462.391, subdivision 3, prior to the submittal to the state planning agency commissioner. The regional development commission shall complete its review within 45 days after receipt of the application. If an application is not reviewed within the requisite time limit or if an extension of time is not agreed to by the affected parties, the application shall be deemed approved. Until units of local government in the metropolitan area as defined by section 473.02 are required by law to prepare and adopt comprehensive

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plans or portions thereof, the review required by this section shall be made by the metropolitan council for units of local government in the metropolitan area.

Sec. 82. Minnesota Statutes 1980, Section 4.35, is amended to read:

4.35 TRAIL PLANNING.

The ~~state planning agency~~ commissioner, in cooperation with the commissioner of natural resources, metropolitan council, and commissioner of transportation, shall review and coordinate plans for trails acquisition and development and trail development grants pursuant to sections 4.36, 85.015, 85.016, 160.265, 473.147, and 473.301 to 473.341.

Sec. 83. Minnesota Statutes 1980, Section 4.36, Subdivision 2, is amended to read:

Subd. 2. **GRANTS FOR PARKS AND TRAILS.** The ~~state planning agency~~ commissioner shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. Appropriations made for this purpose shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal money.

Sec. 84. Minnesota Statutes 1980, Section 4.36, Subdivision 3, is amended to read:

Subd. 3. **GRANTS FOR TRAILS IN LOCAL PARKS.** The ~~state planning agency~~ commissioner shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for recreational trails in parks owned and operated by units of government. A grant shall not exceed 40 percent of the costs of the betterment of the trail. To be eligible for a grant, a unit of government must provide at least ten percent of the costs of the betterment of the trail.

Sec. 85. Minnesota Statutes 1980, Section 4.36, Subdivision 4, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4. **GRANTS FOR LOCAL OUTDOOR ATHLETIC COURTS.**

The state planning agency commissioner shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for local athletic courts. A grant shall not exceed 50 percent of the costs of the betterment of the athletic court. To be eligible for a grant, a unit of government must provide at least 50 percent of the costs of the betterment of the athletic court. In making grants the agency commissioner shall consider, among other factors, evidence of cooperation between units of government, local need and available financial resources, and court locations that encourage maximum use, patronage, and availability.

Sec. 86. Minnesota Statutes 1980, Section 4.36, Subdivision 5, is amended to read:

Subd. 5. **POWERS; RULES.** The director of the state planning agency commissioner shall have all powers necessary and convenient in order to establish programs for recreational betterment grants-in-aid for parks, trails, and athletic courts pursuant to this section including, but not limited to, the authority to adopt rules and regulations for the programs, pursuant to chapter 15, and emergency rules and regulations to commence immediately the programs, pursuant to section 15.0412.

Sec. 87. Minnesota Statutes 1980, Section 15.01, is amended to read:

15.01 DEPARTMENTS OF THE STATE.

The following agencies are designated as the departments of the state government: the department of administration; the department of agriculture; the department of commerce; the department of corrections; ~~the department of economic development~~; the department of education; the department of economic security; the department of energy, planning and development; the department of finance; the department of health; the department of human rights; the department of labor and industry; the department of military affairs; the department of natural resources; the department of employee relations; the department of public safety; the department of public service; the department of public welfare; the department of revenue; the department of transportation; the department of veterans affairs; and their successor departments.

Sec. 88. Minnesota Statutes 1980, Section 15.057, is amended to read:

15.057 PUBLICITY REPRESENTATIVES.

No state department, bureau or division, whether the same operates on funds appropriated or receipts or fees of any nature whatsoever, except the department of transportation, the department of ~~economic development~~ energy, planning and development, the game and fish division, the department of economic security, and the state agricultural society shall use any of such funds

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for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau, or division shall be personally liable for funds used contrary to this provision. This act shall not be construed, however, as preventing any such department, bureau, or division from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau, or division was created.

Sec. 89. Minnesota Statutes 1980, Section 15.50, Subdivision 2, is amended to read:

Subd. 2. (a) The board shall prepare, prescribe, and from time to time amend a comprehensive use plan for the capitol area, herein called the area which shall initially consist of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street to the north line of the right-of-way of Interstate Highway 94, thence easterly along the said north line to the centerline of Cedar Avenue, thence southeasterly along the centerline of Cedar Avenue to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin. Pursuant to the comprehensive plan, or any portion thereof, the board may regulate, by means of zoning regulations adopted pursuant to the administrative procedure act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. To protect and enhance the dignity, beauty and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area significantly affecting the dignity, beauty and architectural integrity of the area. No person shall undertake these construction activities as defined in the board's rules in the capitol area unless he has first submitted construction plans to the board, obtained a zoning permit from the board and received a written certification from the board specifying that he has complied with all design review procedures and standards. Violation of the zoning regulations is a misdemeanor. The board may, at its option, proceed to abate any violation by injunction. The board and the city of St. Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

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(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. He shall make studies and report the results to the board when they request him to do so for their planning purpose.

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

(d) The comprehensive plan shall show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas and open spaces; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement shall be made to public lands or buildings in the area save with the written approval of the board.

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

(f) The board shall not adopt any plan under clause (e) unless it first receives the comments and criticism of an advisory committee of three persons, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. Members of

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the committee shall not be contestants under clause (e). The comments and criticism shall be a matter of public information. The committee shall advise the board on all architectural and planning matters. For that purpose:

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

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

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

(4) The city of St. Paul shall advise the board.

(g) The comprehensive plan for the area shall be developed and maintained in close cooperation with the state planning agency commissioner of energy, planning and development and the planning department and the council for the city of Saint Paul and the board of the arts, and no such plan or amendment thereof shall be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts.

(h) The board and the commissioner of administration jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. Pursuant to this power, the board shall consult with the director of the Minnesota state historical society and receive his advice regarding the historic fidelity of plans for the capitol building. The standards and policies developed as herein provided shall be binding upon the commissioner of administration. The provisions of sections 15.0411 to 15.0426 shall not apply to this clause.

(i) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program.

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

(k) The board is the successor of the state veterans' service building commission, and as such may adopt regulations and may reenact the regulations adopted by its predecessor under Laws 1945, Chapter 315, and acts amendatory thereof.

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

(m) The commissioner of administration shall assign quarters in the state veterans service building to (1) the department of veterans affairs of which such part as the commissioner of administration and commissioner of veterans affairs may mutually determine shall be on the first floor above the ground and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available to such other state departments and agencies as he may deem desirable.

Sec. 90. Minnesota Statutes 1980, Section 15A.081, Subdivision 1, is amended to read:

Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

	Salary or Range		
	Effective July 1, 1979	Effective July 1, 1980	Effective <u>July 1,</u> <u>1981</u>
Administration, department of commissioner	\$44,000	\$47,000	
Administrative hearings office chief hearing examiner	38,000	40,000	
Agriculture, department of commissioner	38,000	40,000	
Commerce, department of commissioner of banks	34,000	36,500	

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commissioner of insurance	34,000	36,500
commissioner of securities and real estate	34,000	36,500
director of consumer services	28,000	30,000
Community college system		
chancellor	44,000	46,000
Corrections, department of		
commissioner	42,000	45,000
ombudsman	33,000	35,000
Crime control planning board, executive director	33,000	35,000
Economic development, department of commissioner	34,000	36,000
Economic security, department of commissioner	43,000	45,000
Education, department of commissioner	43,000	45,000
Energy agency director	38,000	40,000
<u>Energy, planning and development department of commissioner</u>		<u>46,000</u>
Finance, department of commissioner	48,000	50,000
Health, department of commissioner	47,000	49,000
Higher education coordinating board executive director	40,000	42,000
Housing finance agency executive director	39,000	41,000
Human rights, department of commissioner	31,000	33,000
Indian affairs board executive director	27,000	29,000
Iron range resources and rehabilitation board commissioner	30,000	31,000

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Labor and industry, department of commissioner	38,000	40,000
judge of the workers' compensation court of appeals	38,000	40,000
Meditation services, bureau of director	36,000	38,000
Natural resources, department of commissioner	44,000	47,000
Personnel, department of commissioner	44,000	47,000
Planning agency director	43,000	45,000
Pollution control agency director	38,000	40,000
Public safety, department of commissioner	38,000	41,000
Public service, department of commissioner, public utilities commission director	34,000 34,000	36,000 36,000
Public welfare, department of commissioner	44,000	48,000
Revenue, department of commissioner	44,000	47,000
State university system chancellor	44,000	46,000
Transportation, department of commissioner	44,000	48,000
Transportation, regulation board, board member		32,000
Veterans affairs, department of commissioner	31,000	33,000

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Sec. 91. Minnesota Statutes 1980, Section 16.014, Subdivision 1, is amended to read:

Subdivision 1. The commissioner of administration may establish a regional service center on a demonstration basis. ~~The state planning agency and the regional development commission of region No. 2 shall cooperate with the commissioner in establishing the service center.~~ The commissioner shall determine which state agencies shall be included in the service center. The commissioner may determine equitable methods of sharing space, personnel and equipment for the agencies he selects to participate in the demonstration service center.

Sec. 92. Minnesota Statutes 1980, Section 16.084, is amended to read:

16.084 ENCOURAGEMENT OF PARTICIPATION.

The commissioners of administration and economic development energy, planning and development shall publicize the provisions of the set-aside program, attempt to locate small businesses able to perform set-aside procurement awards, and encourage participation. When the commissioner of administration determines that a small business is unable to perform under a set-aside contract, he shall so inform the commissioner of economic development energy, planning and development who shall assist the small business in attempting to remedy the causes of the inability to perform a set-aside award. In assisting the small business, the commissioner of economic development energy, planning and development in cooperation with the commissioner of administration shall use any management or financial assistance programs as may be available by or through the department of economic development energy, planning and development, other state or governmental agencies, or private sources.

Sec. 93. Minnesota Statutes 1980, Section 16.086, Subdivision 1, is amended to read:

Subdivision 1. **COMMISSIONER OF ADMINISTRATION.** The commissioner of administration shall submit an annual report pursuant to section 3.195 to the governor and the legislature with a copy to the commissioner of economic development energy, planning and development indicating the progress being made toward the objectives and goals of sections 16.081 to 16.086 during the preceding fiscal year. This report shall include the following information:

(a) The total dollar value and number of potential set-aside awards identified during this period and the percentage of total state procurement this figure reflects;

(b) The number of small businesses identified by and responding to the set-aside program, the total dollar value and number of set-aside contracts actually awarded to small businesses with appropriate designation as to the

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total number and value of set-aside contracts awarded to each small business, and the total number of small businesses that were awarded set-aside contracts;

(c) The total dollar value and number of set-aside contracts awarded to small businesses owned and operated by economically or socially disadvantaged persons with appropriate designation as to the total number and value of set-aside contracts awarded to each small business, and the percentages of the total state procurements the figures of total dollar value and the number of set-asides reflect;

(d) The number of contracts which were designated and set-aside pursuant to section 16.083 but which were not awarded to a small business, the estimated total dollar value of these awards, the lowest offer or bid on each of these awards made by the small business and the price at which these contracts were awarded pursuant to the normal procurement procedures.

Sec. 94. Minnesota Statutes 1980, Section 16.086, Subdivision 2, is amended to read:

Subd. 2. **COMMISSIONER OF ECONOMIC DEVELOPMENT ENERGY, PLANNING AND DEVELOPMENT.** The commissioner of ~~economic development~~ energy, planning and development shall submit an annual report to the governor and the legislature pursuant to section 3.195 with a copy to the commissioner of administration. This report shall include the following information:

(a) The efforts undertaken to publicize the provisions of the set-aside program during the preceding fiscal year;

(b) The efforts undertaken to identify small businesses including those owned and operated by socially or economically disadvantaged persons, and the efforts undertaken to encourage participation in the set-aside program;

(c) The efforts undertaken by the commissioner to remedy the inability of small businesses to perform on potential set-aside awards; and

(d) The commissioner's recommendations for strengthening the set-aside program and delivery of services to small businesses.

Sec. 95. Minnesota Statutes 1980, Section 16.125, Subdivision 2, is amended to read:

Subd. 2. A transfer made pursuant to subdivision 1 shall be in the form of a reorganization order. A reorganization order shall be filed with the secretary of state, shall be uniform in format and shall be numbered consecutively. An order shall be effective upon filing with the secretary of state and shall remain in effect until amended or superseded. Copies of the filed order shall be delivered promptly by the commissioner to the secretary of the senate and the chief clerk of the house. A reorganization order which transfers all or

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substantially all of the powers or duties or personnel of a department, ~~the energy agency~~, the housing finance agency or the pollution control agency shall not be effective until ratified by concurrent resolution or enacted into law.

Sec. 96. Minnesota Statutes 1980, Section 16.756, Subdivision 1, is amended to read:

Subdivision 1. In order to conserve energy and to alleviate traffic congestion in and about the location of state offices, the commissioner of administration shall, in cooperation with the ~~director of the Minnesota energy agency~~ commissioner of energy, planning and development, the commissioner of transportation and interested nonprofit agencies, establish and operate an employee transportation program utilizing commuter vans with a capacity of not less than seven nor more than 16 passengers. The commissioner shall acquire or lease commuter vans, or otherwise contract for the provision of commuter vans, and shall make the vans available for the use of state employees and blind vending operators in a manner consistent with standards and procedures adopted by the commissioner. Standards and procedures adopted pursuant to this subdivision shall not be subject to chapter 15. Commuter vans may be used by state employees and blind vending operators to travel between their homes and their work locations, and for personal purposes after working hours, not including partisan political activity. The commissioner shall provide in his standards and procedures for the recovery by the state of vehicle acquisition, lease, operation and insurance costs through efficient and convenient assignment of vans, and for the billing of costs and collection of fees. A state employee using a van for personal use shall pay, pursuant to the standards and procedures adopted by the commissioner, for operating and routine maintenance costs incurred as a result of the personal use. The commissioner shall promote the maximum practicable participation of state employees and blind vending operators in the use of the vans. Fees collected pursuant to this subdivision shall be deposited in the accounts from which the costs of operating, maintaining and leasing or amortizing acquisition costs for the specific vehicle are paid.

Sec. 97. Minnesota Statutes 1980, Section 18.023, Subdivision 11, is amended to read:

Subd. 11. **REPORT TO THE LEGISLATURE.** On or before January 31 of each year, the commissioner shall report to the legislature on the preceding year's approved disease control programs and any experimental programs conducted pursuant to subdivision 10a. The commissioner, with the assistance of the ~~Minnesota energy agency~~ commissioner of energy, planning and development, shall investigate and evaluate the potential uses of wood infected with shade tree disease, including the uses as an alternative energy source and as a component in the construction or manufacture of new products. ~~The commissioner shall include the results of the investigation and~~

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any recommendations for proposed relevant legislation in the report to the legislature due on or before January 31, 1979.

Sec. 98. Minnesota Statutes 1980, Section 18.024, Subdivision 1, is amended to read:

Subdivision 1. The department of agriculture, in cooperation with the ~~Minnesota energy agency commissioner of energy, planning and development~~ and the Minnesota shade tree advisory committee, shall draft recommendations for wood utilization or disposal systems as defined in section 18.023. These recommendations shall encourage maximum utilization of diseased shade trees. In addition to insuring maximum utilization, the recommendations shall be designed to insure public safety and to assure compliance with approved disease control programs.

Sec. 99. Minnesota Statutes 1980, Section 43.09, Subdivision 2a, is amended to read:

Subd. 2a. **ADDITIONAL UNCLASSIFIED POSITIONS.** Notwithstanding any other law to the contrary, the commissioner, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (4).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees. An incumbent of a position that is declassified pursuant to this subdivision, if he so requests within 120 days after being removed from that position, shall be appointed to a classified position comparable to the position that was declassified, or if such a position is unavailable, to a position comparable to that which he held immediately prior to being appointed to the position that was declassified. If a position is declassified and the incumbent at the time the position was declassified had no classified status immediately prior to the appointment to the position that was declassified, he shall, if he so requests within 120 days after being removed from that position, be appointed to a comparable or lower classified position within two salary ranges of the position that was declassified.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive classified civil service status and, upon his request, shall be reappointed to a classified position comparable to that which he held immediately prior to being appointed to the unclassified position.

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(4) Positions so established are limited in number to six in the departments of administration, corrections, economic security, finance, transportation, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, employee relations and the housing finance agency; to four in the departments of agriculture, and economic development energy, planning and development; to three in the department of public service, ~~the planning agency~~, and the pollution control agency; and to two in the departments of human rights, ~~the crime control planning board~~ and veterans affairs. Departments or agencies not enumerated in this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision.

(5) ~~Funds are~~ Money is available.

Sec. 100. Minnesota Statutes 1980, Section 84.028, Subdivision 2, is amended to read:

Subd. 2. The overall coordination of acquisition and development programs, comprehensive planning activities, including statewide recreational planning programs required by state or federal law, and not the responsibility of the state planning agency commissioner of energy, planning and development, are under the control and supervision of the commissioner.

Sec. 101. Minnesota Statutes 1980, Section 84.54, is amended to read:

84.54 TOPOGRAPHIC SURVEY; PLANNING OFFICER.

The state planning officer commissioner of energy, planning and development shall study the general topographic survey and mapping needs of the state, and shall advise the commissioner of natural resources in determining the order of surveys and otherwise planning the operations, and shall promote coordination of survey and mapping activities of public and private agencies within the state.

Sec. 102. Minnesota Statutes 1980, Section 85.016, is amended to read:

85.016 BICYCLE TRAIL PROGRAM.

The commissioner of natural resources shall establish a program for the development of bicycle trails utilizing the state trails authorized by section 85.015, other state parks and recreation land, and state forests. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264. The program shall be coordinated with the local park trail grant program established by the state planning agency commissioner of energy, planning and development pursuant to section 4.36, with the bicycle trail program established by the commissioner of transportation pursuant to section 160.265, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the

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metropolitan council. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails in local parks. The bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclists organizations.

Sec. 103. Minnesota Statutes 1980, Section 85.017, is amended to read:

85.017 TRAIL REGISTRY.

The commissioner of natural resources shall compile and maintain a current registry of cross-country skiing, hiking, horseback riding and snowmobiling trails in the state and shall publish and distribute the information in the manner prescribed in section 86A.11. The metropolitan council, the state planning agency commissioner of energy, planning and development, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner in preparing the registry.

Sec. 104. Minnesota Statutes 1980, Section 86.72, Subdivision 3, is amended to read:

Subd. 3. Requests for allocation from the account for acquisition or development shall be accompanied by a certificate signed jointly by the director of the state planning agency commissioner of energy, planning and development and commissioner of natural resources, showing a review of the application against chapter 86A. Copies of the certification shall be submitted to the appropriate legislative committees and commissions. Appropriations from the account shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures.

Sec. 105. Minnesota Statutes 1980, Section 86A.06, is amended to read:

86A.06 RULES AND REGULATIONS.

Each managing agency, in consultation with the state planning agency commissioner of energy, planning and development, shall promulgate rules relating to the units of the outdoor recreation system within its jurisdiction, which shall provide for administration of the units in the manner specified in section 86A.05 and the laws relating to each type of unit. The authority provided by this subdivision does not amend or repeal authority possessed by the commissioner of natural resources pursuant to section 97.53, subdivision 2.

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and in no way is intended to modify or diminish authority possessed by the commissioner in relation to section 97.53, subdivision 2.

Sec. 106. Minnesota Statutes 1980, Section 86A.09, Subdivision 1, is amended to read:

Subdivision 1. **MASTER PLAN REQUIRED.** No construction of new facilities or other development of an authorized unit, other than repairs and maintenance, shall commence until the managing agency has prepared and submitted to the state planning agency commissioner of energy, planning and development and the state planning agency commissioner of energy, planning and development has reviewed, pursuant to this section, a master plan for administration of the unit in conformity with this section. ~~This requirement shall not apply to an existing unit until August 1, 1977.~~ No master plan is required for wildlife management areas that do not have resident managers, for water access sites, or for rest areas.

Sec. 107. Minnesota Statutes 1980, Section 86A.09, Subdivision 2, is amended to read:

Subd. 2. **MASTER PLAN; PREPARATION AND CONTENT.** The managing agency shall supervise preparation of the master plan and shall utilize the professional staffs of any agency of the state when the expertise of the staff of such agency is necessary to adequately prepare the master plan; the master plan shall present the information in a format and detail that is appropriate to the size and complexity of the authorized unit. When the master plan has been completed the managing agency shall announce to the public in a manner *reasonably designed to inform interested persons that the master plan is available for public review and in the case of any major unit shall hold at least one public hearing on the plan in the vicinity of the unit.* The managing agency shall make the master plan available for review and comment by the public and other state agencies for at least 30 days following the announcement and before submitting the master plan to the state planning agency commissioner of energy, planning and development. Copies of the plan shall be provided to members of the outdoor recreation advisory council and to any other person on request.

Sec. 108. Minnesota Statutes 1980, Section 86A.09, Subdivision 3, is amended to read:

Subd. 3. **MASTER PLAN; REVIEW AND APPROVAL.** All master plans required by this section shall be submitted to the state planning agency commissioner of energy, planning and development for review pursuant to this subdivision. The state planning agency commissioner of energy, planning and development shall review the master plan to determine whether the plan: (a) provides for administration of the unit in a manner that is consistent with the purposes for which the unit was authorized and with the principals governing

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the administration of the unit, as specified in section 86A.05 and the statutes relating to each type of unit; (b) recognizes values and resources within the unit that are primarily the responsibility of another managing agency to protect or develop, and provides for their protection or development either through a cooperative agreement with the other managing agency or through designation of the appropriate area as a secondary unit. In reviewing any master plan, the state planning agency commissioner of energy, planning and development shall consult with other state agencies. Within 60 days after receiving the master plan, the state planning agency commissioner of energy, planning and development shall notify the managing agency that the plan has been reviewed and forward its recommendations for any changes it might suggest. The managing agency shall review the recommendations and notify the state planning agency commissioner of energy, planning and development of the disposition made of them. Failure to comment on a master plan within the time specified shall be considered approval of the plan by the state planning agency commissioner of energy, planning and development. If the director of the state planning agency commissioner of energy, planning and development feels that the master plan still fails significantly to comply with this subdivision, he may request review of the master plan by the governor. In that event review shall not be deemed completed until after the master plan has been approved by the governor or 60 days have elapsed without action by the governor to approve or reject the plan, whichever occurs first.

Sec. 109. Minnesota Statutes 1980, Section 86A.09, Subdivision 4, is amended to read:

Subd. 4. **DEVELOPMENT.** Construction of necessary facilities and other development of the unit shall commence as soon as practicable after review of the master plan by the state planning agency commissioner of energy, planning and development, and the governor if requested, and shall be carried out in conformity with the master plan.

Sec. 110. Minnesota Statutes 1980, Section 92.35, is amended to read:

92.35 DUTIES AND POWERS.

It shall be the duty of the ~~land use committee, or its successor, the state planning officer~~ commissioner of energy, planning and development, to classify all public and private lands in the state with reference to the use to which the lands are adapted, but principally as to adaptability to present known uses, such as agriculture and forestry. This classification shall be based upon a consideration of the known physical and economic factors affecting the use of the land. The ~~land use committee~~ commissioner of energy, planning and development shall consult with private, state, and federal agencies concerned with land use, and may appoint such advisory committees as it ~~the commissioner~~ may deem necessary and advisable, made up of residents of the state concerned with and interested in land use, the advisory committees to serve

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without pay, at the pleasure of the land use committee commissioner of energy, planning and development, and to consider and report upon ~~such~~ land use problems as ~~may be~~ submitted by the land use committee commissioner of energy, planning and development. The work of the land use committee commissioner of energy, planning and development shall first be done in the counties having land classification committees. The land use committee commissioner of energy, planning and development shall consult, advise with, and cooperate with the land classification committee in each county in obtaining and considering the facts upon which to determine ~~its~~ the commissioner's land classification; the land classification committee in each county shall consult, advise with, and cooperate with the land use committee commissioner of energy, planning and development in like manner, but the determination of the land classification committee shall be final.

Sec. 111. Minnesota Statutes 1980, Section 92.36, is amended to read:

92.36 LANDS CLASSIFIED.

Upon the basis of all of the facts concerning land use now obtainable and in the manner provided in sections 92.33 to 92.37 the ~~land use committee, or its successor, the state planning officer~~ commissioner of energy, planning and development, shall make and determine a temporary land classification of land areas with reference to the known uses to which ~~such~~ the areas are adapted or adaptable. ~~This classification shall be adopted by a majority vote of the committee and recorded in its minutes.~~ A certified copy of the temporary classification, together with a brief statement of the reasons therefor, shall be recorded in the office of the county recorder in each county in which the lands classified are located. No fees shall be paid for this recording. When ~~such~~ the temporary classification has been adopted by the land use committee commissioner of energy, planning and development none of the lands classified as non-agricultural shall thereafter be sold or leased by the state for agricultural purposes.

- Sec. 112. Minnesota Statutes 1980, Section 92.37, is amended to read:

92.37 REPORT TO LEGISLATURE.

The ~~land use committee, or its successor, the state planning officer~~ commissioner of energy, planning and development, shall report the results of its land classification to the legislature with such recommendations as it may deem advisable.

Sec. 113. Minnesota Statutes 1980, Section 104.03, Subdivision 1, is amended to read:

Subdivision 1. The commissioner shall (a) collect and distribute information relating to flooding and flood plain management; (b) coordinate local, state, and federal flood plain management activities to the greatest extent

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possible, and to this end shall encourage the United States army corps of engineers and the United States soil conservation service to make their flood control planning data available to local governmental units for planning purposes, in order to allow adequate local participation in the planning process and in the selection of desirable alternatives; (c) assist local governmental units in their flood plain management activities within the limits of available appropriations and personnel in cooperation with the ~~office of local and urban affairs and the state planning officer~~ commissioner of energy, planning and development; (d) do all other things, within his lawful authority, which are necessary or desirable to manage the flood plains for beneficial uses compatible with the preservation of the capacity of the flood plain to carry and discharge the regional flood. In cooperation with local governmental units, the commissioner shall conduct, whenever possible, periodic inspections to determine the effectiveness of local flood plain management programs, including an evaluation of the enforcement of and compliance with local flood plain management ordinances.

Sec. 114. Minnesota Statutes 1980, Section 104.35, Subdivision 2, is amended to read:

Subd. 2. The commissioner shall make the proposed management plan available to affected local governmental bodies, shoreland owners, conservation and outdoor recreation groups, the ~~director of the state planning agency~~ commissioner of energy, planning and development, the governor, and the general public. ~~The director of the state planning agency~~ commissioner of energy, planning and development and the governor shall review the proposed management plan pursuant to the criteria specified in section 86A.09, subdivision 3, and submit any written comments to the commissioner within 60 days after receipt of the proposed management plan. Not less than 60 days after making such information available, the commissioner shall conduct a public hearing on the proposed management plan in the county seat of each county which contains a portion of the designated area, in the manner provided in chapter 15.

Sec. 115. Minnesota Statutes 1980, Section 104.35, Subdivision 3, is amended to read:

Subd. 3. Upon receipt of the hearing examiner's report, the commissioner shall immediately forward the proposed management plan and the hearing examiner's report to the ~~state planning agency~~ commissioner of energy, planning and development for review pursuant to section 86A.09, subdivision 3, except that the review by the ~~state planning agency~~ commissioner of energy, planning and development shall be completed or be deemed completed within 30 days after receiving the hearing examiner's report and the review by the governor shall be completed or be deemed completed within 15 days after receipt. Within 60 days after receipt of the hearing examiner's report, the

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commissioner shall decide whether to designate by order the river or segment thereof as a wild, scenic, or recreational river and, if so designated, shall adopt a management plan to govern the area. The commissioner shall notify and inform public agencies and private landowners of the plan and its purposes so as to encourage their cooperation in the management and use of their land in a manner consistent with the plan and its purposes.

Sec. 116. Minnesota Statutes 1980, Section 105.484, is amended to read:

105.484 LAKE IMPROVEMENTS; GRANTS-IN-AID; PRIORITIES.

The commissioner of natural resources with the assistance of the pollution control agency and the state planning agency commissioner of energy, planning and development shall make an assessment of the need for particular kinds of lake improvements including improvements related to high or low water levels and any other resource management considerations, except pollution problems, and to develop by April 1, 1979, criteria for allocating state aid funds among proposed projects. Provisions shall be included to insure that any federal program of aid to local lake improvement projects serves to reduce the local share of project costs rather than reducing only the state's share.

Sec. 117. Minnesota Statutes 1980, Section 105.485, Subdivision 3, is amended to read:

Subd. 3. **COMMISSIONER'S DUTIES.** ~~Before April 1, 1974,~~ The commissioner of natural resources shall ~~promulgate~~ adopt, in the manner provided in chapter 15, model standards and criteria, other than a model ordinance, for the subdivision, use, and development of shoreland in municipalities, which standards and criteria shall include but not be limited to those listed below in regard to unincorporated areas. ~~Before July 1, 1970,~~ The commissioner of natural resources shall ~~promulgate~~ adopt, in the manner provided in chapter 15, model standards and criteria for the subdivision, use, and development of shoreland in unincorporated areas, including but not limited to the following: (a) The area of a lot and length of water frontage suitable for a building site; (b) the placement of structures in relation to shorelines and roads; (c) the placement and construction of sanitary and waste disposal facilities; (d) designation of types of land uses; (e) changes in bottom contours of adjacent public waters; (f) preservation of natural shorelands through the restriction of land uses; (g) variances from the minimum standards and criteria; and (h) a model ordinance. The following agencies shall provide ~~such information and advice as may be necessary to the preparation of the rules and regulations, or amendments thereto: The state departments of agriculture, economic development, and health, and energy, planning and development; the state planning agency;~~ the pollution control agency; the state soil and water conservation board; and the Minnesota historical society. In addition to other requirements of chapter 15, the model standards and ordinance ~~promul-~~

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~~gated~~ adopted pursuant to this section, or amendments thereto, shall not be filed with the secretary of state unless approved by the state commissioner of health and the director of the pollution control agency.

Sec. 118. Minnesota Statutes 1980, Section 114A.03, Subdivision 1, is amended to read:

Subdivision 1. The southern Minnesota rivers basin board is ~~hereby~~ established to serve as the regional organization for guiding the creation and implementation of a comprehensive environmental conservation and development plan for the basin. All state departments and agencies ~~are hereby directed to~~ shall cooperate with the board, and ~~to~~ assist it in the performance of its duties. In cooperation with all federal agencies, including but not limited to the United States departments of agriculture and interior and the corps of engineers, all state agencies, departments, and commissions, including but not limited to the department of natural resources, Minnesota geological survey, water resources board, ~~state planning agency~~ department of energy, planning and development, department of transportation, state soil and water conservation board, pollution control agency, ~~department of economic development~~, department of agriculture, and the institute of agriculture of the University of Minnesota, and local governments and citizens within the basin, the board shall initiate, coordinate and prepare its overall comprehensive environmental conservation and development plan. The Minnesota soil and water conservation board and local soil and water conservation districts and watershed districts within the basin shall provide technical assistance to the board in the creation and implementation of the plan. Upon the request of the board, the governor or the legislature may require any other department or agency of the state to furnish assistance, technical or otherwise, to the board in the performance of its duties or in the exercise of its powers authorized by law. The plan may include, but is not limited to, planning for the following purposes:

- (1) Control or alleviation of damages by flood waters;
- (2) Improvement of stream channels for handling of surface waters, navigation, and any other public purposes;
- (3) Reclaiming or filling of wet and overflowed lands;
- (4) Regulating the flow of streams and conserving the waters thereof;
- (5) Diverting or changing watercourses in whole or in part;
- (6) Providing and maintaining water quality and supply for municipal, domestic, industrial, recreational, agricultural, aesthetic, wildlife, fishery, or other public use;
- (7) Providing for sanitation and public health and regulating uses of streams, ditches, or watercourses for the purpose of disposing of waste and maintaining water quality;

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(8) Repair, improvement, relocation, modification, consolidation or abandonment in whole or in part of previously established public drainage systems within the territory;

(9) Imposition of prevention or remedial measures for the control or alleviation of land and soil erosion and siltation of watercourses or bodies of water affected thereby;

(10) Regulation of improvements and land development by abutting landowners of the beds, banks, and shores of lakes, streams, watercourses, and marshes by permit or otherwise in order to preserve the same for beneficial use; ~~such~~ the regulation ~~to~~ shall be in accordance with state department of natural resource standards and criteria;

(11) Regulation of construction of improvements on and prevention of encroachments in the flood plains of the rivers, and the lakes, marshes and streams of the basin; ~~such~~ the regulation ~~to~~ shall be in accordance with state department of natural resource standards and criteria.

Sec. 119. Minnesota Statutes 1980, Section 115A.07, Subdivision 1, is amended to read:

Subdivision 1. **INTERAGENCY COORDINATION.** The chairperson of the board shall inform the ~~state planning agency commissioner of energy, planning and development~~ of the board's activities in accordance with section 4.191. The chairperson shall keep the agency informed of the board's activities, solicit the advice and recommendations of the agency, and coordinate its work with the regulatory and enforcement activities of the agency.

Sec. 120. Minnesota Statutes 1980, Section 115A.12, Subdivision 2, is amended to read:

Subd. 2. **TECHNICAL ADVISORY COUNCIL.** The chairperson of the board shall establish an interagency technical advisory council to advise the board and the chairperson on ~~such~~ matters as the board, through its chairperson, deems necessary. The members of the council shall be the commissioner of health; the commissioner of agriculture; the commissioner of natural resources; ~~the commissioner of economic development;~~ the director of the pollution control agency; ~~the director of the energy agency;~~ the director of the ~~state planning agency commissioner of energy, planning and development;~~ and ~~such~~ other heads of agency as the chairperson of the board deems necessary; or their designees. The council shall meet at the call of the chairperson of the board who shall serve as chairperson of the council. The members, collectively and individually shall advise the board and the chairperson on matters within their various areas of expertise and shall provide technical assistance and information as requested by the board through its chairperson.

Sec. 121. Minnesota Statutes 1980, Section 115A.15, Subdivision 5, is amended to read:

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Subd. 5. **REPORTS.** By January 1, ~~1981, and~~ of each odd-numbered year ~~thereafter~~, the commissioner of administration shall submit a report to the governor and to the legislative commission summarizing past activities and proposed goals of the program for the following biennium. By July 1, ~~1980, and~~ of each even-numbered year ~~thereafter~~ the directors of the energy agency and director of the pollution control agency and the commissioner of energy, planning and development shall submit recommendations to the commissioner regarding the operation of the program.

Sec. 122. Minnesota Statutes 1980, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The board shall include as permanent members the ~~director of the state planning agency head of the planning division of the department of energy, planning and development, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the commissioner of health, the commissioner of transportation, the director of the Minnesota energy agency, and a representative of the governor's office designated by the governor, the chairman of the citizens advisory committee, and three other members of the citizens advisory committee as designated by the governor. The names of the four members of the citizens advisory committee designated to serve on the board shall be submitted to the senate for its advice and consent. Upon the expiration of the citizens advisory committee~~ The governor shall appoint ~~four~~ five members from the general public to the board, subject to the advice and consent of the senate.

Sec. 123. Minnesota Statutes 1980, Section 116C.03, Subdivision 3, is amended to read:

Subd. 3. The director of the state planning agency head of the planning division of the department of energy, planning and development shall be the chairman of the board.

Sec. 124. Minnesota Statutes 1980, Section 116C.03, Subdivision 4, is amended to read:

Subd. 4. The director of the state planning agency commissioner of energy, planning and development shall employ staff or consultants who will be assigned to work for the board on a continuous basis. The board shall have the authority to request and require staff support from all other agencies of state government as needed for the execution of the responsibilities of the board.

Sec. 125. Minnesota Statutes 1980, Section 116H.05, is amended to read:

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116H.05 CONFLICT OF INTEREST.

No person shall be eligible to continue in office as ~~director~~ commissioner unless he has within six months after being appointed divested himself of any interest except fully vested pension rights in any utility, coal or petroleum supplier, or manufacturer of any major component of a large energy facility doing business within or outside this state.

No person who is an employee of the ~~agency~~ department shall participate in any manner in any decision or action of the ~~agency~~ commissioner where he has a *direct or indirect financial interest*.

Sec. 126. Minnesota Statutes 1980, Section 116H.06, is amended to read:

116H.06 JURISDICTION.

The ~~agency~~ commissioner has sole authority and responsibility for the administration of sections 116H.01 to 116H.15. Other laws notwithstanding, the authority granted the ~~agency~~ commissioner shall supersede the authority given any other agency whenever overlapping, duplication or additional administrative or legal procedures might occur in the administration of sections 116H.01 to 116H.15. The ~~director~~ commissioner shall consult with other state departments or agencies in matters related to energy and shall contract with them to provide appropriate services to effectuate the purposes of sections 116H.01 to 116H.15. Any other department, agency or official of this state or political subdivision thereof which would in any way affect the administration or enforcement of sections 116H.01 to 116H.15 shall cooperate and coordinate all ~~such~~ activities with the ~~agency~~ commissioner to assure orderly and efficient administration and enforcement of sections 116H.01 to 116H.15.

The ~~director~~ commissioner shall designate a liaison officer ~~from the agency~~ whose duty shall be to insure the maximum possible consistency in procedures and to eliminate duplication between the ~~agency~~ commissioner and the other agencies that may be involved in energy. ~~The commissioner of administration shall, if and to the extent he deems it efficient and beneficial, transfer to the agency, pursuant to sections 16.125 and 16.135, the functions, employees or work of any agency of the state if such functions or work relate to or if such employees are engaged in matters which fall within the jurisdiction of the agency pursuant to sections 116H.01 to 116H.15.~~

Sec. 127. Minnesota Statutes 1980, Section 116H.07, is amended to read:

116H.07 DUTIES.

The ~~director~~ commissioner shall:

(a) Manage the ~~agency~~ department as the central repository within the state government for the collection of data on energy;

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(b) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(c) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of sections 116H.01 to 116H.15;

(e) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy needs for the state and various service areas as a basis for planning large energy facilities;

(f) Require certificate of need for construction of large energy facilities;

(g) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of sections 116H.01 to 116H.15, and make recommendations for changes in energy pricing policies and rate schedules;

(h) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(i) Design a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(j) Inform and educate the public about the sources and uses of energy and the ways in which persons can conserve energy;

(k) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact;

(l) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met.

Sec. 128. Minnesota Statutes 1980, Section 116H.08, is amended to read:

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116H.08 POWERS.

The ~~director~~ commissioner may:

(a) Adopt rules pursuant to chapter 15 as necessary to carry out the purposes of sections 116H.01 to 116H.15 and, when necessary for the purposes of section 116H.09, adopt temporary rules pursuant to section 15.0412, subdivision 5;

(b) Make all contracts pursuant to sections 116H.01 to 116H.15 and do all things necessary to cooperate with the United States government, and to qualify for, accept and disburse any grant intended for the administration of sections 116H.01 to 116H.15. Notwithstanding any other law the agency commissioner is designated the state agency agent to apply for, receive and accept federal or other funds made available to the state for the purposes of sections 116H.01 to 116H.15.

(c) Contract for professional services if such work or services cannot be satisfactorily performed by employees of the agency department or by any other state agency;

(d) Enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) Distribute informational material at no cost to the public upon reasonable request.

Sec. 129. Minnesota Statutes 1980, Section 116H.085, is amended to read:

116H.085 ENERGY CONSERVATION INFORMATION CENTER.

The ~~director~~ commissioner shall establish an energy information center in the agency's department's offices in St. Paul. The information center shall maintain a toll-free telephone information service and disseminate printed materials on energy conservation topics, including but not limited to, availability of loans and other public and private financing methods for energy conservation physical improvements, the techniques and materials used to conserve energy in buildings, including retrofitting or upgrading insulation and installing weatherstripping, the projected prices and availability of different sources of energy, and alternative sources of energy.

The energy information center shall serve as the official Minnesota alcohol fuels information center and shall disseminate information, printed, by the toll-free telephone information service, or otherwise on the applicability and technology of alcohol fuels.

The information center shall include information on the potential hazards of energy conservation techniques and improvements in the printed materials disseminated. The agency commissioner shall not be liable for

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damages arising from the installation or operation of equipment or materials recommended by the information center.

Sec. 130. Minnesota Statutes 1980, Section 116H.087, is amended to read:

116H.087 ENERGY CONSERVATION PUBLICITY.

The ~~director of the energy agency~~ commissioner in consultation with other affected agencies or departments shall develop informational materials, pamphlets and radio and television messages on energy conservation and housing programs available in Minnesota, renewable energy resources, and energy supply and demand. The printed materials shall include information on available tax credits for residential energy conservation measures, residential retrofitting loan and grant programs, and data on the economics of energy conservation and renewable resource measures. Copies of printed materials shall be distributed to members of the appropriate standing committees of the legislature.

Sec. 131. Minnesota Statutes 1980, Section 116H.088, Subdivision 1, is amended to read:

Subdivision 1. The ~~director~~ commissioner, in consultation with the state board of education, the higher education coordinating board, the state board for community colleges, the state university board, and the board of regents of the University of Minnesota, shall develop a plan for adult and post-secondary energy education.

Sec. 132. Minnesota Statutes 1980, Section 116H.089, is amended to read:

116H.089 COMMUNITY ENERGY PLANNING; GRANTS.

Subdivision 1. **PURPOSE.** In order to improve the energy planning capabilities of local governments, the ~~energy agency~~ commissioner shall make grants to counties and cities, however organized. The ~~energy agency~~ commissioner when making grants shall give priority to those units of government that submit proposals that could result in significant savings of traditional energy sources, development of renewable energy systems, and broad community involvement. The ~~director~~ commissioner shall give priority to local units of government that provide staff or other support for a program and who request grants for programs which can be duplicated by other local governments. The grants may be used to purchase materials, employ staff or contract with other units of government or qualified consultants.

The ~~director~~ commissioner shall not make grants of more than 45 percent of the amount appropriated for those purposes to cities and counties located within the seven county metropolitan area. A single grant to a city or county shall not exceed \$50,000.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. **QUALIFYING EXPENDITURES.** Community energy planning grants may be used for the following purposes:

(a) To gather, monitor, and analyze local energy supply, demand, and cost information;

(b) To prepare comprehensive community energy plans;

(c) To implement comprehensive energy plans that the unit of government is authorized to undertake for the management of problems resulting from: (1) rising energy cost; (2) lack of efficient public and private transportation; (3) lack of community conservation efforts; (4) lack of widespread renewable energy sources; and (5) lack of energy components in comprehensive plans and local ordinances;

(d) To assist neighborhood organizations in counties and cities to do energy planning by making grants to the local unit of government; and

(e) Any other purposes deemed appropriate by the director of the energy agency commissioner.

Subd. 3. **ADMINISTRATION.** The energy agency commissioner shall determine priorities pursuant to subdivisions 1 and 2, and shall promulgate rules for the submission and review of applications in accordance with the provisions of chapter 15. For this purpose the energy agency commissioner may adopt temporary rules pursuant to the provisions of section 15.0412, subdivision 5.

Sec. 133. Minnesota Statutes 1980, Section 116H.09, Subdivision 1, is amended to read:

Subdivision 1. ~~Within nine months after March 29, 1974,~~ The director commissioner shall ~~prepare and issue~~ maintain an emergency conservation and allocation plan ~~in the manner set forth in subdivision 2.~~ Such The plan shall provide a variety of strategies and staged conservation measures to reduce energy use and in the event of an energy supply emergency, shall establish guidelines and criteria for allocation of fuels to priority users. The plan shall contain alternative conservation actions and allocation plans to reasonably meet various foreseeable shortage circumstances and allow a choice of appropriate responses. The plan shall be consistent with requirements of federal emergency energy conservation and allocation laws and regulations, shall be based on reasonable energy savings or transfers from scarce energy resources and shall:

(a) Give priority to individuals, institutions, agriculture and businesses which demonstrate they have engaged in energy-saving measures and shall include provisions to insure that:

(1) Immediate allocations to individuals, institutions, agriculture and businesses be based on needs at energy conservation levels;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(2) Successive allocations to individuals, institutions, agriculture and businesses be based on needs after implementation of required action to increase energy conservation;

(3) Needs of individuals and institutions are adjusted to insure the health and welfare of the young, old and infirm;

(b) Insure maintenance of reasonable job safety conditions and avoid environmental sacrifices;

(c) Establish programs, controls, standards, priorities or quotas for the allocation, conservation and consumption of energy resources; and for the suspension and modification of existing standards and the establishment of new standards affecting or affected by the use of energy resources, including those related to the type and composition of energy sources, and to the hours and days during which public buildings, commercial and industrial establishments, and other energy consuming facilities may or are required to remain open;

(d) Establish programs to control the use, sale or distribution of commodities, materials, goods or services;

(e) Establish regional programs and agreements for the purpose of coordinating the energy resources, programs and actions of the state with those of the federal government, of local governments, and of other states and localities; and

(f) Determine at what level of an energy supply emergency situation the pollution control agency shall be requested to ask the governor to petition the president for a temporary emergency suspension of air quality standards as required by the Clean Air Act, 42 U.S.C., Section 7410f;

(g) Establish procedures for fair and equitable review of complaints and requests for special exemptions regarding emergency conservation measures or allocations.

Sec. 134. Minnesota Statutes 1980, Section 116H.09, Subdivision 4, is amended to read:

Subd. 4. At least once every five years and whenever construction of a new large energy facility is completed which affects the supply of energy in Minnesota, the ~~director~~ commissioner shall review and if necessary revise the emergency conservation and allocation plan. Revisions of the emergency conservation and allocation plan shall be ~~promulgated~~ adopted pursuant to the rulemaking procedures in chapter 15 and reviewed by the appropriate standing committees of the legislature. The ~~director~~ commissioner may also make revisions to the plan pursuant to section 15.0412, subdivision 5, and the temporary rules powers of section 116H.08, clause (a), when a declared or impending energy supply emergency requires.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 135. Minnesota Statutes 1980, Section 116H.09, Subdivision 5, is amended to read:

Subd. 5. The executive council or the legislature may declare an energy supply emergency when an acute shortage of energy exists by issuing a declaration which indicates the nature of the emergency, the area or areas threatened if less than the whole state is threatened, and the conditions causing the emergency. The declaration shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and shall be promptly filed with the ~~energy agency~~ commissioner, the division of emergency services and the secretary of state. Upon a declaration of an energy supply emergency by the executive council or the legislature, the governor and the division of emergency services, in consultation with the ~~director~~ commissioner, shall implement and enforce the emergency conservation and allocation plan or any part thereof. Revisions of the plan shall be made by the ~~director~~ commissioner in accordance with subdivision 4. The executive council or the legislature may terminate an energy supply emergency at any time by issuing a declaration which terminates the energy supply emergency and indicates the conditions which make possible termination of the emergency, but no energy supply emergency may continue for longer than 30 days unless renewed by the legislature. Each renewed energy supply emergency may not continue for longer than 30 days, unless otherwise provided by law. Each person shall carry out the responsibilities specified in the emergency conservation allocation plan, and violation of any provision of such emergency conservation or allocation requirements shall be deemed a violation of sections 116H.01 to 116H.15 and the rules promulgated thereunder for purposes of enforcement pursuant to section 116H.15.

Sec. 136. **[116H.095] STATE SET-ASIDE PROGRAM.**

Subdivision 1. PURPOSE. The purpose of this section is to grant to the commissioner authority to exercise specific power to deal with shortages of refined petroleum products. Authority granted shall be exercised for the purpose of minimizing the adverse impacts of shortages and dislocations upon the citizens and the economy of the state and nation.

Subd. 2. ESTABLISHMENT. The commissioner shall establish and is responsible for a state set-aside system for motor gasoline and middle distillates to provide emergency petroleum requirements and thereby relieve the hardship caused by shortage, supply dislocations, or other emergencies. The commissioner, for purposes of administration, may exercise all of the powers granted by chapter 116H.

Subd. 3. DEFINITIONS. As used in this section:

(a) "Middle distillates" means distillates obtained between kerosene and lubricating oil fractions in the refining process, including but not limited to, kerosene, number one and number two heating oil and diesel fuel;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(b) "Motor gasoline" means a liquid mixture of hydrocarbons produced by the distillation of petroleum and used chiefly as a fuel in internal combustion engines;

(c) "Prime supplier" means the producer or supplier now or hereafter making the first sale of middle distillates or motor gasoline subject to the state set-aside for consumption within the state;

(d) "State set-aside" means the amount of middle distillates or motor gasoline required to be made available by a prime supplier for utilization by the commissioner to resolve or mitigate emergencies or hardships due to shortages of supply.

Subd. 4. SET-ASIDE REQUIRED. Every prime supplier shall allocate for sale or exchange monthly upon order of the commissioner a volume of gasoline and middle distillate not exceeding the monthly set-aside amount. The amount of gasoline subject to monthly set-aside shall be an amount equal to three percent of the prime supplier's sales of gasoline during the corresponding month of 1980. The amount of middle distillate subject to monthly set-aside shall be an amount equal to four percent of the prime supplier's sales of middle distillate during the corresponding months of 1980.

Subd. 5. REPORT OF ESTIMATED VOLUME. Every prime supplier who did not do business in the state during the corresponding month of 1980 shall file with the commissioner a report of its estimated volume of gasoline and middle distillate sale. The report shall be in a form prescribed by the commissioner and shall be submitted by the 25th day of the month preceding the month covered by the report. Each prime supplier subject to this subdivision shall allocate monthly for sale or exchange upon order of the commissioner three percent of estimated gasoline supplies and four percent of estimated middle distillate supplies as shown by the report.

Subd. 6. PRIME SUPPLIER OBLIGATIONS. Each prime supplier shall designate a representative to act for and on behalf of the prime supplier in respect to energy agency state set-aside orders to be issued to the prime supplier. A prime supplier shall provide the amount of allocated product stated in the energy state set-aside order.

Subd. 7. RULES. The commissioner shall adopt rules, including temporary rules pursuant to section 15.0412, subdivision 5, to govern the administration of the set-aside system. Rules shall cover matters such as the form and procedure for applications for set-aside allocations by dealers of bulk purchasers, reports on available gasoline and middle distillate supplies, orders and procedure for set-aside allocation and distribution and other rules deemed necessary or desirable in the implementation and administration of the set-aside system, including monthly reports of anticipated deliveries and actual sales of gasoline, middle distillates, propane, aviation fuels, and residual oils.

Changes or additions are indicated by underline, deletions by strikeout.

Subd. 8. CRITERIA. The commissioner may allocate gasoline and middle distillates from the set-aside system in accordance with the criteria in section 116H.09 and rules adopted pursuant thereto. The commissioner may prescribe additional priorities by rule.

Sec. 137. Minnesota Statutes 1980, Section 116H.10, is amended to read:

116H.10 FORECASTS, STATISTICS AND INFORMATION.

Subdivision 1. In order to further the purposes of sections 116H.01 to 116H.15, the ~~director~~ commissioner shall develop and maintain an effective program of collection, compilation, and analysis of energy statistics. The statistical program shall be developed to insure a central state repository of energy data and so that the state may coordinate and cooperate with other governmental data collection and record keeping programs.

Subd. 2. In addition to supplying ~~such~~ the current statistical and short range forecasting information as the ~~director may require~~ commissioner requires, each utility, coal supplier, petroleum supplier and large energy facility in the state shall prepare and transmit to the ~~director~~ commissioner by July 1, 1975, and ~~every year thereafter~~ of each year, a report specifying in five, ten, and 15 year forecasts the projected demand for energy within their respective service areas and the facilities necessary to meet the demand.

The report shall be in a form specified by the ~~director~~ commissioner and contain all information deemed relevant by the ~~director~~ commissioner.

Subd. 3. The ~~director~~ commissioner shall, to the maximum extent feasible, provide that forecasts required under this section be consistent with material required by other state and federal agencies in order to prevent unnecessary duplication.

Subd. 4. Reports issued pursuant to this section shall be available for public inspection in the office of the ~~agency~~ department during normal business hours.

Subd. 5. The ~~director~~ commissioner shall review and evaluate forecasts of energy demands and resources as they relate to the most current population growth and development estimates, statewide and regional land use, transportation, and economic development programs and forecasts.

Sec. 138. Minnesota Statutes 1980, Section 116H.11, is amended to read:

116H.11 STATE ENERGY POLICY AND CONSERVATION REPORT.

Subdivision 1. Beginning By January 1, 1976, and at least every two years thereafter of each even-numbered year, the ~~director~~ commissioner shall

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

transmit to the governor and the legislature a comprehensive report designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and geographical area energy need. The report shall include, but not be limited to, all of the following:

(a) A final report on the accuracy and acceptability of the energy forecasts received under section 116H.10 and the alternatives to meeting that demand;

(b) An estimate of statewide and geographical area energy need for the forthcoming five and ten year period which, in the judgment of the ~~director~~ commissioner, will reasonably balance requirements of state and geographical area growth and development, protection of public health and safety, preservation of environmental quality, and conservation of energy resources;

(c) The anticipated level of statewide and geographical area energy demand for 20 years, which shall serve as the basis for long range action;

(d) The identification of potential adverse social, economic, or environmental effects caused by a continuation of the present energy demand trends;

(e) An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels;

(f) The estimated reduction in annual energy consumption resulting from various energy conservation measures;

(g) The cost of energy to residential and rental consumers in relation to their socio-economic status;

(h) An assessment of the economic and employment implications of proposed state energy policies;

(i) The status of the department's ongoing studies;

(j) Recommendations to the governor and the legislature for administrative and legislative actions to accomplish the purposes of sections 116H.01 to 116H.15.

Subd. 2. Prior to the preparation of a final report, the ~~director~~ commissioner shall issue a draft report to the environmental quality board and any person, upon request, and shall hold a public meeting. Notice of the public meeting shall be provided to each regional development commission.

Subd. 3. The ~~director~~ commissioner shall distribute the final report to any person upon request.

Sec. 139. Minnesota Statutes 1980, Section 116H.12, Subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. After consultation with the ~~director~~ commissioner and the commissioner of public safety, the commissioner of transportation shall, pursuant to chapter 15, promulgate regulations establishing maximum energy use standards for street, highway and parking lot lighting. ~~Such~~ The standards shall be consistent with overall protection of the public health, safety and welfare. No new highway, street or parking lot lighting shall be installed in violation of these regulations and existing lighting levels shall be reduced consistent with the regulations as soon as feasible and practical, consistent with overall energy conservation.

Sec. 140. Minnesota Statutes 1980, Section 116H.12, Subdivision 1b, is amended to read:

Subd. 1b. The ~~director~~ commissioner shall ~~promulgate~~ adopt rules, pursuant to chapter 15, ~~by July 1, 1979,~~ setting standards covering permissible hours of operation, quantity and efficiency of outdoor display lighting and defining "outdoor display lighting".

Sec. 141. Minnesota Statutes 1980, Section 116H.12, Subdivision 2, is amended to read:

Subd. 2. The ~~director~~ commissioner may investigate promotional practices by energy suppliers and, pursuant to chapter 15, may promulgate regulations to limit such practices in order to reduce the rate of growth of energy demand.

Sec. 142. Minnesota Statutes 1980, Section 116H.12, Subdivision 4, is amended to read:

Subd. 4. In recognition of the compelling need for energy conservation in order to safeguard the public health, safety and welfare, it is necessary to provide building design and construction standards consistent with the most efficient use of energy. Therefore, the commissioner of administration, in consultation with the ~~director~~ commissioner, shall, ~~no later than August 1, 1975,~~ and pursuant to chapter 15, ~~promulgate~~ adopt rules governing building design and construction standards regarding heat loss control, illumination and climate control. ~~Such standards~~ The rules shall apply to all new buildings and remodeling affecting heat loss control, illumination and climate control. ~~Such standards~~ The rules shall be economically feasible in that the resultant savings in energy procurement shall exceed the cost of the energy conserving requirements amortized over the life of the building. ~~The standards~~ rules shall become part of the state building code and be effective six months after promulgation.

Sec. 143. Minnesota Statutes 1980, Section 116H.12, Subdivision 5, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 5. The ~~director~~ commissioner shall conduct studies and make recommendations concerning the purchase and use by the state and its political subdivisions of supplies, motor vehicles and equipment having a significant impact on energy use in order to determine the potential for energy conservation. The ~~director~~ commissioner may ~~promulgate~~ adopt rules pursuant to chapter 15 to insure that energy use and conservation will be considered in state purchasing and, where appropriate, to require certain minimum energy efficiency standards in purchased products and equipment. No state purchasing of equipment or material use shall occur that is not in conformity with these regulations.

Sec. 144. Minnesota Statutes 1980, Section 116H.12, Subdivision 6, is amended to read:

Subd. 6. In consultation with the ~~director~~ commissioner, the commissioner of transportation shall begin an efficiency study of the present traffic flow system within the state. The study shall consider the feasibility of a computer-coordinated traffic system and other measures for increasing the efficiency of present traffic loads.

Sec. 145. Minnesota Statutes 1980, Section 116H.12, Subdivision 9, is amended to read:

Subd. 9. In conjunction with the motor vehicle services division, the ~~director~~ commissioner shall study the feasibility of modifying motor vehicle license fees to reflect energy consumption.

Sec. 146. Minnesota Statutes 1980, Section 116H.121, Subdivision 1, is amended to read:

Subdivision 1. ~~Before February 1, 1977, the commissioner of administration in consultation with the director, shall amend~~ The rules concerning heat loss, illumination, and climate control standards ~~promulgated~~ adopted pursuant to section 116H.12, subdivision 4, ~~to~~ shall include standards for all existing buildings heated by oil, coal, gas, or electric units which are owned by the state, the university of Minnesota, any city, any county, or any school district. Compliance with standards adopted pursuant to this section shall not be mandatory for buildings owned by any city, county or school district, except as otherwise provided by this section.

Sec. 147. Minnesota Statutes 1980, Section 116H.121, Subdivision 2, is amended to read:

Subd. 2. ~~Effective January 1, 1978,~~ The illumination standards promulgated pursuant to subdivision 1, ~~shall be~~ are mandatory for all public buildings where economically feasible. For the purposes of this subdivision, "public building" means any building which is open to the public during normal business hours and which exceeds 5,000 square feet in gross floor area. The

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~~director~~ commissioner shall specify the formula for determining economic feasibility and shall take appropriate measures prior to January 1, 1978 to inform building owners and managers of the requirements of this subdivision and to assist them in complying with it.

Sec. 148. Minnesota Statutes 1980, Section 116H.122, is amended to read:

116H.122 ENERGY CONSERVATION IN STATE OWNED BUILDINGS.

By June 30, 1982, the commissioner of administration, in cooperation with the ~~director~~ commissioner, shall complete a mini-audit or maxi-audit of all buildings which are heated and owned by the state of Minnesota, including buildings and associated facilities of the state university system, the state fairgrounds as defined in section 37.01, the Minnesota historical society building, and all buildings under the administration or supervision of the commissioners of natural resources, corrections, welfare, and transportation. The commissioner of administration shall determine the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 116H.121. The commissioner of administration shall estimate the annual potential savings in units of fuel and fuel procurement costs which would be realized for each state owned building if its operating procedures were modified and it were improved to comply with each of the energy conservation standards promulgated pursuant to section 116H.121. If funds appropriations are inadequate to complete a mini-audit or maxi-audit of all state owned buildings, the commissioner of administration shall give priority to buildings of 25,000 or more square feet. If the commissioner of administration determines that a modification is economically feasible, in that savings in fuel procurement costs will exceed the cost of the modification amortized over the remaining useful life of the building, he shall recommend implementation of the modification to the legislature. The commissioner of administration shall submit to the legislature an annual progress report on January 1 of each year and a final progress report by December 31, 1982, indicating the number and percentage of state owned buildings surveyed, the estimated costs of implementing the economically feasible modifications, the energy savings and costs resulting from implementing such modifications, and his findings, recommendations, and priorities for implementing economically feasible modifications.

Sec. 149. Minnesota Statutes 1980, Section 116H.123, is amended to read:

116H.123 ENERGY CONSERVATION IN UNIVERSITY BUILDINGS.

By June 30, 1982, the University of Minnesota, after consultation with the ~~director~~ commissioner, shall complete a mini-audit or a maxi-audit of all

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buildings and associated facilities of the University of Minnesota which are heated. The university shall determine the estimated remaining useful life of each building, together with the present degree and estimated cost of compliance with the energy conservation standards promulgated pursuant to section 116H.121. The university shall estimate the annual potential savings in units of fuel and fuel procurement costs for existing heating and cooling systems, which savings would be realized for each university owned building if its operating procedures were modified and it were improved to comply with each of the energy conservation standards promulgated pursuant to section 116H.121. If funds appropriations are inadequate to complete a mini-audit or maxi-audit of all university owned buildings, the university shall give priority to buildings of 25,000 or more square feet. If the university determines that a modification is economically feasible, in that estimated savings in fuel procurement costs will exceed the cost of the modification amortized over the remaining useful life of the building, it shall implement the modification in a manner designed to maximize the reduction in costs resulting from the modification. The university shall submit to the legislature an annual progress report on January 1 of each year and a final report by December 31, 1982, indicating the number and percentage of university owned buildings surveyed, the estimated costs of implementing the economically feasible modifications, the energy savings and costs resulting from implementing such modifications, and its preliminary findings, recommendations, and priorities for implementing economically feasible modifications.

Sec. 150. Minnesota Statutes 1980, Section 116H.124, is amended to read:

116H.124 LOCAL GOVERNMENTAL SURVEYS AND FUEL COST ESTIMATES.

Subdivision 1. BUILDING ENERGY REPORT. ~~The governing body of each city and county shall complete a building energy report for all existing city owned or county owned buildings within their respective jurisdictions which are heated. The building energy report shall be recorded on a form furnished by the director. Each governing body shall file the building energy report with the director by December 31, 1979, for his review and analysis.~~

Subd. 2. MINI-AUDITS AND MAXI-AUDITS. On or before June 30, 1980, based upon analysis of the building energy reports, the ~~director~~ commissioner shall indicate to the governing body of each city and county those buildings upon which a mini-audit, a maxi-audit, or both, shall be performed. The audit results shall be recorded on a form furnished by the ~~director~~ commissioner, and filed with the ~~director~~ commissioner by December 31, 1982.

Subd. 3. APPEAL FROM DECISION OF DIRECTOR COMMISSIONER. The governing body of any city or county may appeal the decision

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of the ~~director~~ commissioner pursuant to subdivision 2 by submitting in writing to the ~~director~~ commissioner the reasons for the appeal. No appeal may be considered by the ~~director~~ commissioner if received later than three months after notification to the city or county that a mini-audit or maxi-audit shall be performed. The ~~director~~ commissioner shall review all appeals and respond to the governing body within one month of receipt of the appeal indicating whether the appeal is granted in full, granted in part, or denied.

Subd. 4. **CERTIFICATION OF AUDITORS.** The ~~director~~ commissioner may certify persons to perform mini-audits and maxi-audits, and to complete the building energy reports.

Subd. 5. **ACCEPTANCE OF EQUIVALENT ENERGY SURVEY.** The ~~director~~ commissioner may accept the results of an equivalent energy survey in place of the building energy report or audits required under this section.

Sec. 151. Minnesota Statutes 1980, Section 116H.126, is amended to read:

116H.126 PUBLIC SCHOOL BUILDING ENERGY REPORTS AND AUDITS.

~~Subdivision 1. **BUILDING ENERGY REPORT.** Each school district shall complete a building energy report for all existing public school buildings which it owns or operates and which are heated. The building energy report shall be recorded on a form furnished by the director. Each school district shall file the building energy reports with the director by December 31, 1979, for his review and analysis.~~

Subd. 2. **MINI-AUDITS AND MAXI-AUDITS.** On or before July 1, 1980, based upon the analysis of the building energy reports, the ~~director~~ commissioner shall indicate to each school district those buildings upon which a mini-audit, maxi-audit, or both, shall be performed. The audit results shall be recorded on a form furnished by the ~~director~~ commissioner and filed with the ~~director~~ commissioner by December 31, 1982.

Subd. 3. **APPEAL FROM DECISION OF ~~DIRECTOR~~ COMMISSIONER.** Any school district may appeal the decision of the ~~director~~ commissioner pursuant to subdivision 2 by submitting in writing to the ~~director~~ commissioner the reasons for the appeal. No appeal may be considered by the ~~director~~ commissioner if received later than three months after notification to the school district that a mini-audit or maxi-audit shall be performed. The ~~director~~ commissioner shall review all appeals and respond to the school district within one month of receipt of the appeal indicating whether the appeal is granted in full, granted in part, or denied.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 4. **CERTIFICATION OF AUDITORS.** The ~~director~~ commissioner may certify persons to perform mini-audits and maxi-audits, and to complete the building energy reports.

Subd. 5. **ACCEPTANCE OF EQUIVALENT ENERGY SURVEYS.** The ~~director~~ commissioner may accept the results of an equivalent energy survey in place of the building energy report and audits required under this section.

Subd. 6. **SCHOOL DISTRICTS INTENDING TO CLOSE PUBLIC SCHOOL BUILDINGS.** A school district intending to permanently close or otherwise discontinue use of any existing public school building by January 1, 1985, shall not be required to comply with this section as to those buildings, if a certification of intent to close the building is filed with the ~~director~~ commissioner.

Subd. 7. **STUDY OF CAPABILITY OF ENERGY MANAGEMENT PERSONNEL.** The ~~director~~ shall conduct a study of the capabilities and level of training of school district energy management personnel. The report shall include recommendations and shall be submitted to the legislature by January 1, 1980.

Sec. 152. Minnesota Statutes 1980, Section 116H.127, is amended to read:

116H.127 SOLAR ENERGY SYSTEM STANDARDS OF PERFORMANCE.

The ~~building code division of the department~~ commissioner of administration in consultation with the ~~agency~~ commissioner shall ~~promulgate~~ adopt rules by ~~December 31, 1976~~, concerning quality and performance standards which are in reasonable conformance with the Interim Performance Criteria for Solar Heating and Combined Heating/Cooling Systems and Dwellings, National Bureau of Standards, January 1, 1975; and the Interim Performance Criteria for Commercial Solar Heating and Combined Heating/Cooling Systems and Facilities, National Aeronautics and Space Administration, February 28, 1975, to insure that within the existing state of development, solar energy systems as defined in section 116H.02, subdivision 11, which are sold or installed within this state, are effective and represent a high standard of quality of material, workmanship, design, and performance. The ~~department~~ commissioner of administration in consultation with the energy ~~agency~~ commissioner shall ~~modify existing standards and promulgate new standards subsequent to December 31, 1976~~, amend the rules as new technology and materials become available, or as standards are revised by the federal government.

Manufacturers or retailers of solar energy systems shall disclose to each bona fide potential purchaser of a system the extent to which the system meets or exceeds each quality standard.

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Sec. 153. Minnesota Statutes 1980, Section 116H.128, is amended to read:

116H.128 REVIEW OF ENERGY RESEARCH AND DEMONSTRATION PROJECTS.

The ~~director~~ commissioner shall continuously identify, monitor, and evaluate in terms of potential direct benefit to, and possible implementation in Minnesota, research studies and demonstration projects of alternative energy systems and methodologies currently performed in Minnesota and other states and countries including:

(a) Solar energy systems for heating and cooling;

(b) Energy systems using wind, agricultural wastes, forestry products, peat, and other nonconventional energy resources;

(c) Devices and technologies increasing the energy efficiency of energy consuming appliances, equipment, and systems;

(d) Hydroelectric power; and

(e) ~~Such~~ Other projects as the ~~director~~ commissioner deems appropriate and of direct benefit to Minnesota and other states of the upper midwest.

Sec. 154. Minnesota Statutes 1980, Section 116H.129, Subdivision 1, is amended to read:

Subdivision 1. ~~Before January 1, 1979,~~ The commissioner of administration, in consultation with the ~~director~~ commissioner and the appropriate standing committees of the legislature, shall ~~promulgate~~ adopt rules containing minimum energy efficiency standards for existing residences. The standards shall be economically feasible in that the resultant savings in energy procurement costs, based on current and projected average residential energy costs in Minnesota as certified by the ~~director~~ commissioner in the state register, will exceed the cost of the energy conserving requirements amortized over the five-year period subsequent to the incurring of ~~such~~ the cost. The costs computed under this section shall include reasonable inflation and interest factors. ~~Not later than January 1, 1981, the commission shall amend~~ The rules ~~to shall~~ require that energy conserving requirements shall be amortized over a ten year period.

Sec. 155. Minnesota Statutes 1980, Section 116H.129, Subdivision 4, is amended to read:

Subd. 4. **INSPECTIONS.** The energy agency commissioner shall conduct inspections on a random basis for compliance with the provisions of subdivision 3.

Sec. 156. Minnesota Statutes 1980, Section 116H.129, Subdivision 5, is amended to read:

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Subd. 5. **RESIDENTIAL ENERGY DISCLOSURE PROGRAM.** ~~By May 1, 1980, The commissioner of administration, in consultation with the director of the energy agency commissioner and the appropriate standing committees of the legislature, shall promulgate~~ adopt rules providing for residential energy disclosure requirements and shall approve forms for the purposes of this subdivision. The rules and forms shall provide only for the disclosure of structural characteristics, energy use characteristics relating to energy consumption and conservation, and the extent of compliance with standards adopted pursuant to subdivision 1. Nothing in the forms shall indicate or be deemed to indicate that the residence meets all state building code specifications.

Sec. 157. Minnesota Statutes 1980, Section 116H.129, Subdivision 6, is amended to read:

Subd. 6. **BUILDING EVALUATORS.** ~~By August 1, 1980, The commissioner of administration shall certify evaluators in each county of the state who are qualified to determine the compliance of a residence with applicable energy disclosure requirements. The commissioner of administration shall, by rule pursuant to chapter 15, establish standards for the certification and performance of evaluators and set a fee for the certification of evaluators which is sufficient to cover the ongoing costs of the program once it is established. The commissioner of administration shall encourage the certification of existing groups of trained municipal personnel and individuals from public service organizations. Effective August 1, 1980, Each certified evaluator shall, on request of the owner, inspect any residence and report the degree to which it complies with applicable energy disclosure requirements. The inspections shall be made within 30 days of the request.~~

Sec. 158. Minnesota Statutes 1980, Section 116H.129, Subdivision 8, is amended to read:

Subd. 8. ~~Before January 1, 1978, the commissioner of administration, in consultation with the director, shall by rule amend~~ The standards concerning heat loss, illumination, and climate control ~~promulgated~~ adopted pursuant to section 116H.12, subdivision 4, ~~to shall~~ require that electrical service to individual dwelling units in buildings containing two or more units be separately metered, with individual metering readily accessible to the individual occupants. The standards authorized by this subdivision shall only apply to buildings constructed after the effective date of the amended standards. Buildings intended for occupancy primarily by persons who are 62 years of age or older or handicapped, or which contain a majority of units not equipped with complete kitchen facilities, shall be exempt from the provisions of this subdivision.

Sec. 159. Minnesota Statutes 1980, Section 116H.13, is amended to read:

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116H.13 CERTIFICATE OF NEED.

Subdivision 1. The ~~director~~ commissioner shall, pursuant to chapter 15 and sections 116H.01 to 116H.15, ~~promulgate~~ adopt assessment of need criteria to be used in the determination of need for large energy facilities pursuant to this section.

Subd. 2. ~~On and after the effective date of the assessment of need criteria adopted pursuant to subdivision 1,~~ No large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the ~~director~~ commissioner pursuant to sections 116H.01 to 116H.15 and consistent with the criteria for assessment of need.

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. In assessing need, the ~~director~~ commissioner shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under sections 116H.01 to 116H.15 or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs, ~~such as are~~ described in the most recent state energy policy and conservation report prepared pursuant to section 116H.11;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments; and

(9) Any feasible combination of energy conservation improvements, required by the public utilities commission pursuant to section 216B.241, that can ~~(1)~~ (a) replace part or all of the energy to be provided by the proposed facility, and ~~(2)~~ (b) compete with it economically.

Subd. 4. ~~After promulgation of the criteria for assessment of need,~~ Any person proposing to construct a large energy facility shall apply for a certificate of need prior to construction of the facility. The application shall be

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on forms and in a manner established by the ~~director~~ commissioner. In reviewing each application the ~~director~~ commissioner shall hold at least one public hearing pursuant to chapter 15. The public hearing shall be held at a location and hour reasonably calculated to be convenient for the public. An objective of the public hearing shall be to obtain public opinion on the necessity of granting a certificate of need. The ~~director~~ commissioner shall designate ~~an energy agency~~ a department employee whose duty shall be to facilitate citizen participation in the hearing process.

Subd. 5. Within six months of the submission of an application, the ~~director~~ commissioner shall approve or deny a certificate of need for the facility. ~~Such~~ Approval or denial of the certificate shall be accompanied by a statement of the reasons for the decision. Issuance of the certificate may be made contingent upon modifications required by the ~~director~~ commissioner.

Subd. 6. Any application for a certificate of need shall be accompanied by the fee required pursuant to this subdivision. The maximum fee shall be \$50,000, except for an application for an electric power generating plant as defined in section 116H.02, subdivision 5, clause (a) or a high voltage transmission line as defined in section 116H.02, subdivision 5, clause (b), for which the maximum fee shall be \$100,000. The ~~director~~ commissioner may require an additional fee to recover the costs of any rehearing. The fee for a rehearing shall not be greater than the actual cost of the rehearing or the maximum fee specified above, whichever is less. The ~~director~~ commissioner shall establish by rule pursuant to chapter 15 and sections 116H.01 to 116H.15, a schedule of fees based on the output or capacity of the facility and the difficulty of assessment of need. ~~Funds~~ Money collected in this manner shall be credited to the general fund of the state treasury.

Subd. 7. Other state agencies authorized to issue permits for siting, construction or operation of large energy facilities, and those state agencies authorized to participate in matters before the Minnesota public utilities commission involving utility rates and adequacy of utility services, shall present their position regarding need and participate in the public hearing process prior to the issuance or denial of a certificate of need. Issuance or denial of certificates of need shall be the sole and exclusive prerogative of the ~~director~~ commissioner and said determinations and certificates shall be binding upon other state departments and agencies, regional, county and local governments and special purpose government districts except as provided in sections 116C.01 to 116C.08 and 116D.04, subdivision 9.

Subd. 8. This section shall not apply in any case where the ~~director~~ commissioner shall determine after being advised by the attorney general that its application has been preempted by federal law.

Sec. 160. Minnesota Statutes 1980, Section 116H.14, is amended to read:

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116H.14 SUBPOENA POWER.

The ~~director~~ commissioner shall have the power, for the purposes of sections 116H.01 to 116H.15, to issue subpoenas for production of books, records, correspondence and other information and to require attendance of witnesses. ~~Such~~ The subpoenas may be served anywhere in the state by any person authorized to serve processes of courts of record. If a person does not comply with a subpoena, the ~~director~~ commissioner may apply to the district court of Ramsey county and the court shall compel obedience to the subpoena by a proper order. A person failing to obey the order is punishable by the court as for contempt.

Sec. 161. Minnesota Statutes 1980, Section 116H.15, Subdivision 2, is amended to read:

Subd. 2. The provisions of sections 116H.01 to 116H.15, 325F.20, and 325F.21, or any rules or regulations promulgated hereunder may be enforced by injunction, action to compel performance or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the ~~director~~ commissioner, and the existence of an adequate remedy at law shall not be a defense to an action brought under this subdivision.

Sec. 162. Minnesota Statutes 1980, Section 116H.17, is amended to read:

116H.17 ENERGY AUDITS.

The ~~director of the energy agency~~ commissioner, in cooperation with the director of consumer services, shall develop the state plan for the program of energy audits of residential and commercial buildings required by 42 United States Code, Section 8211 et seq. The consumer services division and the attorney general are authorized to release information on consumer complaints about the operation of the program to the ~~energy agency~~ commissioner.

Sec. 163. Minnesota Statutes 1980, Section 116H.18, is amended to read:

116H.18 ENERGY EFFICIENT BUILDING EDUCATION.

The ~~energy agency~~ commissioner shall develop a program to provide information and training to contractors, engineers and architects on techniques and standards for the design and construction of buildings which maximize energy efficiency. The program may include the production of printed materials and the development of training courses.

Sec. 164. Minnesota Statutes 1980, Section 116H.19, Subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. ~~The director of the energy agency commissioner, in consultation with the commissioner of agriculture, and the commissioner of economic development, shall prepare a plan for the creation and organization of organize a Minnesota biomass center, to be delivered to the legislature by January 1, 1981.~~

The center shall be the focus of biomass energy activities for the state. To the maximum extent possible, the center shall coordinate its activities and the use of its staff and facilities with those of other entities involved in biomass energy projects.

Sec. 165. Minnesota Statutes 1980, Section 116H.23, is amended to read:

116H.23 PRIORITIES FOR FUNDING.

All applications for funding shall be made to the ~~director of the Minnesota energy agency commissioner~~. Applications shall be accompanied by a report on the energy using characteristics of the building and any other information the ~~director commissioner~~ may reasonably require. A school or local government may apply to the ~~director commissioner~~ to receive reimbursement for up to the reasonable costs of mini-audits or maxi-audits performed pursuant to section 116H.124 or 116H.126. ~~Notwithstanding any other law to the contrary, schools and local governments which submit their maxi-audits or mini-audits to the director prior to or on December 31, 1980 may use the state funds received to pay part of or all of the reasonable costs of energy conservation measures.~~ In the event that the applicant receives federal funds ~~money~~ pursuant to the National Energy Conservation Policy Act, P.L. 95-619, ~~which funds are that~~ is intended to be used to pay part or all of the costs of a mini-audit or maxi-audit, the applicant shall receive state funds ~~money~~, which, when combined with federal ~~funds money~~ received, ~~equal equals~~ the reasonable costs of the mini-audit or maxi-audit. ~~The director shall not prior to December 31, 1980, order maxi-audits for more than one-third of the buildings for which building energy reports are submitted.~~

Sec. 166. Minnesota Statutes 1980, Section 120.78, Subdivision 1, is amended to read:

Subdivision 1. On or before December 31 of each year each school district shall submit to the commissioner of education, in such manner and upon such forms as he shall furnish, a comprehensive report of the energy consumed by the district during the previous school year ending June 30. The report shall include: (1) a building energy report, as defined in section 116H.02, on each building and other structure maintained by the district; (2) the amount of fuel used to transport students to and from school and between schools; and (3) ~~such other information as the commissioner may require~~ requires related to the consumption of energy. The report shall be developed by the commissioner

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in consultation with the director of the energy agency commissioner of energy, planning and development.

Sec. 167. Minnesota Statutes 1980, Section 124.225, Subdivision 4a, is amended to read:

Subd. 4a. To predict the total authorized cost per weighted FTE for each district beginning in the 1980-1981 school year, each regional multiple regression formula shall use the following terms and their squares for each district in the region:

- (1) The area of the district measured in square miles;
- (2) The district's average daily membership;
- (3) The total number of authorized FTE's transported by the district;
- (4) The total number of authorized FTE's transported by the district in the handicapped, shared time special education, and to and from board and lodging facility transportation categories as a percentage of the total number of authorized FTE's transported by the district;
- (5) The number of authorized FTE's transported by the district in the board and lodging transportation category as a percentage of the total number of authorized FTE's transported by the district;
- (6) The number of authorized FTE's transported by the district in the between schools transportation category as a percentage of the total number of authorized FTE's transported by the district;
- (7) The number of authorized FTE's transported by the district in the shared time regular transportation category as a percentage of the total number of authorized FTE's transported by the district;
- (8) The number of authorized FTE's transported by the district in the secondary vocational center transportation category as a percentage of the total number of authorized FTE's transported by the district;
- (9) The number of authorized FTE's per square mile transported by the district in the regular transportation category;
- (10) The number of authorized FTE's per square mile transported by the district in the handicapped transportation category;
- (11) The number of authorized FTE's transported by the district in the regular transportation category as a percentage of the district's average daily membership;
- (12) An index of the district's shape computed by the department of education based on a comparison of the perimeter of the district to the perimeter of a circle with the same square mile area as the district;

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(13) The percentage of the district's square mile area which is classified by the state planning agency commissioner of energy, planning and development as water-covered or marshland;

(14) The number of 40 acre parcels of land in the district which are contiguous to or intersected by unpaved roads, as a percentage of the number of 40 acre parcels of land in the district which are contiguous to or intersected by any roads, paved or unpaved. The number of 40 acre parcels of each type shall be obtained from the state planning agency commissioner of energy, planning and development;

(15) The percentage of the district's square mile area which is classified by the state planning agency as having a slope of land exceeding six percent;

(16) The number of authorized FTE's transported to nonpublic schools by the district in the regular transportation category as a percentage of the total number of authorized FTE's transported by the district in the regular transportation category.

Sec. 168. Minnesota Statutes 1980, Section 126.111, Subdivision 2, is amended to read:

Subd. 2. The commissioner of education in consultation with the ~~director of the energy agency~~ commissioner of energy, planning and development shall prepare an interdisciplinary program in the field of energy sources, uses, conservation, and management. The first phase shall be an assessment of available curriculum materials, the amount and type of energy curriculum already being taught, and what needs to be developed to provide an integrated approach to energy education consistent with socio-economic and ecological principles. Subsequent phases shall include development of curriculum guidelines and materials and a plan for their implementation as ~~funds become~~ money becomes available.

Sec. 169. Minnesota Statutes 1980, Section 137.31, Subdivision 6, is amended to read:

Subd. 6. **ANNUAL REPORT.** The University of Minnesota shall submit an annual report as provided in section 3.195, to the governor and the legislature, with a copy to the commissioner of ~~economic development~~ energy, planning and development, indicating the progress being made toward the objectives and goals of this section. The report shall include the following information:

(a) The total dollar value and number of procurement contracts identified and set aside during this period and the percentage of total value of university procurements that this figure reflects;

(b) The number of small businesses identified by and responding to the university set aside program, the total dollar value and number of procurement

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contracts actually awarded to small businesses with appropriate designation as to the total number and value of procurement contracts awarded to each small business, and the total number of small businesses that were awarded procurement contracts;

(c) The total dollar value and number of procurement contracts awarded to small businesses owned and operated by economically or socially disadvantaged persons with appropriate designation as to the total number and value of procurement contracts awarded to each small business, and the percentages of the total value of university procurements the figures of total dollar value and the number of procurement contracts reflect; and

(d) The number of procurement contracts which were designated and set aside pursuant to this section but which were not awarded to a small business, the estimated total dollar value of these awards, the lowest offer or bid on each of these awards made by the small business and the price at which these contracts were awarded pursuant to regular procurement procedures.

Sec. 170. Minnesota Statutes 1980, Section 138.93, Subdivision 4, is amended to read:

Subd. 4. **MASTER PLANS.** The owner shall prepare and submit to the regional planning commission a master plan for the development and management of the center, in a format and detail appropriate for the project. The regional planning commission shall choose a project and report its choice to the Minnesota historical society. The Minnesota historical society shall make the master plan available for review and comment by the public and other state agencies for at least 30 days. Copies of the master plan shall be submitted to the state planning agency commissioner of energy, planning and development for review and comment.

Sec. 171. Minnesota Statutes 1980, Section 145.834, is amended to read:

145.834 CERTIFICATE OF NEED REQUIRED.

No construction or modification of or predevelopment activities by a health care facility, whether public, nonprofit, or proprietary, shall be commenced or offered unless a certificate of need has been issued therefor in accordance with sections 145.832 to 145.845. The state planning agency, as the administrative authority for the National Health Planning and Resource Development Act of 1974, 42 U.S.C., Section 300k, et seq., shall enter into an agreement with the commissioner of health under which the commissioner of health shall promulgate adopt rules governing the administration of sections 145.832 to 145.845. The commissioner of health shall ~~promulgate~~ adopt rules to define the commencement of a construction or a modification or predevelopment activities and other rules necessary to implement, enforce and administer sections 145.832 to 145.845. All rules heretofore ~~promulgated~~ adopted by the

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state planning agency pursuant to certificate of need shall remain in effect until ~~modified~~ amended or repealed by the rules of the commissioner of health.

Sec. 172. Minnesota Statutes 1980, Section 145.835, Subdivision 1, is amended to read:

Subdivision 1. PRECONSTRUCTION NOTICE. No health care facility, or person, group, corporation or association intending to embark upon a program of construction or modification of a health care facility, shall engage architectural, professional consultation, other predevelopment activities, or fund raising services with respect to construction or modification until it has notified the health systems agency of its intention to engage ~~such~~ the services or activities. The notice shall state simply the nature of the architectural, professional consultation, other predevelopment activities, or fund raising services to be engaged and the nature of the construction or modification contemplated. Upon receipt of notice under this section, the health systems agency shall promptly notify the commissioner of health and the state planning agency commissioner of energy, planning and development.

Sec. 173. Minnesota Statutes 1980, Section 145.836, Subdivision 1, is amended to read:

Subdivision 1. APPLICATION PROCEDURE. Applications for certificate of need shall be submitted to the health systems agency serving the area in which the proposed construction or modification is to take place. Prior to acting on the application and within ten days of receipt, the health systems agency shall send a copy to the commissioner of health and to the state planning agency commissioner of energy, planning and development with a recommendation that the application be considered either complete or incomplete. The commissioner of health shall determine that the application is initially complete or incomplete within ten days of receipt of a recommendation from a health systems agency. If the application is incomplete, it is not to be considered to be submitted to the health systems agency or the commissioner and it shall be returned stating the specific needs to be met in order for the application to be considered complete.

Sec. 174. Minnesota Statutes 1980, Section 145.837, Subdivision 1, is amended to read:

Subdivision 1. CRITERIA FOR REVIEW. The commissioner of health shall, after consulting with the state planning agency commissioner of energy, planning and development and the health systems agencies, ~~promulgate~~ adopt rules governing the health systems agencies in their determinations whether certificates of need are required and in their review of applications for certificates of need pursuant to sections 145.832 to 145.845. The rules shall provide for the consideration of at least the following criteria:

(a) The relationship of the proposed construction or modification to the applicable health system plan and annual implementation plan;

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(b) The relationship of the construction or modification being proposed to the long range development plan of the health care facility requesting the certificate of need;

(c) The need for health care facilities and services, excluding home health services, in the area and the requirements of the population of the area;

(d) The availability and adequacy of other less costly or more effective health services in the area which may serve as alternates or substitutes for the whole or any part of the service to be provided by the proposed construction or modification;

(e) The relationship of the proposed construction or modification to the existing health care system of the area, including the possible economies and improvement in service that may be derived from operation of joint, cooperative, or shared health care resources;

(f) The availability of resources, including health care providers, management personnel, and funds for both capital and operational needs for the provision of the services proposed to be provided and the availability of alternative uses of such resources for the provision of other health services;

(g) The immediate and long-term financial feasibility of the proposed construction or modification, as well as its probable impact on the operational costs and charges of the health care facility;

(h) The relationship, including the organizational relationship, of the health services proposed to be provided to ancillary or support services;

(i) The special needs and circumstances of medical teaching, research facilities and referral facilities which provide a substantial portion of their services or resources, or both, to individuals outside of the health service area;

(j) The special needs and circumstances of biomedical and behavioral research projects which are designed to meet a national need and for which local conditions offer special advantages;

(k) In the case of a construction project: the costs and methods of the proposed construction, including the costs and methods of energy provision and the probable impact of the construction project reviewed on the costs of providing health services by the person proposing the project;

(l) The special needs of hospitals to convert excess hospital beds to long-term care or other alternate functions, but only if the hospitals terminate all acute care services; and

(m) The special requirements of health maintenance organizations to meet the health care needs of their present and future subscribers.

Sec. 175. Minnesota Statutes 1980, Section 145.845, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

145.845 HEALTH SYSTEMS AGENCIES; MEMBERSHIP.

The commissioner of health shall after consulting with the ~~state planning agency promulgate~~ commissioner of energy, planning and development adopt rules concerning the membership of health systems agencies. The rules shall:

- (1) Comply with the provisions of the National Health Planning and Resources Development Act, 42 U.S.C., Section 300k, et seq.;
- (2) Provide that a majority of the membership be composed of consumers;
- (3) Provide for representation of hospital and nursing home providers;
- (4) Provide for representation of local boards of health;
- (5) Provide for representation of licensed medical doctors and other health professionals;
- (6) Provide for a fixed term of membership; and
- (7) Provide that members of a health systems agency shall not select their successors.

No existing health systems agency shall exercise the functions provided in sections 145.832 to 145.845 until it is in compliance with rules ~~issued~~ adopted pursuant to this section.

If there is no health systems agency in a designated area of the state in compliance with sections 145.832 to 145.845, the ~~Minnesota state planning agency commissioner of energy, planning and development~~ shall perform the functions and duties of a health systems agency for that area. In this specific instance, the ~~state planning agency commissioner of energy, planning and development~~ shall be exempt from utilizing the services of the hearing examiner.

Sec. 176. Minnesota Statutes 1980, Section 145.912, Subdivision 15, is amended to read:

Subd. 15. "Population" means the total resident population as enumerated during the most recent federal census or, the annual population estimate prepared by the ~~state planning agency commissioner of energy, planning and development~~ in cooperation with the bureau of the census shall be used in order to have the most current data available.

Sec. 177. Minnesota Statutes 1980, Section 160.262, Subdivision 1, is amended to read:

Subdivision 1. The legislature determines that it is in the interests of the public health, safety and welfare, to provide for the addition of bicycle and recreational vehicle lanes to proposed and existing public highways. ~~The state planning agency shall conduct a study:~~

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(1) to propose model standards for the establishment of bicycle and recreational vehicle lanes on and along proposed and existing public highways, and

(2) to determine methods, other than the use of bonds, for financing the bicycle and recreational vehicle lanes. The results of the study shall be forwarded to the commissioner of transportation no later than July 1, 1974.

No later than January 1, 1975, The commissioner of transportation shall promulgate adopt, in the manner provided in chapter 15, model standards for the establishment of recreational vehicle lanes on and along proposed and existing public highways. In the study undertaken by the state planning agency and in the promulgation of the model standards by the commissioner, The model standards shall include but not be limited to the following: (a) criteria for desirability of such a lane in any given location, (b) provision for maintenance of such the lanes, and (c) the placement of such the lanes in relation to roads. The model standards shall govern state trunk highways.

Sec. 178. Minnesota Statutes 1980, Section 160.262, Subdivision 3, is amended to read:

Subd. 3. The following departments and agencies shall cooperate in providing the information and advice for the study by the state planning agency and the promulgation of model standards and amendments thereto to the model standards by the commissioner of transportation: the departments of agriculture, transportation, ~~economic development~~, natural resources, public service, the state planning agency energy, planning and development, and the state soil and water conservation board. The commissioner may cooperate with and enter into agreements with the United States government, any department of the state of Minnesota, any unit of local government and any public or private corporation in order to effect the purposes of this section.

Sec. 179. Minnesota Statutes 1980, Section 160.265, Subdivision 1, is amended to read:

Subdivision 1. **STATE BICYCLE TRAILS.** The commissioner of transportation shall establish a program for the development of bicycle trails primarily on existing road rights of way. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264. The program shall include a system of bicycle trails to be established, developed, maintained, and operated by the commissioner of transportation and a system of state grants for the development of local bicycle trails primarily on existing road rights of way. The program shall be coordinated with the local park trail grant program established by the state planning agency commissioner of energy, planning and development pursuant to section 4.36, with the bicycle trail program established by the commissioner of natural resources pursuant to section 85.016, with the development of the

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statewide transportation plan pursuant to section 174.03, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The program shall be developed after consultation with the state trail council, local units of government, and bicyclist organizations. The program shall be administered in accordance with the provisions of sections 160.262 to 160.264 and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bicycle trails in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the trails. The metropolitan council, the commissioner of natural resources, the ~~state planning agency~~ commissioner of energy, planning and development, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules pursuant to chapter 15.

Sec. 180. Minnesota Statutes 1980, Section 174.03, Subdivision 7, is amended to read:

Subd. 7. **ENERGY CONSERVATION.** The commissioner, in cooperation with the ~~Minnesota energy agency~~ commissioner of energy, planning and development, shall evaluate all modes of transportation in terms of their levels of energy consumption. The ~~director of the energy agency~~ commissioner of energy, planning and development shall provide the commissioner with projections of the future availability of energy resources for transportation. The commissioner shall use the results of this evaluation and the projections to evaluate alternative programs and facilities to be included in the statewide plan and to otherwise promote the more efficient use of energy resources for transportation purposes.

Sec. 181. Minnesota Statutes 1980, Section 204A.06, Subdivision 1b, is amended to read:

Subd. 1b. **PRECINCT BOUNDARIES; DESCRIPTION, MAPS.** The clerk shall file with the secretary of state and the ~~state demographer in the state planning agency~~ commissioner of energy, planning and development a map showing the correct boundaries of the precincts in the municipality and shall keep on file in his office for public inspection a copy of the map. At least 30 days before any change in a precinct or corporate boundary becomes effective, the clerk shall place on file for public inspection a map setting forth the revised precinct boundaries and forward copies to the secretary of state and the ~~state demographer~~ commissioner of energy, planning and development. For every election held in the municipality the clerk shall furnish copies of the appropriate precinct map to the election judges for each polling place.

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Sec. 182. Minnesota Statutes 1980, Section 216B.241, Subdivision 2, is amended to read:

Subd. 2. **PROGRAMS.** ~~Prior to January 1, 1981,~~ The commission, ~~after consultation with the energy agency,~~ shall initiate a pilot program designed to demonstrate the feasibility of investments and expenses of a public utility in energy conservation improvements. The commission, as part of the pilot program, shall order at least one public utility to make investments and expenditures in energy conservation improvements, explicitly setting forth the interest rates, prices, and terms under which the improvements shall be offered to the customers. The order of the commission shall provide to the extent practicable for a free choice of contractor, qualified under the residential conservation services program of the energy agency, for consumers participating in the pilot program. The commission shall not order a utility to make any energy conservation improvement investment or expenditure unless it first finds that the improvement will result in energy savings at a total cost to the utility less than the cost to the utility to produce or purchase an equivalent amount of new supply of energy. Investments and expenditures made pursuant to an order shall be treated for ratemaking purposes in the manner prescribed in section 216B.16, subdivision 6b. No utility shall make an energy conservation improvement pursuant to this section to a residential building envelope unless it is the primary supplier of energy used for either space heating or cooling in the building.

Sec. 183. Minnesota Statutes 1980, Section 222.62, is amended to read:

222.62 COOPERATION OF OTHER STATE AGENCIES.

Upon the request of the commissioner, the commissioner of ~~economic development~~ energy, planning and development, the commissioner of banks, and the commissioner of securities and real estate shall provide technical assistance and shall otherwise cooperate in carrying out the provisions of sections 222.55 to 222.62.

Sec. 184. Minnesota Statutes 1980, Section 222.65, is amended to read:

222.65 ADVISORY TASK FORCE.

The commissioner of transportation may establish an advisory task force in the manner provided in section 15.059 to advise the department concerning the implementation of the rail service improvement program, the federal rail service continuation program, the state rail bank program, and the rail user loan guarantee program. The task force may include representatives of departments of agriculture, commerce, ~~economic development~~, natural resources, energy agency energy, planning and development, state planning agency, railroad companies, railroad labor organizations, and rail users.

Sec. 185. Minnesota Statutes 1980, Section 245.783, Subdivision 2, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. The commissioner shall be responsible for processing applications for licensure made under ~~Laws 1976, Chapter 243~~ sections 245.781 to 245.812 and section 252.28, subdivision 2. State agencies and departments including, but not limited to, the state fire marshal, state building code, state commissioner of health and ~~state planning agency~~ commissioner of energy, planning and development, which are involved in the investigation and review of a facility or an applicant's qualifications shall direct their employees to report directly to the commissioner on these matters and shall be subject to the rules promulgated by the commissioner with respect to the coordination of licensing and inspection functions. This subdivision relates only to other state departments or agencies and confers no additional powers or duties upon the commissioner respecting federal, county, municipal, or other nonstate agencies. Nothing in this subdivision shall prevent the state fire marshal from delegating inspection duties to local units of government.

Sec. 186. Minnesota Statutes 1980, Section 268.014, is amended to read:

268.014 COOPERATION WITH OTHER STATE AGENCIES.

To effectively coordinate job training and placement services with future job needs of the state the commissioner shall maintain close liaison, coordination and cooperation with the ~~department of economic development~~ commissioner of energy, planning and development and any other state agency involved in employment issues affecting the state.

Sec. 187. Minnesota Statutes 1980, Section 273.74, Subdivision 2, is amended to read:

Subd. 2. **CONSULTATIONS; COMMENT AND FILING.** Before formation of a tax increment financing district, the authority shall provide an opportunity to the members of the county boards of commissioners of any county in which any portion of the proposed district is located and the members of the school board of any school district in which any portion of the proposed district is located to meet with the authority. The authority shall present to the members of the county boards of commissioners and the school boards its estimate of the fiscal and economic implications of the proposed tax increment financing district. The members of the county boards of commissioners and the school boards may present their comments at the public hearing on the tax increment financing plan required by subdivision 3. Upon adoption of the tax increment financing plan, the authority shall file the same with the state planning agency commissioner of energy, planning and development.

Sec. 188. Minnesota Statutes 1980, Section 273.74, Subdivision 5, is amended to read:

Subd. 5. **ANNUAL DISCLOSURE.** For all tax increment financing districts, whether created prior or subsequent to August 1, 1979, on or before

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July 1 of each year, the authority shall submit to the county board, the school board, the state planning agency commissioner of energy, planning and development and, if the authority is other than the municipality, the governing body of the municipality a report of the status of the district. The report shall include the following information: the amount and the source of revenue in the account, the amount and purpose of expenditures from the account, the amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness, the original assessed value of the district, the captured assessed value retained by the authority, the captured assessed value shared with other taxing districts, the tax increment received and any additional information necessary to demonstrate compliance with any applicable tax increment financing plan. An annual statement showing the tax increment received and expended in that year, the original assessed value, captured assessed value, amount of outstanding bonded indebtedness and any additional information the authority deems necessary shall be published in a newspaper of general circulation in the municipality.

Sec. 189. Minnesota Statutes 1980, Section 275.53, Subdivision 1, is amended to read:

Subdivision 1. For the purpose of determining the amount of tax that a governmental subdivision may levy in accordance with a per capita limitation established by this chapter or the amount of aid that a city or township may receive pursuant to section 477A.01, the population of the governmental subdivision shall be that established by the last federal census, by a census taken pursuant to subdivision 2, or by a population estimate made by the metropolitan council, or by the population estimate of the state demographer commissioner of energy, planning and development made pursuant to section 4.12, subdivision 7, clause (10), whichever is the most recent as to the stated date of count or estimate, up to and including July 1 of the current levy year. Population changes established after July 1 of the current levy year shall not be used in determining the levy limitation of a governmental subdivision for the current levy year under sections 275.50 to 275.56.

Sec. 190. Minnesota Statutes 1980, Section 275.53, Subdivision 3, is amended to read:

Subd. 3. (a) In any year in which the population estimate for a governmental subdivision provided by the state demographer commissioner of energy, planning and development pursuant to subdivision 4 increases the amount of tax that the governmental subdivision may levy pursuant to sections 275.50 to 275.56, the governing body of the governmental subdivision shall publish notice of the estimate and the fact that it may result in an increased tax levy at least once in a legal newspaper of general circulation in the subdivision by August 1.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(b) Within 30 days following the publication of the notice, ten percent or more of the registered voters of the subdivision, or, if the subdivision does not require voter registration, then ten percent or more of its voters, who voted at the subdivision's last election, may sign and submit to the governing body of this subdivision a petition demanding a special census.

(c) Attached to the petition shall be an affidavit executed by the circulator or circulators thereof, stating that he or they personally circulated the petition, the number of signatures thereon, that all signatures were affixed in his or their presence and that he or they believe them to be genuine signatures of the persons whose names they purport to be. Each signature need not be notarized.

(d) Upon the receipt of a petition conforming to this subdivision, the governing body shall contract for the taking of a special census pursuant to the provisions of subdivision 2.

Sec. 191. Minnesota Statutes 1980, Section 275.53, Subdivision 4, is amended to read:

Subd. 4. In any year in which the annual population estimate of the ~~state demographer~~ commissioner of energy, planning and development is the population of a governmental subdivision pursuant to subdivision 1, the governing body of the governmental subdivision may challenge the accuracy of the estimate by notifying the ~~state demographer~~ commissioner of its objections to the estimate by June 1. If the governing body of the governmental subdivision and the ~~state demographer~~ commissioner agree on a revised population estimate by July 1, the revised estimate shall become the annual population estimate of the ~~state demographer~~ commissioner for that governmental subdivision for that year.

Sec. 192. Minnesota Statutes 1980, Section 290.06, Subdivision 14, is amended to read:

Subd. 14. **RESIDENTIAL ENERGY CREDIT.** A credit of 20 percent of the first \$10,000 of renewable energy source expenditures, including the expenditures described in clauses (a), (b) and (d) if made by an individual taxpayer on a Minnesota building of six dwelling units or less and expenditures for biomass conversion equipment described in clause (c), may be deducted from the tax due under this chapter for the taxable year in which the expenditures were made. For purposes of this subdivision, the term "building" shall include a condominium or townhouse used by the taxpayer as a residence. In the case of qualifying expenditures incurred in connection with a building under construction by a contractor, the credit shall be deducted from the tax liability of the first individual to purchase the building for use as a principal residence or for residential rental purposes; the contractor shall not be eligible for the credit given pursuant to this subdivision for that expenditure.

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A "renewable energy source expenditure" which qualifies shall include:

(a) Expenditures which qualify for the federal renewable energy source credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1979, and any regulations promulgated pursuant thereto, provided that, after December 31, 1980, any solar collector included in the claimed expenditure is certified by the energy agency commissioner of energy, planning and development. A solar collector is a device designed to absorb incident solar radiation, convert it to thermal energy, and transfer the thermal energy to a fluid passing through or in contact with the device. "Solar collector" shall not include passive solar energy systems as defined in clause (d);

(b) Expenditures for earth sheltered dwelling units. For purposes of this credit, an "earth sheltered dwelling unit" shall mean a structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the roof area is covered with a minimum depth of 12 inches of earth; and

(2) 50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;

(c) Expenditures for biomass conversion equipment located in Minnesota which produces ethanol, methane or methanol for use as a gaseous or as a liquid fuel which is not offered for sale; and

(d) Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its operable components to heat or cool a building with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:

(1) Collection aperture, including glazing installed in south facing walls and roofs; and

(2) Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.

A passive system may include either or both:

(1) Control and distribution element, including fans, louvers, and air ducts; ~~and/or~~

(2) Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules ~~promulgated~~ adopted by the commissioner of revenue in cooperation with the ~~director of the energy agency~~ commissioner of energy, planning and development. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

If a credit was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$10,000 reduced by the amount of expenditures which a credit was claimed pursuant to this subdivision in prior years. A taxpayer shall never be allowed to claim more than \$10,000 of expenditures during the duration of the renewable energy credit.

The credit provided in this subdivision shall not be allowed in a taxable year if the amount of the credit would be less than \$10.

If the credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit shall not be refunded but may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount may be carried forward to a taxable year beginning after December 31, 1984.

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the credit provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under section 44C (d) of the Internal Revenue Code of 1954; as amended through December 31, 1979. "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The credit provided in this subdivision is subject to the provisions of Section 44C, (c) (7), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, 1979, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the ~~director of the energy agency~~ commissioner of energy, planning and development shall ~~promulgate~~ adopt rules establishing additional qualifications and definitions for the credits provided in this subdivision.

Notwithstanding section 290.61, the commissioner of revenue may request the ~~energy agency~~ commissioner of energy, planning and development to assist in the review and auditing of the information furnished by the taxpayer for purposes of claiming this credit. The provisions of section 290.61 shall apply to employees of the ~~energy agency~~ department of energy, planning and

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development who receive information furnished by a taxpayer for purposes of claiming this credit.

The ~~director of the energy agency~~ commissioner of energy, planning and development shall ~~promulgate~~ adopt rules establishing the criteria for certification of solar collectors as required by clause (a). The criteria shall:

(1) Specify the testing procedures to be used in the evaluation of solar collectors;

(2) Establish minimum levels of collector quality for safety;

(3) Provide a means to determine the maintainability and structural integrity of solar collectors;

(4) Establish a system for evaluating and rating the thermal performance of solar collectors;

(5) Specify the procedures to follow to obtain certification of a solar collector;

(6) Conform to the maximum extent practicable to the solar collector certification requirements of other states which have adopted certification procedures; and

(7) Allow for individual variation so as not to hamper the development of innovative solar collectors.

The ~~director of the energy agency~~ commissioner of energy, planning and development may ~~promulgate~~ adopt temporary rules pursuant to section 15.0412, subdivision 5 to establish this certification procedure.

This subdivision is effective for expenditures made during taxable years beginning after December 31, 1978 and before January 1, 1983.

Sec. 193. Minnesota Statutes 1980, Section 298.48, Subdivision 4, is amended to read:

Subd. 4. **CONFIDENTIAL NATURE OF INFORMATION.** The data filed pursuant to subdivision 1 shall be considered confidential for three years from the date it is filed with the commissioner. Nothing herein contained shall be construed to prohibit the commissioner from disclosing information or publishing statistics so classified as not to disclose the identity of particular data.

Notwithstanding the other provisions of this subdivision, the commissioner, at his discretion, may furnish any information supplied under this section to the commissioner of natural resources, the ~~director of the state planning agency~~ commissioner of energy, planning and development, or a county assessor. Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 194. Minnesota Statutes 1980, Section 299A.03, Subdivision 5, is amended to read:

Subd. 5. **CHAIRPERSON; STAFF.** The commissioner shall be the chairperson of the crime control planning board shall serve at the pleasure of the governor and shall receive a salary as provided by law. The chairperson shall be experienced in the administration of programs related to law enforcement or criminal justice. The chairperson, shall serve as executive director of the board, shall preside at board meetings, shall organize the work of the board, and shall appoint all employees subject to the approval of the board. The commissioner of the state department of administration shall provide the crime control planning board with reasonable office space and administrative services requested by the board, and the board shall reimburse the commissioner of finance for the cost thereof.

Sec. 195. Minnesota Statutes 1980, Section 299A.04, is amended to read:

299A.04 GRANTS-IN-AID TO YOUTH INTERVENTION PROGRAMS.

Subdivision 1. The ~~crime control planning board~~ commissioner may make grants to nonprofit agencies administering youth intervention programs in communities where the programs are or may be established.

“Youth intervention program” means a nonresidential community based program providing advocacy, education, counseling, and referral services to youth and their families experiencing personal, familial, school, legal or chemical problems with the goal of resolving the present problems and preventing the occurrence of the problems in the future.

Subd. 2. Applications for a grant-in-aid shall be made by the administering agency to the ~~crime control planning board~~ commissioner. The grant-in-aid is contingent upon the agency having obtained from the community in which the youth intervention program is established local matching money two times the amount of the grant that is sought.

The ~~crime control planning board~~ commissioner shall provide by rule the application form, procedures for making application form, criteria for review of the application, and kinds of contributions in addition to cash that qualify as local matching money. No grant to any agency shall exceed \$25,000.

Sec. 196. Minnesota Statutes 1980, Section 301.75, is amended to read:

301.75 ADDITIONAL POWERS.

In addition to the powers enumerated in section 300.08, subdivision 1, the corporation may:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(a) Borrow money and otherwise incur indebtedness for any of the purposes of the corporation; to issue its bonds, debentures, notes or other evidences of indebtedness, whether secured or unsecured, therefore and to secure the same by mortgage, pledge, deed or trust or other lien on its property, franchises, rights and privileges of every kind and nature or any part thereof.

(b) Lend money to, and to guarantee, endorse, or act as surety on the bonds, notes, contracts or other obligations of, or otherwise assist financially, any person, firm, corporation or association, and to establish and regulate the terms and conditions with respect to any such loans or financial assistance and the charges for interest and service connected therewith.

(c) Purchase, receive, hold, lease, or otherwise acquire, and to sell, convey, mortgage, lease, pledge, or otherwise dispose of, upon such terms and conditions as the board of directors may deem advisable, real and personal property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof, including, but not restricted to, any real or personal property acquired by the corporation from time to time in the satisfaction of debts or enforcement of obligations.

(d) Acquire, by purchase or otherwise, the good will, business, rights, real and personal property and other assets, or any part thereof, of such persons, firms, corporations, joint stock companies, associations or trusts as may be in furtherance of the corporate purposes provided herein, and to assume, undertake, guarantee or pay the obligations, debts and liabilities of any such person, firm, corporation, joint stock company, association or trust; to acquire improved or unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others for the construction of industrial plants or other business establishments, and, in furtherance of the corporate purposes provided herein, to acquire, construct or reconstruct, alter, repair, maintain, operate, sell, lease, or otherwise dispose of industrial plants or business establishments.

(e) Acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the stock, shares, bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and, while the owner or holder thereof, to exercise all the rights, powers and privileges of ownership, including the right to vote thereon.

(f) Cooperate with and avail itself of the facilities of the ~~department of economic development~~ commissioner of energy, planning and development and any similar governmental agencies; and to cooperate with and assist, and otherwise encourage, local organizations in the various communities of the state the purpose of which shall be the promotion, assistance, and development of the business prosperity and economic welfare of such communities and of this state.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 197. Minnesota Statutes 1980, Section 301.77, Subdivision 1, is amended to read:

Subdivision 1. All the corporate powers of the corporation shall be exercised by a board of not less than eight elected directors (but the number of elected directors shall always be an even number) who shall be residents of Minnesota and, except in the case of the first board, representative of the various sections of the state as determined in the bylaws. The commissioner of the department of economic development energy, planning and development shall be, ex officio, a director with all the authority but without the liability as such, except for gross negligence or wilful misconduct. The number of directors and their term of office shall be determined in the bylaws. If any vacancy occurs in the board of directors through death, resignation, or otherwise, the remaining directors may elect a person to fill the vacancy until the next annual meeting of the corporation.

Sec. 198. Minnesota Statutes 1980, Section 301A.01, Subdivision 1, is amended to read:

Subdivision 1. For the purposes of sections 301A.01 to 301A.14, the commissioner of the department of economic development energy, planning and development of the state shall divide the state into six tourist regions and shall keep on file in his office and in the office of the secretary of state the legal descriptions and a map of ~~such~~ the regions.

Sec. 199. Minnesota Statutes 1980, Section 301A.05, is amended to read:

301A.05 ADDITIONAL POWERS.

In addition to the powers enumerated in section 300.08, subdivision 1, the corporation may:

(1) Borrow money and otherwise incur indebtedness for any of the purposes of the corporation; to issue its bonds, debentures, notes or other evidences of indebtedness, whether secured or unsecured, therefor and to secure the same by mortgages, pledges, deeds of trust or other lien on its property, franchises, and privileges of every kind and nature or any part thereof.

(2) Lend money to, and to guarantee, endorse, or act as surety on the bonds, notes, contracts or other obligations of, or otherwise assist financially, any person, firm, corporation or association, and to establish and regulate the terms and conditions with respect to any such loans or financial assistance and the charges for interest and service connected therewith; to make working capital loans, take equity positions in corporations, and take second or third position mortgages.

(3) Purchase, receive, hold, lease, or otherwise acquire, and to sell, convey, mortgage, lease, pledge, or otherwise dispose of, upon such terms and

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conditions as the board of directors may deem advisable, real and personal property, together with such rights and privileges as may be incidental and appurtenant thereto and the use thereof, including, but not restricted to, any real property or personal property acquired by the corporation from time to time in the satisfaction of debts or enforcement of obligations.

(4) Acquire, by purchase or otherwise, the good will, business, rights, real and personal property and other assets, or any part thereof, of such persons, firms, corporations, joint stock companies, associations of trust as may be in furtherance of the corporate purposes provided herein, and to assume, undertake, guarantee or pay the obligations, debts, and liabilities of any such person, firm, corporation, joint stock company, association, or trust; to acquire improved or unimproved real estate for the purpose of constructing tourist or recreational business establishments thereon or for the purpose of disposing of such real estate to others for the construction of tourist or recreational business establishments, and, in furtherance of the corporate purposes provided herein, to acquire, construct, or reconstruct, alter, repair, maintain, operate, sell, lease, or otherwise dispose of tourist or recreational business establishments.

(5) Acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the stock, shares, bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and, while the owner or holder thereof, to exercise all the rights, powers, and privileges of ownership, including the right to vote thereon.

(6) Cooperate with and avail itself of the facilities of the ~~department of economic development~~ commissioner of energy, planning and development and any similar government agencies; and to cooperate and avail itself of the facilities of planning and development agencies in the regions, which agencies shall be named in the bylaws as the agencies designated for the region of incorporation; cooperate with and assist and encourage local organizations in the various communities of the state, the purpose of which shall be the promotion, assistance, and development of the tourist and recreational business prosperity and economic welfare of ~~such~~ those communities of the state.

Sec. 200. Minnesota Statutes 1980, Section 301A.07, Subdivision 1, is amended to read:

Subdivision 1. All the corporate powers of the corporation shall be exercised by a board of not less than nine elected directors who shall be residents of Minnesota. One-third of the directors shall be elected from persons who are actively engaged in the vacation travel industry in the region of incorporation. The remaining number of directors shall be elected from persons representative of and involved in any of the lending institutions which are nonstockholder members of the corporation. The commissioner of ~~the department of economic development of the state~~ energy, planning and devel-

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opment or his designated representative and the director or chairman of the regional development or planning agency as designated in the bylaws, or his designated representative, shall be ex officio directors, with all the authority but without the liability as ~~such~~ directors, except for gross negligence or willful misconduct. The number of directors and their terms of office shall be determined by the bylaws. If a vacancy occurs in the board of directors through death, resignation, or otherwise, the remaining directors may elect a person to fill the vacancy until the next annual meeting of the corporation.

Sec. 201. Minnesota Statutes 1980, Section 325F.19, Subdivision 3, is amended to read:

Subd. 3. "Energy agency Commissioner" means the Minnesota energy agency as provided in chapter 116H commissioner of energy, planning and development.

Sec. 202. Minnesota Statutes 1980, Section 325F.19, Subdivision 6, is amended to read:

Subd. 6. "Laboratory qualified to test thermal insulation" means an approved laboratory classified by the energy agency commissioner in consultation with industry members as passing an appropriate examination of ability to perform tests and continuing inspection or follow-up service according to specifications for manufacture and installation, also referred to as "testing laboratory".

Sec. 203. Minnesota Statutes 1980, Section 325F.20, Subdivision 1, is amended to read:

Subdivision 1. ~~Within nine months of April 6, 1978, The energy agency commissioner shall promulgate~~ adopt rules pursuant to chapter 15 regarding quality, information, and product safety specifications for the manufacture, labeling, installation, and thermographing of insulation. The specifications and any amendments to them shall conform as far as is practical to federal standards or other standards generally accepted and in use throughout the United States. ~~Such~~ The standards, with modifications as may be deemed necessary, may be adopted by reference. The specifications ~~as promulgated adopted~~ and any amendments shall be based on the application of scientific principles, approved tests, and professional judgment. ~~Upon April 6, 1978, the energy agency may issue temporary rules pursuant to section 15.0412, subdivision 5, for the purposes of this section.~~

Sec. 204. Minnesota Statutes 1980, Section 325F.21, Subdivision 2, is amended to read:

Subd. 2. The ~~director of the energy agency commissioner~~ shall purchase from time to time unopened insulation packages which shall be sent to an approved testing laboratory to test for compliance with the specifications established under section 325F.20, subdivision 1.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 205. Minnesota Statutes 1980, Section 325F.23, Subdivision 1, is amended to read:

Subdivision 1. The outside of all containers and wrappings of insulation used or offered for sale in Minnesota shall have the following information printed legibly thereon in bold type not less than one-eighth inch high:

(a) Type (pneumatic or blown, pouring, batt, roll, blanket, board, cellular, or reflective);

(b) R value (to the nearest tenth) per inch at the recommended installation density;

(c) Required thickness in inches to obtain four or more commonly used R values and the corresponding coverage areas in square feet of the insulation in the container or wrapping;

(d) Expiration date and expected shelf life of all resins, catalysts, and foaming agents for all foam insulations, whether in powder, diluted or partially diluted state, on canister, drum, container, or package. For purposes of this section, "foam insulation" means products having an organic base or composed of vinyl or plastic material or both, which are manufactured or installed using a process involving a foaming agent, a resin, a catalyst and an air compressor, including but not limited to urea-formaldehyde, other urea-based foams, urethane foam, polyurethane foam, polystyrene foam, and isocyanurate foam.

(e) Name and address of the manufacturer of the insulation;

(f) A notation of those current specifications of the United States General Services Administration, the United States Department of Energy, the United States Department of Housing and Urban Development, the United States Consumer Product Safety Commission, the Federal Trade Commission and the energy agency commissioner with which the insulation complies;

(g) The net weight of the contents of the bag, package, or container.

Sec. 206. Minnesota Statutes 1980, Section 325F.24, Subdivision 3a, is amended to read:

Subd. 3a. Rules promulgated by the ~~director of the energy agency commissioner~~ pursuant to sections 325F.20, subdivision 1, and 325F.21, subdivision 1 may be enforced by the director of the energy agency commissioner pursuant to section 116H.15.

Sec. 207. Minnesota Statutes 1980, Section 362.12, Subdivision 1, is amended to read:

362.12 **SCOPE OF DEPARTMENTAL POWERS AND DUTIES.**

Subdivision 1. **ENUMERATION.** The ~~department~~ commissioner shall:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(1) Investigate, study, and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Minnesota business, industry, and commerce, within and outside the state;

(2) Locate markets for manufacturers and processors and aid merchants in locating and contacting markets;

(3) Investigate and study conditions affecting Minnesota business, industry, and commerce and collect and disseminate information, and engage in technical studies, scientific investigations, and statistical research and educational activities necessary or useful for the proper execution of the powers and duties of the ~~department~~ commissioner in promoting and developing Minnesota business, industry, and commerce, both within and outside the state;

(4) Plan and develop an effective business information service both for the direct assistance of business and industry of the state and for the encouragement of business and industry outside the state to use economic facilities within the state;

(5) Compile, collect, and develop periodically, or otherwise make available, information relating to current business conditions;

(6) Conduct or encourage research designed to further new and more extensive uses of the natural and other resources of the state and designed to develop new products and industrial processes;

(7) Study trends and developments in the industries of the state and analyze the reasons underlying ~~such~~ the trends; study costs and other factors affecting successful operation of businesses within the state; and make recommendations regarding circumstances promoting or hampering business and industrial development;

(8) Serve as a clearing house for business and industrial problems of the state; and advise small business enterprises regarding improved methods of accounting and bookkeeping;

(9) Encourage and develop commerce with other states and foreign countries and devise ways and means of removing trade barriers hampering the *free flow of commerce between this and other states*;

(10) Cooperate with interstate commissions engaged in formulating and promoting the adoption of interstate compacts and agreements helpful to business, industry, and commerce;

(11) Cooperate with other state departments, and with boards, commissions, and other state agencies, in the preparation and coordination of plans and policies for the development of the state and for the use and conservation of its resources insofar as ~~such~~ the use, conservation, and development may be appropriately directed or influenced by a state agency;

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(12) Assemble and coordinate information relative to the status, scope, cost, and employment possibilities and the availability of materials, equipment, and labor in connection with public works projects, state, county, and municipal; recommend limitations on ~~said~~ the public works; gather current progress information with reference to public and private works projects of the state and its political subdivisions with reference to conditions of employment; inquire into and report to the governor, when requested by him, with respect to any program of public state improvements and the financing thereof; and request and obtain information from other state departments or agencies as may be needed, properly to report thereon;

(13) Study changes in population and current trends and prepare plans and suggest policies for the development and conservation of the resources of the state;

(14) Confer and cooperate with the executive, legislative, or planning authorities of the United States and neighboring states and of the counties and municipalities of such neighboring states, for the purpose of bringing about a coordination between the development of such neighboring states, counties, and municipalities and the development of this state;

(15) Generally, gather, compile, and make available statistical information relating to business, trade, commerce, industry, transportation, communication, natural resources, and other like subjects in this state; with authority to call upon other departments of the state for statistical data and results obtained by them and to arrange and compile that statistical information in ~~such a~~ manner as may seem that seems wise.

Sec. 208. Minnesota Statutes 1980, Section 362.13 is amended to read:

362.13 ADDITIONAL POWERS AND DUTIES.

The ~~department~~ commissioner shall:

(1) Have control of the work of carrying on a continuous program of education for businessmen;

(2) Publish, disseminate, and distribute information and statistics ~~acquired by the division of research and statistics in cooperation with that division;~~

(3) Promote and encourage the expansion and development of markets for Minnesota products;

(4) Promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose cooperate with state and local agencies and individuals, both within and outside the state;

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(5) Advertise and disseminate information as to natural resources, desirable locations, and other advantages for the purpose of attracting business to locate in this state;

(6) Aid the various communities in this state in getting business to locate therein;

(7) Advise and cooperate with municipal, county, regional, and other planning agencies and planning groups within the state for the purpose of promoting coordination between the state and localities as to plans and development in order to maintain a high level of gainful employment in private profitable production and achieve commensurate advancement in social and cultural welfare; coordinate the activities of state-wide and local planning agencies, correlate information secured from them and from state departments and disseminate information and suggestions to ~~such~~ the planning agencies; and encourage and assist in the organization and functioning of local planning agencies where none exist; and may provide at the request of any governmental subdivision hereinafter mentioned planning assistance, which includes but is not limited to surveys, land use studies, urban renewal plans, technical services and other planning work to any city or other municipality in the state or perform similar planning work in any county, metropolitan or regional area in the state ~~providing that the department of business development.~~ The commissioner shall not perform such the planning work with respect to a metropolitan or regional area which is under the jurisdiction for ~~such~~ such planning purposes of a county, metropolitan, regional or joint planning body, except at the request or with the consent of the respective county, metropolitan, regional or joint planning body. The department commissioner is authorized to receive and expend ~~funds~~ money from municipal, county, regional and other planning agencies; and may accept and disburse grants and other aids for planning purposes from the federal government and from other public or private sources, and may utilize moneys so received for the employment of consultants and other temporary personnel to assist in the supervision or performance of planning work supported by ~~funds~~ money other than state appropriated ~~funds~~ money, and may enter into ~~such~~ such contracts with agencies of the federal government, units of local government or combinations thereof, and with private persons ~~as that~~ as that are necessary in the performance of ~~its~~ the planning assistance function of the commissioner. In furtherance of their planning functions, any city or town, however organized, may expend ~~funds~~ money and contract with agencies of the federal government, appropriate departments of state government, other local units of government and with private persons;

(8) Adopt ~~such~~ such measures as may ~~best be~~ best be calculated to promote public interest in and understanding of the problems of planning and, to ~~that~~ that end, may publish and distribute copies of any plan or any report and may employ ~~such~~ such other means of publicity and education as ~~shall~~ that will give full effect to the provisions of sections 362.07 to 362.23;

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(9) ~~Perform the functions and carry out programs heretofore performed and carried out by the tourist bureau of the department of natural resources.~~ Plan and conduct programs of information and publicity designed to attract tourists, visitors, and other interested persons from outside the state to this state, and in that connection encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the state and work with representatives of the tourist and resort industry in carrying out its programs.

Sec. 209. Minnesota Statutes 1980, Section 362.132, is amended to read:

362.132 SMALL BUSINESS FINANCE AGENCY.

The commissioner of ~~economic development~~ may enter into agreements or transactions with the small business finance agency created under section 362.51 to perform any or all administrative tasks in connection with the exercise and implementation of the powers and programs of the small business finance agency.

Sec. 210. Minnesota Statutes 1980, Section 362.40, Subdivision 8, is amended to read:

Subd. 8. The remaining 20 percent of the tax revenue received by the county auditor under section 273.13, subdivision 2a shall be remitted by the county auditor to the state treasurer and shall be deposited in ~~the general fund~~ in special accounts identified as "reservation residents loan accounts" and a "nonreservation residents loan account". The amount to be credited to each reservation residents loan account shall be that percentage of the amount received from all the counties pursuant to subdivision 8 as the number of Indians living on such reservation bears to all the Indians in Minnesota, as said percentage is determined by the ~~department of economic development~~ commissioner. The amount remaining shall be credited to the nonreservation residents loan account. The amounts credited to each of these special accounts shall be used solely for making loans to Indians, in the manner provided by subdivisions 9 and 10.

Sec. 211. Minnesota Statutes 1980, Section 362.40, Subdivision 9, is amended to read:

Subd. 9. A reservation resident desiring a loan for the purpose of starting a business enterprise, expanding an existing business, or for technical and management assistance, shall make application to the ~~state department of economic development~~ commissioner. The ~~department~~ commissioner shall prescribe the necessary forms and advise the prospective borrower as to the conditions under which his application may be expected to receive favorable consideration. The tribal council shall recommend to the ~~department~~ commissioner that the loan be accepted or rejected. The ~~department~~ commissioner

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shall approve or reject the application taking the tribal council recommendation into consideration. If the application is approved, the ~~department~~ commissioner shall forward the application, together with all relevant documents pertinent thereto, to the commissioner of finance, who shall draw his warrant in favor of the tribal council with appropriate notations identifying the borrower. The tribal council shall thereafter reimburse suppliers and vendors for purchases of equipment, real estate and inventory made by the borrower pursuant to the conditions or guidelines established by the ~~state department of economic development~~ commissioner. The tribal council shall maintain records of transactions for each borrower in a manner consistent with good accounting practice. Simple interest at two percent of the amount of the debt owed shall be charged. When any portion of a debt is repaid, the tribal council shall remit the amount so received plus interest paid thereon to the state treasurer through the ~~department of economic development~~ commissioner. The amount so received shall be credited to ~~such~~ the reservation residents loan account. The tribal council shall secure a fidelity bond from a surety company, in favor of the state treasurer, in an amount equal to the maximum amount to the credit of such reservation residents loan account during the fiscal year. Additional money equal to ten percent of the total amount made available to any tribal council during the fiscal year shall be paid to ~~such~~ the council prior to December 31 for the purpose of financing administrative costs.

Sec. 212. Minnesota Statutes 1980, Section 362.40, Subdivision 10, is amended to read:

Subd. 10. A nonreservation resident desiring to make a loan for the purpose of starting a business enterprise, or expanding an existing business, or ~~for technical and management assistance shall make application to the state~~ ~~department of economic development~~ commissioner, on forms prescribed by the ~~department~~ commissioner. The ~~department~~ commissioner is empowered to either accept or reject the application, based upon guidelines and conditions essentially similar to those used for the purpose of approving or rejecting reservation loans under subdivision 9. If the application is approved by the ~~state department of economic development~~ commissioner, the ~~department~~ commissioner shall forward the application, together with all the relevant documents pertinent thereto, to the commissioner of finance, who shall draw his warrant in favor of the commissioner of ~~economic development~~, with appropriate notations identifying the borrower. The ~~department of economic development~~ commissioner shall thereafter reimburse suppliers and vendors for purchases of equipment, real estate and inventory made by the borrower pursuant to the conditions or guidelines established by the ~~department~~ commissioner. The ~~department of economic development~~ commissioner shall maintain records of transactions for each borrower in a manner consistent with good accounting practice. Simple interest at two percent shall be charged. When any portion of a debt is repaid, the ~~department of economic development~~ commissioner shall remit the amount so received plus interest paid thereon to

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the state treasurer. The amount so received shall be credited to the nonreservation residents loan account.

Sec. 213. Minnesota Statutes 1980, Section 362.41, Subdivision 5, is amended to read:

Subd. 5. The commissioner of ~~economic development~~ shall administer this section and shall enforce the rules related to the community development corporations promulgated by the commissioner. The commissioner may amend, suspend, repeal or otherwise modify these rules as provided for in chapter 15.

Sec. 214. Minnesota Statutes 1980, Section 362.42, is amended to read:

362.42 BUSINESS ASSISTANCE.

The commissioner of ~~economic development~~ shall establish within the department a business assistance center. The center shall consist of (1) a bureau of small business which shall have as its sole function the provision of assistance to small businesses in the state and (2) a bureau of licenses to assist all businesses in obtaining state licenses and permits. This center shall be accorded at least equal status with the other major operating units within the department.

Sec. 215. Minnesota Statutes 1980, Section 362.51, Subdivision 8, is amended to read:

Subd. 8. The members and governing body of the agency shall be the commissioner of ~~economic development~~ and six other members holding no other elective or appointive office of the state or any local government, appointed by the governor with advice and consent of the senate. The commissioner shall be vice chairman, and the governor shall designate the chairman from among the other members, to serve as chairman at the pleasure of the governor. Section 15.0575, governs the terms, compensation, removal and filling of vacancies in the offices of members other than the commissioner.

Sec. 216. Minnesota Statutes 1980, Section 362.51, Subdivision 10, is amended to read:

Subd. 10. The commissioner of ~~economic development~~ shall designate an ~~assistant commissioner~~ employee as executive director of the agency and may appoint permanent and temporary employees necessary for the administration of the agency. The governing body of the agency may enter into agreements under which the department will provide administrative support for the agency.

Sec. 217. Minnesota Statutes 1980, Section 362A.06, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

362A.06 APPROVAL BY COMMISSIONER OF ECONOMIC DEVELOPMENT ENERGY, PLANNING AND DEVELOPMENT.

Any authority contemplating the exercise of the powers granted by sections 362A.01 to 362A.08 may apply to the commissioner of ~~economic development~~ energy, planning and development for information, advice, and assistance. No authority shall undertake any project herein authorized until the commissioner has approved the project, on the basis of ~~such~~ preliminary information as he may require, as tending to further the purposes and policies of sections 362A.01 to 362A.08. The commissioner is authorized to handle ~~such~~ the preliminary information in a confidential manner, to the extent requested by the authority. ~~Such~~ Approval shall not be deemed to be an approval by the commissioner or the state of the feasibility of the project or the terms of the lease to be executed or the bonds to be issued therefor, and the commissioner shall so state in communicating ~~such~~ the approval.

Sec. 218. Minnesota Statutes 1980, Section 402.045, is amended to read:

402.045 FUNCTION OF STATE PLANNING OFFICER COMMISSIONER OF ENERGY, PLANNING AND DEVELOPMENT.

The ~~state planning officer~~ commissioner of energy, planning and development shall have authority for human services development. He may appoint professional and clerical staff as he deems necessary. The ~~state planning officer~~ commissioner of energy, planning and development shall:

- (1) Support the development of human services boards and provide technical assistance to the boards;
- (2) Disburse and monitor grants as may be available to assist human services board development;
- (3) Receive and coordinate the review of annual human services board plans;
- (4) Cooperate with other state agencies in assisting local human services integration projects; and
- (5) Maintain a file on reports, policies and documents pertaining to human services boards.

Sec. 219. Minnesota Statutes 1980, Section 402.062, Subdivision 1, is amended to read:

Subdivision 1. The human services board, with the assistance of the advisory committee established in section 402.03, shall annually prepare a single plan and budget for the development, implementation, coordination and operation of services delivered or funded by the human services board. The plan shall be in a format developed by rule of the state planning agency commission-

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

er of energy, planning and development. Each affected state agency shall accept the plan of the human services board in lieu of separate plan requirements for individual programs. To support the development of the budget and to provide standardized information to affected state agencies, each human services board shall adopt a standard chart of accounts to be developed by rule by the commissioner of public welfare with the approval of the commissioners of health and corrections.

Sec. 220. Minnesota Statutes 1980, Section 402.095, is amended to read:

402.095 REPORTS TO LEGISLATURE.

The state planning agency commissioner of energy, planning and development shall report to the legislature biennially not later than January 15 of odd numbered years on the experience of human services boards. The report shall include an assessment of the effect of establishment of human services boards on the cost and quality of services provided.

Sec. 221. Minnesota Statutes 1980, Section 451.09, Subdivision 2, is amended to read:

Subd. 2. A public utilities board or commission operating a steam heat system in a home rule charter city shall inform the energy agency commissioner of energy, planning and development of its plans to discontinue operation at least two years prior to the intended date of discontinuance of operation. ~~If the public utilities board or commission decides to discontinue operation of the steam heat system prior to July 1, 1981, it shall notify the director of the energy agency within 60 days of its decision.~~

Sec. 222. Minnesota Statutes 1980, Section 453.52, Subdivision 3, is amended to read:

Subd. 3. "City" means a city organized and existing under the laws of Minnesota or a city charter adopted pursuant thereto, and authorized by such laws or charter to engage in the local distribution and sale of electric energy; provided that any city so engaged on January 1, 1976, is authorized to continue such distribution and sale, and every city now or hereafter so authorized may exercise, either individually or as a member of a municipal power agency, all of the powers granted in sections 453.51 to 453.62. "City" also includes a city organized and existing under the laws of another state or a city charter adopted pursuant thereto that participates in a municipal power agency with Minnesota cities and pays a full pro rata share of the expenses of the agency.

Sec. 223. Minnesota Statutes 1980, Section 462.375, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

462.375 REGIONAL DEVELOPMENT PLAN; FILING AND DISTRIBUTION.

The regional planning agency shall transmit the regional development plan and any revisions thereto, to ~~any state planning agency that may exist, otherwise to the department of economic development commissioner of energy, planning and development,~~ the governing bodies of cooperating governmental units, and to planning agencies in contiguous areas. The agency may prepare additional copies of the plan for general distribution or sale.

Sec. 224. Minnesota Statutes 1980, Section 462.384, Subdivision 7, is amended to read:

Subd. 7. ~~"State planning officer"~~ "Commissioner" means the ~~governor of the state of Minnesota~~ commissioner of energy, planning and development exercising the authority conferred upon him by sections 4.10 to 4.17.

Sec. 225. Minnesota Statutes 1980, Section 462.385, Subdivision 1, is amended to read:

Subdivision 1. Development regions for the state shall be those regions so designated by the governor by executive order. The order shall provide for public hearings within each proposed region after which any county may request assignment to a region other than that proposed by the order. If such a request for reassignment is unacceptable to the ~~state planning officer commissioner,~~ the county shall remain in the originally designated region until the next session of the legislature for its review and final assignment.

Sec. 226. Minnesota Statutes 1980, Section 462.385, Subdivision 3, is amended to read:

Subd. 3. The ~~state planning agency~~ commissioner shall conduct continuous studies and analysis of the boundaries of regions and shall make recommendations for their modification where necessary. Modification may be initiated by a county, a commission, or by the ~~state planning officer~~ commissioner and will be accomplished in accordance with this section as in the case of initial designation.

Sec. 227. Minnesota Statutes 1980, Section 462.386, Subdivision 1, is amended to read:

Subdivision 1. ~~On June 1, 1969,~~ All coordination, planning, and development regions assisted or created by the state of Minnesota or pursuant to federal legislation shall conform to the regions designated by the executive order except where, after review and approval by the ~~state planning officer~~ commissioner, nonconformance is clearly justified. The ~~state planning officer~~ commissioner shall develop working agreements with state and federal departments and agencies to insure conformance with this subdivision.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 228. Minnesota Statutes 1980, Section 462.387, is amended to read:

462.387 REGIONAL DEVELOPMENT COMMISSIONS; ESTABLISHMENT.

Subdivision 1. **PETITION.** Any combination of counties or municipalities representing a majority of the population of the region for which a commission is proposed may petition the state planning officer commissioner by formal resolution setting forth its desire to establish, and the need for, the establishment of a regional development commission. For purposes of this section the population of a county does not include the population of a municipality within the county.

Subd. 3. **ESTABLISHMENT.** Upon receipt of a petition as provided in subdivision 1 a regional development commission shall be established by the state planning officer commissioner and the notification of all local government units within the region for which the commission is proposed. ~~Such~~ The notification shall be made within 60 days of his receipt of a petition under subdivision 1.

Subd. 4. **SELECTION OF MEMBERSHIP.** The state planning officer commissioner shall call together each of the membership classifications except citizen groups, defined in section 462.388, within 60 days of the establishment of a regional development commission for the purpose of selecting the commission membership.

Sec. 229. Minnesota Statutes 1980, Section 462.39, Subdivision 2, is amended to read:

Subd. 2. **FEDERAL PROGRAMS.** The commission is the authorized agency to receive state and federal grants for regional purposes from the following programs:

- (1) Section 403 of the Public Works and Economic Development Act of 1965 (economic development districts);
- (2) Section 701 of the Housing Act of 1954, as amended (multi-county comprehensive planning);
- (3) Omnibus Crime Control Act of 1968;

and for the following to the extent feasible as determined by the governor:

- (a) Economic Opportunity Act of 1964;
- (b) Comprehensive Health Planning Act of 1965;
- (c) Federal regional manpower planning programs;

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(d) Resource, conservation, and development districts; or

(e) Any state and federal programs providing funds for multi-county planning, coordination, and development purposes. The state planning officer commissioner shall, where consistent with state and federal statutes and regulations, review applications for all state and federal regional planning and development grants to a commission.

Sec. 230. Minnesota Statutes 1980, Section 462.39, Subdivision 3, is amended to read:

Subd. 3. **PLANNING.** The commission shall prepare and adopt, after appropriate study and such public hearings as may be necessary, a comprehensive development plan for the region. The plan shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for an orderly and economic development, public and private, of the region. The comprehensive development plan shall recognize and encompass physical, social, or economic needs of the region, and those future developments which will have an impact on the entire region including but not limited to such matters as land use, parks and open space land needs, access to direct sunlight for solar energy systems, the necessity for and location of airports, highways, transit facilities, public hospitals, libraries, schools, public and private, housing, and other public buildings. In preparing the development plan the commission shall use to the maximum extent feasible the resources studies and data available from other planning agencies within the region, including counties, municipalities, special districts, and subregional planning agencies, and it shall utilize the resources of the state planning agency commissioner to the same purpose. No development plan or portion thereof for the region shall be adopted by the commission until it has been submitted to the state planning agency commissioner for review and comment and a period of 60 days has elapsed after such submission. When a development plan has been adopted, the commission shall distribute it to all local government units within the region.

Sec. 231. Minnesota Statutes 1980, Section 462.391, Subdivision 2, is amended to read:

Subd. 2. **REVIEW OF INDEPENDENT AGENCIES.** The commission shall review all long term comprehensive plans of each independent commission, board, or agency prepared for its operation and development within the region but only if such the plan is determined by the commission to have a regional effect, a multi-community effect, or to have a substantial effect on regional development. Each plan shall be submitted to the commission before any action is taken to place the plan or any part thereof, into effect. No action shall be taken to place any plan or any part thereof into effect until 60 days have elapsed after the date of its submission to the commission or until the commission finds and notifies the submitting commission, board, or agency that

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the plan is consistent with its development plan for the region and the orderly and economic development of the region, whichever first occurs. If, within 60 days after the date of submission, the commission finds that a plan, or any part thereof, is inconsistent with its comprehensive plan for the region or detrimental to the orderly and economic development of the region, or any part thereof, ~~such~~ the plan shall be indefinitely suspended. An affected independent commission, board, or agency may appeal the decision of the commission suspending a plan, or part thereof, to the commission, and if the commission and the affected independent commission, board, or agency are unable to agree as to an adjustment of the plan, so that it may receive the commission's approval, then a record of the disagreeing positions shall be made and presented for consideration and disposition by the state planning officer commissioner.

Sec. 232. Minnesota Statutes 1980, Section 462.391, Subdivision 3, is amended to read:

Subd. 3. REVIEW OF FEDERAL AND STATE AID PROGRAMS. The commission shall review all applications of governmental units, independent commissions, boards, or agencies operating in the region for a loan or grant from the United States of America or any agency, including state agencies and colleges or universities, for public facilities, studies, or any other purpose if the application clearly is related to the region, whether or not ~~such~~ the review is required by the federal government. The review shall advise the granting authority as to relationship of the application to the comprehensive plans and priorities of the region as established by the region. All review actions together with copies of applications shall be submitted on a regular basis for informational purposes to the state planning agency commissioner. The requirements of this subdivision do not apply to applications of governmental units or other political subdivisions which have been reviewed by a subregion or subdistrict which has been designated by the United States government as an authorized areawide review agency under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966. All review actions, together with copies of applications, shall be submitted by the subregion on a regular basis to the commission for informational purposes.

Sec. 233. Minnesota Statutes 1980, Section 462.391, Subdivision 4, is amended to read:

Subd. 4. REVIEW PROCEDURES. The commission shall develop, in consultation with the state planning officer commissioner, formal procedures for the review of plans, applications, and other matters required to be submitted to it by sections 462.381 to 462.396. ~~Such~~ The procedures shall be embodied in a formal resolution adopted after public hearing. After adoption the resolution shall be transmitted to each governmental unit and independent agency, board, or commission within the region.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 234. Minnesota Statutes 1980, Section 462.395, is amended to read:

462.395 DUTIES OF STATE AGENCIES, STATE PLANNING AGENCY.

All state departments and agencies shall cooperate with regional development commissions established under sections 462.381 to 462.396 and shall make available to them studies, reports, data, and other informational and technical assistance within financial and personnel limitations. The state planning agency and the office of local and urban affairs commissioner shall coordinate the state's assistance programs to regional planning and development commissions.

Sec. 235. Minnesota Statutes 1980, Section 462.396, Subdivision 1, is amended to read:

Subdivision 1. The state planning officer commissioner shall determine the amount of and make grants to any commission created under sections 462.381 to 462.396 from appropriations made available for ~~such~~ those purposes, provided a work program is submitted acceptable to the state planning officer commissioner. Any regional commission may levy a tax on all taxable property in the region to provide ~~funds~~ money for the purposes of sections 462.381 to 462.396.

Sec. 236. Minnesota Statutes 1980, Section 462.398, is amended to read:

462.398 TERMINATION OF COMMISSION.

Subdivision 1. Any combination of counties or municipalities representing a majority of the population of the region for which a commission exists may petition the state planning officer commissioner by formal resolution stating that the existence of the commission is no longer in the public welfare and interest and is not needed to accomplish the purposes of the regional development act of 1969. For purposes of this section the population of a county does not include the population of a municipality within the county. Any formal resolution adopted by the governing body of a county or municipality for the termination of a commission shall be effective for a period of one year for the purpose of determining the requisite population of the region needed to petition the state planning officer commissioner.

Subd. 2. Within 35 days of the receipt of the petition, the state planning officer commissioner shall fix a time and place within the region for a hearing. The state planning officer commissioner shall give notice of the hearing by publication once each week ~~for two successive weeks~~ before the date of the hearing in a legal newspaper in each of the counties which the commission represents. The hearing shall be conducted by members of the

commission. If the commission determines that the existence of the commission is no longer in the public welfare and interest and that it is not needed to accomplish the purposes of the regional development act of 1969, the commission shall recommend to the state planning officer commissioner that ~~he~~ the commissioner terminate the commission. Within 60 days after receipt of the recommendation, the state planning officer commissioner shall terminate the commission by giving notice of the termination to all government units within the region for which the commission was established. Unless otherwise provided by this subdivision, the hearing shall be in accordance with sections 15.0411 to 15.0426.

Subd. 3. The state planning officer commissioner shall not accept a petition for termination more than once in 30 months for each regional development commission.

Sec. 237. Minnesota Statutes 1980, Section 462.421, Subdivision 21, is amended to read:

Subd. 21. "The commission" means the state housing commission commissioner of energy, planning and development.

Sec. 238. Minnesota Statutes 1980, Section 462A.05, Subdivision 15b, is amended to read:

Subd. 15b. It may make grants to assist in energy conservation rehabilitation measures for existing owner occupied housing including, but not limited to: insulation, storm windows and doors, furnace or space heater repair, cleaning or replacement, chimney construction or improvement, weatherstripping and caulking, and structural or other directly related repairs essential for energy conservation. The grant to any household shall not exceed \$2,000.

To be eligible for an emergency energy conservation grant, a household must be certified as eligible to receive emergency residential heating assistance under either the federal or the state program, and either (1) have had a heating cost for the preceding heating season that exceeded 120 percent of the regional average for the preceding heating season for that energy source as determined by the energy agency commissioner of energy, planning and development, or (2) be eligible to receive a federal energy conservation grant, but be precluded from receiving the grant because of a need for directly related repairs that cannot be paid for under the federal program. The housing finance agency shall make a reasonable effort to determine whether other state or federal loan and grant programs are available and adequate to finance the intended improvements. An emergency energy conservation grant may be made in conjunction with grants or loans from other state or federal programs that finance other needed rehabilitation work. The receipt of a grant pursuant to this section shall not affect the applicant's eligibility for other housing finance agency loan or grant programs.

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~~Temporary rules to implement this subdivision may be promulgated and amended pursuant to chapter 15. The temporary rules may remain in effect until July 1, 1981.~~

Sec. 239. Minnesota Statutes 1980, Section 473.204, Subdivision 2, is amended to read:

Subd. 2. In preparation of these standards, criteria and model ordinances, described in subdivision 1, clauses (a), (b), (d), (f), (g) and (j) and in order to assure consistency with regulations, standards, criteria and model ordinances promulgated by other state agencies, the metropolitan council shall seek the assistance and approval of the department of natural resources; in preparation of these standards, criteria and model ordinances, described in subdivision 1, clauses (c) and (e), the metropolitan council shall seek the assistance and approval of the state soil and water conservation board; in preparation of these standards, criteria and model ordinances, described in subdivision 1, clause (h), the metropolitan council shall seek the assistance and approval of the department of agriculture. In addition, the metropolitan council shall, where appropriate, seek the assistance of the state planning agency commissioner of energy, planning and development, the Minnesota pollution control agency, soil and water conservation districts, the University of Minnesota, the department of agriculture, and other appropriate agencies.

Sec. 240. Minnesota Statutes 1980, Section 473.411, Subdivision 1, is amended to read:

Subdivision 1. **DEVELOPMENT PROGRAM.** The commission shall prepare and submit in the manner provided in and satisfying the requirements of section 473.161, a transportation development program, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with counties and municipalities in the metropolitan area, the state transportation department and the state planning agency commissioner of energy, planning and development, and for that purpose may create ~~such~~ advisory committees as may be necessary.

~~Such~~ The program shall provide for coordination of routes and operations of all publicly and privately owned transportation facilities within the transit area to the end that combined efficient and rapid transportation may be provided for the use of the public in the entire area. The commission may designate a segment of the system planned as a pilot or demonstration transportation project using, without limitation, new technology including airborne systems, or traditional systems of evolved or modern form. The transportation development program shall include the general alignment and profile, approximate points of access, facility classification, approximate cost, relation to other existing and planned transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. The program shall be accompanied with a

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statement of need for the proposed construction or improvement, a description of alternate routes which were considered, and an explanation of the advantages and disadvantages in the selection of any route considered. The transportation development program shall also contain a description of the type of right-of-way or routes required; the type of transit service to be provided in each portion of the system; designation of transit mode; and appropriate general operating criteria. The program shall also contain an operational improvement program which shall at least describe performance objectives and standards which the commission proposes to achieve in satisfying policies, purposes, and goals established by the legislature and the council; identify performance indicators by which to monitor and assess progress in achieving the objectives and standards; and establish a route deficit limit as provided in section 174.28, subdivision 5. The program may include such other information as the council or the commission deems necessary.

Sec. 241. Minnesota Statutes 1980, Section 473.857, Subdivision 2, is amended to read:

Subd. 2. A hearing shall be conducted within 60 days after the request, provided that the committee shall consolidate hearings on related requests. The hearing shall not consider the need for or reasonableness of the metropolitan system plans or parts thereof. The hearing shall afford all interested persons an opportunity to testify and present evidence. The advisory committee or hearing examiner may employ the appropriate technical and professional services of the state planning agency commissioner of energy, planning and development for the purpose of evaluating disputes of fact. The proceedings shall not be deemed a contested case. Within 30 days after the hearing, the committee or hearing examiner shall report to the council respecting the proposed amendments to the system statements. The report shall contain findings of fact, conclusions, and recommendations and shall apportion the costs of the proceedings among the parties.

Sec. 242. Minnesota Statutes 1980, Section 473H.06, Subdivision 5, is amended to read:

Subd. 5. The metropolitan council shall maintain agricultural preserve maps, illustrating (a) certified long term agricultural lands; and (b) lands covenanted as agricultural preserves. The council shall make yearly reports to the state planning agency commissioner of energy, planning and development and such other agencies as the council deems appropriate.

Sec. 243. Minnesota Statutes 1980, Section 474.01, Subdivision 6, is amended to read:

Subd. 6. In order to further these purposes and policies the commissioner of ~~economic development~~ energy, planning and development shall investigate, shall assist and advise municipalities, and shall report to the

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governor and the legislature concerning the operation of this chapter and the projects undertaken hereunder, and shall have all of the powers and duties in connection therewith which are granted to him by chapter 362 with respect to other aspects of business development and research.

Sec. 244. Minnesota Statutes 1980, Section 474.01, Subdivision 7, is amended to read:

Subd. 7. Any municipality or redevelopment agency contemplating the exercise of the powers granted by this chapter may apply to the commissioner of ~~economic development~~ energy, planning and development for information, advice, and assistance. The commissioner is authorized to handle such preliminary information in a confidential manner, to the extent requested by the municipality.

Sec. 245. Minnesota Statutes 1980, Section 474.01, Subdivision 8, is amended to read:

Subd. 8. Each municipality and redevelopment agency upon entering into a revenue agreement, except one pertaining to a project referred to in section 474.02, subdivision 1f, shall furnish the ~~department of economic development~~ commissioner of energy, planning and development on the forms the ~~department~~ commissioner may prescribe the following information concerning the project: The name of the contracting party, the nature of the enterprise, the location, approximate number of employees, the general terms and nature of the revenue agreement, the amount of bonds or notes issued, and other information the ~~department~~ commissioner may deem advisable. The ~~department~~ commissioner shall keep a record of the information which shall be available to the public at times the ~~department~~ commissioner shall prescribe.

Sec. 246. Minnesota Statutes 1980, Section 641.24, is amended to read:

641.24 LEASING.

The county may, by resolution of the county board, enter into a lease agreement with any statutory or home rule charter city situated within the county, whereby the city will construct a county jail in accordance with plans approved by the commissioner of corrections and will finance it by the issuance of revenue bonds, and the county will lease the jail site and improvements for a term and upon rentals sufficient to produce revenue for the prompt payment of the bonds and all interest accruing thereon and, upon completion of payment, will acquire title thereto. The real and personal property acquired for the jail shall constitute a project and the lease agreement shall constitute a revenue agreement as contemplated in chapter 474, and all proceedings shall be taken by the city and the county in the manner and with the force and effect provided in chapter 474; provided that:

(1) No tax shall be imposed upon or in lieu of a tax upon the property;

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(2) The approval of the project by the commissioner of securities and real-estate shall not be required;

(3) The department of corrections shall be furnished and shall record such information concerning each project as it may prescribe, in lieu of reports required on other projects to the department of economic development commissioner of energy, planning and development;

(4) The rentals required to be paid under the lease agreement shall not exceed in any year four-tenths of one percent of the assessed value of property within the county, as last finally equalized before the execution of the agreement;

(5) The county board shall provide for the payment of all rentals due during the term of the lease, in the manner required in section 641.264, subdivision 2; and

(6) No mortgage on the jail property shall be granted for the security of the bonds, but compliance with clause (5) hereof may be enforced as a nondiscretionary duty of the county board.

Sec. 247. REPEALER.

Minnesota Statutes 1980, Sections 4.11, Subdivisions 1, 2, 3, 6, and 7; 4.15; 4.16; 16.014, Subdivision 3; 116H.001; 116H.02, Subdivisions 2 and 4; 116H.03; 116H.09, Subdivisions 2 and 3; 116H.12, Subdivision 3b; 126.52, Subdivision 12; 254A.06; 299A.03, Subdivisions 12, 13, and 14; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12, Subdivisions 2 and 3; 362.15; 362.17; 362.18; 362.19; 362.23; 362.45, Subdivision 2; 462.711; and 473.571, Subdivisions 2, 3, and 4, are repealed. Minnesota Statutes 1980, Section 299A.03, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 are repealed, effective July 1, 1982.

Sec. 248. INSTRUCTION TO REVISOR.

In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall make the necessary changes in terminology to record the transfers of functions, powers, and duties that are provided by sections 64 to 247 from a department, agency, or board to the department of energy, planning and development, and shall renumber sections so as to place into one chapter substantially all of the sections dealing primarily with the powers and duties of the commissioner of energy, planning and development.

Sec. 249. EFFECTIVE DATE.

Section 136 is effective the day following final enactment; until the department of energy, planning and development begins operation, the powers granted in that section shall be exercised by the director of the Minnesota energy agency. Sections 64 and 67 are effective July 1, 1981. Sections 65 and

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66, and 68 to 247 are effective when the commissioner of energy, planning and development notifies the commissioner of administration that the department of energy, planning and development is ready to begin operation, except that those sections relating to the transfer of Minnesota energy agency or the powers and duties of the director of the Minnesota energy agency are effective March 1, 1982.

OTHER AMENDATORY SECTIONS

Sec. 250. Minnesota Statutes 1980, Section 3.3005, Subdivision 3, is amended to read:

Subd. 3. When a request to spend federal money has been included in the governor's budget or authorized by law as described in subdivision 2, but ~~the state agency proposes to use the federal money to hire state employees in addition to the number included in the governor's budget request or authorized by law, or the amount of federal money received will require a state match greater than that included in the governor's budget request or authorized by law, the additional personnel shall not be hired and the federal money that will require an additional state match shall not be allotted for expenditure until the state agency has first presented to the legislative advisory commission a request in the manner of a budget request and has received the recommendation of the commission on it. Failure or refusal of the commission to make a recommendation promptly is deemed a negative recommendation.~~

Sec. 251. Minnesota Statutes 1980, Section 3.304, is amended by adding a subdivision to read:

Subd. 2a. JOINT LEGISLATIVE STUDIES. The legislative coordinating commission shall oversee and coordinate all joint legislative studies mandated by the legislature and may require regular progress reports to the legislative coordinating commission and to appropriate standing committees of the house of representatives and the senate. Appropriations for all joint legislative studies except those specifically assigned to an existing legislative commission shall be made to the legislative coordinating commission. Responsibility and appropriations for a joint legislative study may be delegated by the legislative coordinating commission to an existing staff office of the house of representatives or senate, a legislative commission, a joint legislative committee or office or a state agency. The office, commission, joint committee, or agency responsible for the study may contract with another agent for assistance.

Sec. 252. Minnesota Statutes 1980, Section 5.08, Subdivision 2, is amended to read:

Subd. 2. **DISTRIBUTION.** 15,000 copies of the legislative manual shall be printed and distributed as follows:

(1) up to 25 copies shall be available to each member of the legislature on request;

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- (2) 50 copies to the state historical society;
- (3) 25 copies to the state university;
- (4) 60 copies to the state library;

(5) Two copies each to the library of Congress, the Minnesota veterans home, the state universities, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;

(6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;

(7) One copy to each public school, to be distributed through the superintendent of each school district; and

(8) The remainder may be disposed of as the secretary of state deems best.

Sec. 253. Minnesota Statutes 1980, Section 9.061, Subdivision 5, is amended to read:

Subd. 5. Where an emergency exists the executive council may expend such sums of money as are necessary therefor, but not to exceed \$2,000,000 in any one fiscal year, and such sums of money are hereby appropriated annually from the general fund in the state treasury for such purpose. For the purpose of supplying any deficiency that may arise in the general fund by reason of the appropriation made by this subdivision, the treasurer may temporarily borrow from other public funds a sum not exceeding \$2,000,000 in addition to any other temporary borrowing otherwise authorized by law in any year; provided, that no funds shall be so impaired thereby that all proper demands thereon cannot be met within the limit of appropriations made to the council for this purpose.

Sec. 254. Minnesota Statutes 1980, Section 11A.20, Subdivision 3, is amended to read:

Subd. 3. **CREDITING OF INVESTMENT INCOME.** Notwithstanding provisions of section 11A.12, all investment income and all investment losses attributable to the investment of state treasury funds, other than the game and fish fund, not currently needed shall be credited to the general fund.

Sec. 255. Minnesota Statutes 1980, Section 16A.123, is amended to read:

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16A.123 APPROVED COMPLEMENT.

The approved complement set for an agency by law limits the number of personnel positions in the agency at any one time. The approved complement does not apply to independent contractors. In addition to the approved complement, part-time employees, seasonal or intermittent employees as defined by the commissioner of employee relations, summer student help, service workers, preservice trainees employed pursuant to affirmative action programs approved by the commissioner of employee relations, CETA employees, or employees engaged in repair or construction projects may be employed with the advance approval of the commissioner of finance who shall determine the need for them and that money is available. The approved complement applies to positions in the agency regardless of the fund or appropriation from which they are paid. If more than one approved complement figure for an agency is shown in a law, the figures may be taken as cumulative, or a larger figure may be taken as a total or subtotal of related smaller figures, as the context indicates. Approved complement figures for an agency shown in separate laws enacted at the same biennial session of the legislature are cumulative.

Additional full-time positions over the number of the approved complement may be created on the basis of public necessity or emergency. ~~If the position is to be paid from an appropriation of money other than federal money,~~ The addition shall not be made without the written approval of the governor. The governor shall not approve the addition until after he has consulted with the legislative advisory commission and the commission has made its recommendation on the matter. The recommendation is advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation. ~~If the position is to be paid from an appropriation of federal money,~~ the addition may be made with the written approval of the commissioner of finance who shall determine the need for it and that money is available. ~~The commissioner of finance shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the additions.~~

Sec. 256. Minnesota Statutes 1980, Section 17.59, Subdivision 5, as amended by Laws 1981, Chapter 41, Section 3, is amended to read:

Subd. 5. **COMMODITIES RESEARCH AND PROMOTION ACCOUNT.** All fees collected by the department under sections 17.51 to 17.69; ~~21A.01 to 21A.19;~~ 29.14 to 29.19; 30.461 to 30.477; 32B.01 to 32B.13; and any other fees and income received by the department in the administration of these statutes shall be deposited in a separate account known as the commodity research and promotion account in the special revenue fund. These funds shall be appropriated to the department for the purpose of defraying the expenses of administering and enforcing the sections listed in this subdivision.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 257. Minnesota Statutes 1980, Section 17A.04, Subdivision 5, is amended to read:

Subd. 5. **LICENSE FEE.** The applicant shall submit to the commissioner the following applicable fee or fees: (1) ~~\$100~~ \$120 for each livestock market agency and public stockyard license; (2) ~~\$35~~ \$42 for each livestock dealer license; and (3) ~~\$20~~ \$24 for each agent license.

Sec. 258. Minnesota Statutes 1980, Section 17B.15, is amended to read:

17B.15 FEES FOR INSPECTION AND WEIGHING; DEDICATED ACCOUNT.

Subdivision 1. The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. The commissioner shall set fees for all inspection and weighing in an amount adequate to pay the expenses of carrying out and enforcing the purposes of sections 17B.01 to 17B.23, including repayment by the department of any amount appropriated from the general fund to establish the grain inspection and weighing account. The fees may be adjusted and set so as to establish a six month or less reserve. Payment shall be required for services rendered. If the grain is in transit, such the fees shall be paid by the carrier and treated as advance charges, and, if received for storage, such the fees shall be paid by the warehouseman, and added to the storage charges.

All ~~moneys so~~ fees collected and all fines and penalties for violation of any provision of this chapter shall be paid into the state treasury deposited in the grain inspection and weighing account, which is created in the state treasury for carrying out the purpose of sections 17B.01 to 17B.23. The money in the account is annually appropriated to the commissioner of agriculture to administer the provisions of sections 17B.01 to 17B.23.

Subd. 2. The commissioner is directed to review the fee schedule each April and October. If income for the two-year period ending December and June prior to each review period is not equal to 100 percent, or is greater than 110 percent, of expenditures for salaries, overtime and expenses which shall include without limitation, an amount for state retirement and social security contributions, the commissioner shall adjust fees accordingly. Such Fee adjustments shall be effective the first of January and July following the review. The department shall have a two-year initial period to reach 100 percent of expenditures.

Subd. 3. **MINIMUM CHARGE.** The schedule of fees shall provide that any elevator, mill, or other business requesting a weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by the employee shall be credited against the charge made therefor. The minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. When deemed necessary by the commissioner, a charge for actual overtime costs may be made.

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Sec. 259. Minnesota Statutes 1980, Section 18.51, Subdivision 2, is amended to read:

Subd. 2. **FEES; PENALTY.** Each nurseryman shall be required to pay an annual fee before the commissioner shall issue a certificate of inspection. This fee shall be based on the area of all of his nurseries as follows:

Nurseries:

- | | |
|--------------------------------------------------------------------------------------|----------------------------------------------|
| (1) 1/2 acre or less | \$15 <u>\$25</u> per nurseryman |
| (2) Over 1/2 acre to and including 2 acres | \$25 <u>\$35</u> per nurseryman |
| (3) Over 2 acres to and including 5 <u>10</u> acres | \$50 <u>\$60</u> per nurseryman |
| (4) Over 5 <u>10</u> acres to and including 10 <u>50</u> acres | \$70 <u>\$160</u> per nurseryman |
| (5) Over 10 acres to and including 25 acres | \$100 per nurseryman |
| (6) Over 25 acres to and including 50 acres | \$150 per nurseryman |
| (7) (5) Over 50 acres | \$300 <u>\$400</u> per nurseryman |

In addition to the above fees, a minimum penalty of \$10 or 25 percent of the fee due, whichever is greater, shall be charged for any application for renewal not received by January 1 of the year following expiration of a certificate.

Sec. 260. Minnesota Statutes 1980, Section 18.52, Subdivision 5, is amended to read:

Subd. 5. **FEES; PENALTY.** Each dealer is required to pay an annual fee. The fee charged shall be based on the gross sales of the dealer during the preceding certificate year. In the case of a dealer operating for the first year, the minimum fee will suffice.

Dealers:

- | | |
|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| (1) Gross sales up to \$5,000 <u>\$1,000</u> | at a location
\$25 <u>\$20</u> per location |
| (2) Gross sales over \$5,000 <u>\$1,000</u> and up to \$10,000 <u>\$5,000</u> | at a location
\$35 <u>\$30</u> per location |
| (3) Gross sales over \$10,000 <u>\$5,000</u> up to \$15,000 <u>\$10,000</u> | at a location
\$50 <u>\$45</u> per location |
| (4) Gross sales over \$15,000 <u>\$10,000</u> up to \$25,000 | at a location
\$60 <u>\$70</u> per location |
| (5) Gross sales over \$25,000 up to \$50,000 <u>\$75,000</u> | at a location
\$75 <u>\$115</u> per location |

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- | | |
|-----------------------------------------------------------------------|-------------------------------------------------------------|
| (6) Gross sales over \$50,000
up to \$75,000 | at a location
\$100 per location |
| (7) (6) <u>Gross sales over \$75,000</u>
up to \$100,000 | at a location
\$150 <u>\$175</u> per location |
| (8) (7) <u>Gross sales over \$100,000</u> | at a location
\$200 <u>\$250</u> per location |

In addition to the above fees, a minimum penalty of \$10 or 25 percent of the fee due, whichever is greater, shall be charged for any application for renewal not received by January 1 of the year following expiration of a certificate.

Sec. 261. Minnesota Statutes 1980, Section 18.54, Subdivision 1, is amended to read:

Subdivision 1. The commissioner or his employee may make small lot inspections or perform other necessary services for which another charge is not specified. For ~~such a service, he~~ these services the commissioner shall charge a fee of \$10; in addition, ~~he may a charge may be made for the necessary~~ expenses incurred by the inspector performing this service. The commissioner may set an additional acreage fee for inspection of seed production fields for exporters in order to meet domestic and foreign plant quarantine requirements.

Sec. 262. Minnesota Statutes 1980, Section 19.19, Subdivision 1, is amended to read:

Subdivision 1. No person shall own, possess, or operate bees without registering ~~his~~ the bees with the commissioner. Application for ~~such~~ registration must be filed within 30 days of obtaining possession of bees and equipment. The registration application shall describe the location of each of the applicant's apiaries and the number of colonies in each apiary or location. The commissioner shall issue a registration certificate to a person who makes written application on forms prepared by the commissioner and who pays a registration fee of ~~\$5~~ \$7.50. Each registration certificate expires on the last day of June next following its issuance. Each registration certificate must be renewed within 30 days of expiration of previous registration. A registration certificate may be renewed upon written application and payment of the registration fee described in this subdivision.

Sec. 263. Minnesota Statutes 1980, Section 19.19, Subdivision 2, is amended to read:

Subd. 2. In addition to the annual registration fee, a person owning or possessing 11 or more bee colonies shall pay an annual inspection fee of ~~45~~ 17 cents for each colony of bees owned, possessed, or operated. A person owning or possessing one to ten colonies is not required to pay an inspection fee. This fee shall be based upon the colony count taken as of June 15 of each year, and shall be payable on or before the last day of June of each year. A penalty of

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50 percent of both the inspection fee and the registration fee imposed by subdivision 1 shall be imposed if a registration renewal certificate has not been applied for prior to August 1 of any year or within 30 days after a new apiary is established.

Sec. 264. Minnesota Statutes 1980, Section 19.20, Subdivision 4, is amended to read:

Subd. 4. **INSPECTION FEE FOR CERTIFICATION OF FALL INTERSTATE SHIPMENTS OF BEE COLONIES.** An interstate inspection fee of ~~twenty-five~~ 40 cents for each colony inspected shall be paid by the owner, possessor or operator requesting inspection service.

Sec. 265. Minnesota Statutes 1980, Section 27.041, Subdivision 2, is amended to read:

Subd. 2. **LICENSES.** The license, or certified copy thereof, shall be kept posted in the office of the licensee at each place within the state where he transacts business. Every license shall expire June 30 following its issuance and thereafter be renewed July 1 each year. Any license issued under this subdivision shall automatically be void upon the termination of the surety bond covering the licensed operation. The fee for each license shall be based on the following schedule:

License Fee	Penalty for		Dollar Volume of Business
	Late Renewal		
<u>\$ 25 30</u>	<u>\$ 8</u>	<u>9.60</u>	\$10,000 or less per month
<u>\$ 50 60</u>	<u>\$15</u>	<u>18</u>	Over \$10,000 to \$50,000 per month
<u>\$ 75 90</u>	<u>\$22</u>	<u>26.40</u>	Over \$50,000 to \$100,000 per month
<u>\$100 120</u>	<u>\$30</u>	<u>36</u>	Over \$100,000 per month

A fee of \$5 shall be charged for each certified copy of a license. The commissioner shall make appropriate license fee adjustments for up to one year from July 1, 1975 for persons required to be licensed hereunder, who hold validly issued licenses as of the effective date of Laws 1975, Chapter 227 under the provisions of law amended or repealed herein. When the licensee sells, disposes of, or discontinues his business during the lifetime of his license he shall at the time the action is taken, notify the commissioner in writing, and upon demand produce before the commissioner a full statement of all assets and liabilities as of the date of transfer or discontinuance of the business.

All moneys collected from license fees shall be deposited in the state treasury.

Sec. 266. Minnesota Statutes 1980, Section 28A.08, is amended to read:

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28A.08 LICENSE FEES; PENALTIES.

The fees for licenses and the penalties for late renewal thereof prescribed herein shall apply to the sections named except as provided under section 28A.09. Except as specified herein, bonds and assessments based on number of units operated or volume handled or processed which are provided for in said laws shall not be affected, nor shall any penalties for late payment of said assessments, nor shall inspection fees, be affected by this chapter.

Type of food handler	License Fee	Penalty
1. Retail food handler		
(a) Having gross sales of less than \$250,000 for the immediately previous license or fiscal year	\$15 <u>18</u>	\$5 <u>6</u>
(b) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$30 <u>36</u>	\$10 <u>12</u>
(c) Having over \$1,000,000 gross sales for the immediately previous license or fiscal year	\$50 <u>60</u>	\$15 <u>18</u>
2. Wholesale food handler	\$30 <u>36</u>	\$10 <u>12</u>
3. Food broker	\$15 <u>18</u>	\$5 <u>6</u>
4. (a) Wholesale food processor or manufacturer	\$100 <u>120</u>	\$30 <u>36</u>
(b) Wholesale food processor of meat or poultry products under supervision of the U.S. Department of Agriculture	\$50 <u>60</u>	\$15 <u>18</u>
(c) Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota farmstead cheese	\$25 <u>30</u>	\$10 <u>12</u>

Sec. 267. Minnesota Statutes 1980, Section 32.075, is amended to read:

32.075 TERM OF LICENSE; TRANSFERABILITY; FEES AND PENALTIES.

Every license issued by the commissioner shall be for a period ending on the thirty-first day of December next following, and shall not be transferable. The fee for each such initial license shall be ~~\$15~~ \$18 and each renewal thereof shall be ~~\$6~~ \$7.20 and shall be paid to the commissioner before any license or renewal thereof is issued. If a license renewal is not applied for on or before January 1 of each year, a penalty of 25 percent of the license fee shall be imposed. A person who does not renew his license within one year following its December 31 expiration date, except those persons who do not renew such license while engaged in active military service, shall be required to prove his

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competency and qualification pursuant to section 32.073, before a license is issued. The commissioner may require any other person who renews his license to prove his competency and qualification in the same manner. All license fees and penalties received by the commissioner shall be paid into the state treasury.

Sec. 268. Minnesota Statutes 1980, Section 32.59, is amended to read:

32.59 NONRESIDENT MANUFACTURER LICENSE.

Any person who manufactures frozen foods, mix, ice cream mix, mix base, or ice cream mix base outside of the state, for sale within the state, shall apply for registration with the department of agriculture in such form, and furnish such information, as it may require. Samples of all frozen foods, mix, ice cream mix, mix base, or ice cream mix base, so manufactured for sale and sold within this state, shall be submitted to the department. Each application for registration shall be accompanied by a fee of ~~\$100~~ \$120, which shall constitute the registration fee in case certificate of registration is granted. If the department of agriculture shall find that the samples so submitted are up to the accepted standards, and otherwise comply with the laws of this state, it shall issue to applicant a certificate of registration.

Sec. 269. Minnesota Statutes 1980, Section 40.071, is amended to read:

40.071 ADDITIONAL POWERS OF A DISTRICT.

In addition to powers and duties otherwise provided by law, a soil and water conservation district may procure liability insurance as provided in section 466.13, subdivision 3 466.06, automobile insurance on personal cars while used on official business, insurance on the contents of district offices up to a maximum of \$7,500 per office, and workers' compensation insurance, or may require the county or counties in which the district is located to include the district in the county's or counties' insurance coverage for these purposes.

Sec. 270. Minnesota Statutes 1980, Section 43.46, Subdivision 2, is amended to read:

Subd. 2. **EMPLOYEE COVERAGE.** The amount of premium paid by the state for represented employees for state employees' basic hospital benefits, basic medical benefits and basic dental benefits coverage shall be negotiated between the state and exclusive representatives of state employees. Except as provided in this subdivision, the amount paid for each state employee's coverage shall be uniform for all employees in the same bargaining unit. Employees who select a carrier whose premium is in excess of the state payment shall be required to pay the difference. ~~Employees who select a carrier whose premium is less than the state payment shall be paid the difference as additional compensation.~~

Sec. 271. Minnesota Statutes 1980, Section 43.46, Subdivision 3, is amended to read:

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Subd. 3. **DEPENDENT COVERAGE.** The amount of premium paid by the state for state employees' dependents' basic hospital benefits, basic medical benefits and basic dental benefits coverage shall be negotiated between the state and exclusive representatives of state employees. Except as provided in this subdivision, the amount paid for each state employee's dependent coverage shall be uniform for all employees in the same bargaining unit. Employees who select a carrier whose premium is in excess of the state payment shall be required to pay the difference. ~~Employees who select a carrier whose premium is less than the state payment shall be paid the difference as additional compensation.~~

Sec. 272. Minnesota Statutes 1980, Section 60A.15, Subdivision 1, is amended to read:

Subdivision 1. **DOMESTIC AND FOREIGN COMPANIES OTHER THAN TOWN AND FARMERS' MUTUAL AND DOMESTIC MUTUALS OTHER THAN LIFE.** On or before April 15, June 15, ~~September 15~~ and December 15 of each year following December 31, 1971, every domestic and foreign company, except town and farmers' mutual insurance companies and domestic mutual insurance companies other than life, shall pay to the state treasurer through the commissioner of insurance ~~quarterly installments equal to one-third~~ of the insurer's total estimated tax for the current year based on a sum equal to two percent of the gross premiums less return premiums on all direct business received by it in this state, or by its agents for it, in cash or otherwise, during such year, excepting premiums written for marine insurance as specified in subdivision 6. If unpaid by such dates penalties of ten percent shall accrue thereon, and thereafter such sum and penalties shall draw interest at the rate of one percent per month until paid. Failure of a company to make ~~quarterly~~ payments of at least ~~one-fourth~~ one-third of either (a) the total tax paid during the previous calendar year or (b) 80 percent of the actual tax for the current calendar year shall subject the company to the penalty and interest provided in this subdivision.

Sec. 273. Minnesota Statutes 1980, Section 85.05, Subdivision 1, is amended to read:

Subdivision 1. **RULES, FEES.** The commissioner is ~~hereby authorized to~~ may make rules and regulations for the use of state parks and charge appropriate fees for ~~such~~ these uses, as hereinafter specified:

(1) Provide special parking space for automobile or other motor-driven vehicle in any state park or state recreation area;

(2) Provide special parking spurs and camp grounds for automobiles and sites for tent camping and special auto trailer coach parking spaces for the use of the individual charged for ~~such~~ the space according to the daily rates which shall be determined and fixed by the commissioner of ~~natural resources~~

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consistent with the type of facility provided for the accommodation of guests in any particular park and with similar facilities offered for tourist camping in the area;

(3) Improve and maintain golf courses already established in state parks, and charge reasonable fees for the use thereof;

(4) ~~May~~ Charge a fee for entrance to any pageant grounds which may be created in any state park for the purpose of having historical or other pageants conducted by the commissioner of any other authorized agency.

When deemed necessary by the commissioner, for the purpose of better carrying out ~~any such~~ state park pageants, ~~he~~ may stage ~~such~~ the pageants in any municipal park or other lands near or adjoining any state park, and all receipts from ~~such~~ the pageants shall be used in the same manner as though the pageants were carried on in a state park;

(5) Provide water, sewer, and electric service to trailer or tent camp sites and charge a reasonable fee therefor.

Any individual age 65 or over who is a resident of the state of Minnesota who furnishes satisfactory proof of age and residence shall be exempt from payment of one-half of the fees set pursuant to ~~clauses 1 to 4~~ clause 2 on Monday through Thursday of each ~~calendar~~ week. Fees paid pursuant to this section shall be deposited in the state park maintenance and operation account in the state treasury.

Sec. 274. Minnesota Statutes 1980, Section 85.05, Subdivision 2, is amended to read:

Subd. 2. **PERMITS FOR MOTOR VEHICLES.** (a) Except as provided in clauses (b), (c), (d) and (e), no motor vehicle shall enter or be permitted to enter any state park, ~~state monument~~, state recreation area or state wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a permit which is provided for hereinafter. The commissioner of ~~natural resources~~ shall procure permits in ~~such form as he shall prescribe~~ for each calendar year which by appropriate language shall grant permission to use any state park, ~~state monument~~, state recreation area or state wayside over 50 acres in area. Permits for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after ~~said~~ that date until the end of the calendar year for which issued. ~~Such~~ Permits in each category shall be numbered consecutively for each year of issue. A fee of ~~\$5~~ \$10 shall be charged for each permit issued for a vehicle licensed in Minnesota and \$15 for a vehicle licensed outside of Minnesota, except that permits of appropriate special design may be sold individually at ~~\$1.50~~ \$3 for a vehicle licensed in Minnesota and \$4 for a vehicle licensed outside of Minnesota covering the use of state parks, ~~state monuments~~, state recreation areas or state waysides under such conditions as the commis-

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sioner may prescribe for a designated period of not more than two days. The fee collected shall be deposited in the state park ~~development~~ maintenance and operation account in the state treasury. Appropriations from this account shall be for state park maintenance and operation. ~~Such~~ Permits shall be issued by such employees of the division of parks and recreation as the commissioner of natural resources may designate in writing and as hereinbefore provided.

(b) ~~The commissioner shall issue without charge an employee's motor vehicle permit to any state employee who, for the purpose of performing official duties, must enter places where park stickers are required. The employee shall display his employee's the permit on his the motor vehicle in the same manner as state park stickers are displayed. A motor vehicle displaying only an employee's permit may not enter a place where park stickers are required if the vehicle is used for purposes other than those authorized by this clause performing official duties.~~

(c) ~~The commissioner shall issue without charge for one-half of the fees provided in clause (a) a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age and who is a resident of the state of Minnesota. Such~~ The permit or the decal evidencing its issuance shall be valid only when displayed upon the vehicle owned and occupied by the person to whom issued.

(d) No state park permit is necessary for entry of a motor vehicle into a state park, state monument, state recreation area, or state wayside, on one day each calendar year which the commissioner may designate as state park open house day for the purpose of acquainting the public with state parks, ~~monu-~~ ments, recreation areas, and waysides. The commissioner shall announce the date of state park open house day at least 30 days in advance of the open house.

(e) No state park permit is necessary, nor shall any fee, including a parking fee, be charged, for entry of a motor vehicle into that part of Fort Snelling state park commonly known as Fort Snelling Memorial Chapel Island.

Sec. 275. **[85.051] STATE PARK DEVELOPMENT ACCOUNT.**

The state park development account in the state treasury is hereby continued, and consists of money credited to it from other sources including distributions pursuant to section 296.421.

Sec. 276. Minnesota Statutes 1980, Section 85.22, Subdivision 2a, is amended to read:

Subd. 2a. **RECEIPTS, APPROPRIATION.** All receipts derived from the ~~operations of~~ sale of items in state parks shall be deposited in the state treasury and be credited to the state parks working capital fund, which fund is annually appropriated solely for the purchase of merchandise for resale.

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Annually, as of the close of business on June 30, the unencumbered balance in excess of ~~\$50,000~~ \$100,000 shall be cancelled into the general fund.

Sec. 277. Minnesota Statutes 1980, Section 85A.04, Subdivision 1, is amended to read:

Subdivision 1. All receipts from the operation of the Minnesota zoological garden shall be deposited to the credit of the general fund, except as provided in subdivision 3.

Sec. 278. Minnesota Statutes 1980, Section 85A.04, is amended by adding a subdivision to read:

Subd. 3. ZOO GIFT STORE ACCOUNT. A working capital account is established for the gift store of the Minnesota zoological garden. All receipts from the gift store operation shall be deposited in the state treasury and credited to the account and are appropriated for the purposes of the gift store. Gift store expenses, including inventory, personnel costs, space rental, and overhead, shall be paid from the account. The unencumbered balance in the account on June 30 of each year in excess of the value of the inventory of the gift store on June 30, 1981 shall be transferred to the general fund. If improvements or expansions are planned for the gift store operation to be paid with gift store receipts, the plan must be first approved by the governor after receiving the recommendation of the legislative advisory commission.

Sec. 279. Minnesota Statutes 1980, Section 89.43, is amended to read:

89.43 TREE SEEDS AND CONES, PAYMENTS FROM APPROPRIATIONS.

Notwithstanding any provision of law to the contrary, out of any ~~moneys~~ money appropriated to the commissioner of natural resources for the purchase of tree seeds and seed cones the commissioner of finance and the state treasurer shall pay to the commissioner upon his request ~~not to exceed the sum of \$10,000 in cash at any one time and not to exceed the sum of \$25,000 in any one fiscal year for the purpose of purchasing tree seeds and seed cones, and the payment therefor~~ the amounts deemed necessary by the commissioner to maintain an inventory of tree seeds and seed cones to assure an adequate supply for the nursery and forestry development needs of the department and to pay for the seeds and seed cones in cash at the time of delivery. At no time shall the moneys in the hands of the commissioner for this purpose exceed the sum of \$10,000.

All moneys paid to The commissioner shall deposit any money received pursuant to this section shall be deposited by him in a state depository subject to withdrawal for disbursement by check for the purposes described by the commissioner or his authorized agent.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The commissioner of finance shall prescribe ~~such rules as he deems necessary for the accounting by which~~ the commissioner of natural resources of shall account for the expenditures made pursuant to this section and may require an additional bond to cover all ~~moneys delivered~~ money paid to the commissioner of natural resources for disbursement ~~by him or his authorized agent pursuant to this section.~~ Any bond premiums shall be paid by the commissioner from ~~any moneys~~ money available for ~~such purposes that purpose.~~

Unless the legislature specifically otherwise directs in any act appropriating money to the commissioner of natural resources ~~for the division of lands and forestry~~ for the purchase of tree seeds and seed cones, ~~moneys~~ money paid to the commissioner ~~and unexpended pursuant to the terms of this section~~ shall not cancel on June 30 of any fiscal year and shall be available for expenditure in the ensuing fiscal year.

Sec. 280. Minnesota Statutes 1980, Section 97.40, Subdivision 21, is amended to read:

Subd. 21. "Resident" means any citizen of the United States or resident alien who has maintained a legal residence in the state of Minnesota for a period of 60 days immediately preceding the date of application for license, a domestic corporation, or a foreign corporation authorized to do business in the state which has conducted the business licensed at an established place within the state for a period of at least ten years.

Sec. 281. Minnesota Statutes 1980, Section 97.482, Subdivision 1, is amended to read:

Subdivision 1. **IMPOSITION.** To provide funds for the purpose of carrying out the provisions of sections 97.481 to 97.484, there is hereby imposed upon all small game hunting licenses a surcharge of ~~\$2~~ \$4, which shall be added to such license fee, and which surcharge shall be free from any commissions and so stated on the back of the small game hunting licenses, together with the following statement: "This ~~\$2~~ \$4 surcharge is being paid by sportsmen for the acquisition and development of wildlife lands."

Sec. 282. EFFECTIVENESS OF SECTIONS.

Notwithstanding any other law, Minnesota Statutes, Sections 97.481 to 97.484 shall continue to be effective until repealed.

Sec. 283. Minnesota Statutes 1980, Section 98.45, Subdivision 6, is amended to read:

Subd. 6. ~~An alien spouse or~~ A nonresident child under the age of 21 of a resident of this state may take, buy, sell, transport, or possess wild animals as a resident. ~~Any other alien who has made a declaration of intention to become a citizen of the United States in accordance with the statutes of the United~~

~~States relating to the naturalization of aliens, and who is qualified as a resident of the state except for citizenship, may take, buy, sell, transport, or possess wild animals as a resident.~~

Sec. 284. Minnesota Statutes 1980, Section 98.46, Subdivision 2, is amended to read:

Subd. 2. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To take small game, ~~\$5~~ \$7;
- (2) To take deer ~~or bear, or both,~~ with firearms during the period in which the licensee may take deer, ~~\$10~~ \$14;
- (3) To take deer ~~or bear, or both,~~ with bow and arrow during the period in which the licensee may take deer, ~~\$10~~ \$14;
- (4) To take fish by angling, ~~\$5~~ \$6.50;
- (5) Combination husband and wife, to take fish by angling, ~~\$8~~ \$10.50;
- (6) To take moose, ~~\$100~~ \$140 for an individual or for a party of not to exceed four persons;
- (7) To take bear only, ~~\$7.50~~ \$14;
- (8) To take turkeys, \$10, in addition to a small game license;
- (9) To take raccoon, bobcat, coyote or fox with the aid of dogs, \$7.50, in addition to a small game license.

Sec. 285. Minnesota Statutes 1980, Section 98.46, Subdivision 2a, is amended to read:

Subd. 2a. The commissioner of natural resources shall issue Minnesota sportsman licenses by March 1, 1978. The licenses shall be issued to residents only. The fee for licenses shall be ~~\$9~~ \$12 if the angling license is for one person and ~~\$12~~ \$16 if the angling license is a combination husband and wife license. These fees do not include the surcharge authorized pursuant to section 97.482 nor the state waterfowl stamp required by section 97.4841.

The license shall authorize the licensee to:

- (1) Take small game;
- (2) Take fish by angling.

~~The game and fish subcommittee of the house of representatives and the fish and wildlife subcommittee of the senate shall study the feasibility of other combinations for sportsman's licenses prior to January 1, 1978.~~

Sec. 286. Minnesota Statutes 1980, Section 98.46, is amended by adding a subdivision to read:

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Subd. 2b. The commissioner of natural resources, in commemoration of the fiftieth year of the department, shall issue Minnesota golden licenses by March 1, 1982. The license shall be issued to residents only. The fee for the license shall be \$100 and shall authorize the licensee to:

- (1) Take small game;
- (2) Take fish by angling;
- (3) Spear fish from a dark house;
- (4) Trap fur bearing animals, except beaver;
- (5) Take deer with firearms;
- (6) Take deer with bow and arrows; and
- (7) Take bear.

The fee includes the surcharge authorized pursuant to section 97.482, the state waterfowl stamp required by section 97.4841 and the state trout stamp required by section 306.

The license shall be issued in distinctive format on durable, gold colored material.

Sec. 287. Minnesota Statutes 1980, Section 98.46, Subdivision 3, is amended to read:

Subd. 3. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To harvest wild rice, ~~\$4~~ \$10;
- (2) To buy and sell wild ginseng, \$5.

Sec. 288. Minnesota Statutes 1980, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents only, shall be:

(1) To trap fur bearing animals, except beaver, for residents over the age of 13 and under the age of 18, \$3.50;

~~(2)~~ (2) To trap fur bearing animals, except beaver, for residents 18 years of age and older, \$5 \$13;

~~(3)~~ (3) To buy or sell raw furs anywhere within the state including the privilege of selling to resident manufacturers or to unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein sales are made to unlicensed non-residents or resident manufacturers, \$50 \$100, provided that any employee, partner or officer buying or

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selling at the established place of business only for ~~such~~ the licensee may secure a supplemental license for ~~\$20~~ \$50;

~~(3)~~ (4) To trap beaver during an open season or by permit when doing damage, \$2.50;

~~(4)~~ (5) To guide bear hunters, ~~\$50~~ \$75.

Sec. 289. Minnesota Statutes 1980, Section 98.46, Subdivision 5, is amended to read:

Subd. 5. Fees for the following licenses, to be issued to residents only, shall be:

(1) To spear fish from a dark house, ~~\$5~~ \$7.50;

(2) For any fish house or dark house used during the winter fishing season, \$3 for each fish house or dark house not rented or offered for hire, and ~~\$10~~ \$13 for each fish house or dark house rented or offered for hire. Each ~~such~~ fish house or dark house shall have attached to the outside a metal tag at least two inches in diameter with a 3/16 inch hole in the center, which will be issued with a license. Each metal tag shall be stamped with a number to correspond with the fish house or dark house license and also shall be stamped with the year of issuance. The metal tag shall be attached to the fish house or dark house as designated by commissioner's order;

(3) To net whitefish, tullibees or herring from inland lakes or international waters, for domestic use only, for each net, \$3;

(4) To conduct a taxidermist business, ~~\$10~~ for three consecutive years for residents 18 years of age and older, \$40; for residents under the age of 18, \$25;

(5) To maintain fur and game farms, including deer, ~~\$10~~ \$15;

~~(6)~~ To take mussels or clams, \$25;

~~(7)~~ (6) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, ~~\$25~~ \$50;

~~(8)~~ (7) To prepare dressed game fish shipments for nonresidents as provided by section 97.45, subdivision 6, as amended, ~~\$10~~ \$13;

~~(9)~~ (8) Minnow dealer, ~~\$50~~ \$70 plus \$10 for each vehicle;

~~(10)~~ (9) Minnow dealer's helper, \$5 for each helper. Minnow dealer's helpers' licenses shall be issued to the minnow dealer and are transferable by the dealer at will to his own helpers;

~~(11)~~ (10) Exporting minnow dealer, ~~\$200~~ \$250, plus \$10 for each vehicle.

Each vehicle license shall cover a specified vehicle. The serial number, license number, make, and model shall be specified on the license which must be conspicuously posted in the vehicle licensed.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 290. Minnesota Statutes 1980, Section 98.46, Subdivision 5a, is amended to read:

Subd. 5a. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) For an exporting minnow hauler, ~~\$400~~ \$525, plus \$10 for one vehicle license only.

(2) Each vehicle license shall cover a specified vehicle. The serial number, license number, make and model shall be conspicuously posted in the vehicle licensed.

Sec. 291. Minnesota Statutes 1980, Section 98.46, Subdivision 6, is amended to read:

Subd. 6. Fees for the following licenses to net for commercial purposes in the boundary waters between Wisconsin and Minnesota from Taylors Falls to the junction of the Mississippi River and Lake St. Croix and from Lake St. Croix to the Iowa border, which, except in the case of helpers licenses, shall be issued to residents only, shall be:

(1) For a seine not exceeding 500 feet, ~~\$20~~ \$25;

(2) For a seine in excess of 500 feet, but not over 1,000 feet, ~~\$30~~ \$40;

(3) For each 100 feet of seine in excess of 1,000 feet, ~~\$2~~ \$2.50;

(4) For helper's license, \$5.

Sec. 292. Minnesota Statutes 1980, Section 98.46, Subdivision 7, is amended to read:

Subd. 7. Fees for the following licenses to net for commercial purposes in the boundary waters between Wisconsin and Minnesota from Lake St. Croix to the Iowa border, which, except in the case of helpers licenses, shall be issued to residents only, shall be:

(1) For each gill net not exceeding 500 feet in length, ~~\$10~~ \$13;

(2) For each gill net exceeding 500 feet, but not over 1,000 feet, ~~\$20~~ \$25;

(3) For each fyke net or hoop net, \$10;

(4) For each bait or turtle net, ~~\$1~~ \$1.50;

(5) For each set line, ~~\$10~~ \$13 for each identification tag to be attached to each set line;

(6) For helper's license, \$5.

Sec. 293. Minnesota Statutes 1980, Section 98.46, Subdivision 8, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 8. Fees for the following licenses to take rough fish with ~~set lines, or seines,~~ in the Mississippi River from the St. Croix River junction to St. Anthony Falls, to be issued to residents only, shall be:

(1) For a seine not exceeding 500 feet, ~~\$20~~ \$25; for a seine in excess of 500 feet, but not over 1,000 feet, ~~\$30~~ \$40; for each 100 feet of seine or fraction thereof in excess of 1,000 feet, \$2;

(2) ~~For each set line,~~ \$10;

(3) (2) For helper's license, \$5.

Sec. 294. Minnesota Statutes 1980, Section 98.46, Subdivision 9, is amended to read:

Subd. 9. A license to take rough fish with one set line, containing not more than ten hooks, in the Minnesota River from Mankato to its junction with the Mississippi River, and in the Mississippi River from St. Anthony Falls to the St. Croix junction, for domestic use, shall be issued to residents only, upon payment of the fee of ~~\$10~~ \$13.

Sec. 295. Minnesota Statutes 1980, Section 98.46, Subdivision 9a, is amended to read:

Subd. 9a. Licenses to net commercial fish in inland waters shall be issued annually and shall be valid for commercial fishing during the period from the day after Labor Day to the day preceding the opening of the season for the taking of walleye. License fees shall be ~~\$50~~ \$70, plus:

(a) ~~Fifty~~ 75 cents for each hoop net pocket;

(b) ~~\$10~~ \$15 for each 1,000 feet of seine. Provided that in the license application to the commissioner, each applicant shall list the number of feet of seine of each depth for which he wishes to be licensed; and

(c) \$5 for each helper's license.

Sec. 296. Minnesota Statutes 1980, Section 98.46, Subdivision 10, is amended to read:

Subd. 10. Fees for the following licenses to net fish in Lake of the Woods, to be issued to residents only, shall be:

(1) For each pound net or staked trap net, ~~\$35~~ \$45;

(2) For each fyke net with wings or lead not exceeding four feet in height, ~~\$5~~ \$10;

(3) For each fyke net with either wings or lead over four feet in height, an additional \$5 for each additional two feet or fraction thereof;

(4) For each 100 feet of gill net, ~~\$1.50~~ \$2.50;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(5) For each submerged trap net, \$15;

(6) For helper's license, ~~\$5~~ \$15;

(7) For each trawl, \$500.

Sec. 297. Minnesota Statutes 1980, Section 98.46, Subdivision 11, is amended to read:

Subd. 11. Fees for the following licenses to net fish in Rainy Lake, to be issued to residents only, shall be:

(1) For each pound net, ~~\$35~~ \$45;

(2) For each 100 feet of gill net, ~~\$1.50~~ \$2.50;

(3) For helper's license, ~~\$5~~ \$15.

Sec. 298. Minnesota Statutes 1980, Section 98.46, Subdivision 12, is amended to read:

Subd. 12. (a) Fees for the following licenses to fish commercially in Lake Superior, to be issued to residents only, shall be:

(1) For not to exceed 1,000 feet (305 m) of gill net of mesh size not less than 2.25 inch (5.75 cm) nor more than 2.75 inch (7 cm) extension measure, ~~\$50~~ \$70 plus ~~\$4~~ \$2 for each additional 1,000 feet (305 m);

(2) For not to exceed 1,000 feet (305 m) of gill net of mesh size not less than 4.5 inch (11.5 cm) mesh extension measure, ~~\$50~~ \$70 plus ~~\$4~~ \$2 for each additional 1,000 feet (305 m);

(3) For a pound or trap net, ~~\$50~~ \$70 plus ~~\$4~~ \$2 for each additional pound or trap net;

(4) For a helper's license, \$5.

(b) A license to fish commercially in Lake Superior shall be issued only to a resident who, except as herein provided:

(1) Possesses 5,000 feet of gill net of mesh sizes permitted in section 102.28 or two pound nets;

(2) Landed fish in the previous year with a value of at least \$1,500, except for those state waters from Duluth to Silver Bay upon the discretion of the commissioner; and

(3) Engaged in commercial fishing for at least 50 days of the previous year.

An applicant for a license in 1978 must have met the requirements of subdivision 12, clause (b) during two of the previous three years.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

An applicant shall be issued a license without meeting the requirements of subdivision 12, clause (b) if the applicant is 65 or more years of age and has held a license continuously since 1947. An applicant may be issued a license, at the discretion of the commissioner, if his failure to meet the requirements of subdivision 12, clause (b) resulted from illness or other mitigating circumstances, or ~~he~~ the applicant has reached the age of 65 and has been licensed at least ten of the previous 15 years. Persons receiving licenses under the provisions for applicants 65 years of age or more must be in attendance at the setting and lifting of nets. The commissioner may issue multiple licenses to individuals who meet the requirements of subdivision 12, clause (b), and have held multiple licenses prior to 1978.

(c) A license may be issued to an applicant who has not fished commercially on Lake Superior before, if the applicant:

(1) Shows a bill of sale indicating the purchase of gear and facilities connected with an existing license; or

(2) Shows proof of inheritance of all the gear and facilities connected with an existing license; or

(3) Has served at least two years as a helper in a Minnesota Lake Superior licensed commercial fishing operation; and

(4) Has no record of conviction for violating chapters 97, to 102 in the preceding three years.

Sec. 299. Minnesota Statutes 1980, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, ~~\$25~~ \$35;

(2) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, ~~\$60~~ \$75;

(3) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, ~~\$25~~ \$35;

(4) To take bear, ~~\$25~~ \$100;

(5) To take turkeys, \$30, in addition to a small game license;

(6) To hunt raccoon, \$100, in addition to nonresident small game license.

Sec. 300. Minnesota Statutes 1980, Section 98.46, Subdivision 15, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 15. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take fish by angling, ~~\$10~~ \$15;

(2) A short term individual license to take fish by angling for ~~three~~ seven consecutive days, ~~\$5~~ \$10.50;

(3) A short term individual license to take fish by angling for one day, \$5;

(4) Combination husband and wife, to take fish by angling, ~~\$15~~ \$20;

(4) (5) For any fish house used during the winter fishing season, \$15. A fish house licensed pursuant to this subdivision shall be identified as prescribed in subdivision 5. The house shall be collapsible and portable, and shall at no time be left unattended while on the ice. The provisions of section 101.42 not inconsistent herewith shall also apply to fish houses licensed pursuant to this subdivision.

Sec. 301. Minnesota Statutes 1980, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. Fees for the following licenses, to be issued to non-residents, shall be:

To buy or sell raw furs, ~~\$400~~ \$500, except that a license shall not be required to buy from those licensed under subdivision 4, clause (2).

To guide bear hunters, \$400.

Sec. 302. Minnesota Statutes 1980, Section 98.46, Subdivision 17, is amended to read:

Subd. 17. Fees for the following licenses, to be issued to either residents or nonresidents, shall be:

(1) To deal in live or engage in the business of preserving minnows; minnow retailer, ~~\$5~~ \$10 plus \$10 for each vehicle used to transport minnows.

(2) To raise fish in a private hatchery, for annual sales under \$200, \$25; and for annual sales of \$200 or more, \$50.

(3) To take under state supervision sucker eggs from public waters, for private fish hatchery purposes:

(a) To take not to exceed 100 quarts, ~~\$400~~ \$150;

(b) To take in excess of 100 quarts, ~~\$2~~ \$3 per quart for such excess.

Sec. 303. Minnesota Statutes 1980, Section 98.46, Subdivision 18, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 18. Fees for the following licenses, to be issued to either residents or nonresidents shall be:

(1) For a wild rice dealer's license to buy wild rice within the state for resale to anyone except consumers, or to sell wild rice imported from outside the state to anyone within the state except consumers, ~~\$50~~ \$70 if the amount of wild rice bought or sold by the licensee within the year covered by the license does not exceed 50,000 pounds, ~~\$200~~ \$250 if ~~such~~ the amount exceeds 50,000 pounds. For the purposes hereof the weight of wild rice in its raw state shall govern. All raw rice purchased by a dealer shall be reported in accordance with clauses (2), (3), (4), and (5) of this subdivision.

(2) Every application for a license under this subdivision shall be made on oath in writing in ~~such~~ the form as the commissioner shall prescribe, stating the amount of wild rice, whether raw or processed, bought or sold by the applicant during the calendar year preceding the year for which the license is sought, the amount which the applicant estimates ~~he~~ will buy be bought or sell sold under the license, and ~~such~~ other pertinent information ~~as~~ the commissioner may require. The license fee shall be paid in advance, based on ~~such~~ the estimate, subject to adjustment as hereinafter provided; provided, that no license shall be issued for any year based on a lesser amount of wild rice than was bought or sold by the applicant during the preceding calendar year.

(3) Every licensee under this subdivision shall keep a correct and complete book record of all wild rice bought or sold ~~by him~~ during the period covered by ~~his~~ the license, showing the date of each transaction, the names and addresses of all other parties thereto, and the amount of wild rice involved, whether raw or processed. Every ~~such~~ record shall be open for inspection by the commissioner, the coordinator of wild rice, or any conservation officer or agent of the commissioner at all reasonable times. Every licensee shall transmit to the commissioner within ten days after the end of each calendar month during the period covered by the license a written report, in ~~such~~ the form as the commissioner shall prescribe, signed by the licensee, stating the total amount of wild rice bought or sold ~~by him~~ during ~~such~~ the calendar month, whether raw or processed.

(4) No dealer licensee under this subdivision shall at any time buy or sell any wild rice for which a license is required hereunder in excess of the amount covered by ~~his~~ the license. In case a licensee shall desire to buy or sell any wild rice in excess of ~~such~~ the amount, ~~he~~ the licensee shall before doing so make application for a supplemental license covering the increased amount of wild rice involved, and ~~such~~ the license shall be issued ~~to him~~ upon payment of the prescribed fee therefor, less credit for the fees paid for the previous license or licenses issued ~~to him hereunder~~ for the same calendar year. Upon the issuance of ~~such~~ the supplemental license, ~~such~~ the previous license or licenses shall be surrendered to the commissioner.

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(5) The wilful making of a false statement in any application for a license under this subdivision or in any report required hereunder, or the wilful making of a false entry in any record required hereunder, or any other violation of or failure to comply with any provision of this subdivision shall be a misdemeanor, punishable as provided by section 97.55, subdivision 1. Upon a second conviction within a period of three years of any person of any offense under this subdivision, any license hereunder then held by ~~him~~ that person shall immediately become null and void, and no such license shall be issued to ~~him~~ that person for one year after the date of ~~such~~ the conviction.

Sec. 304. Minnesota Statutes 1980, Section 98.46, Subdivision 19, is amended to read:

Subd. 19. Fees for the following licenses, to be issued to either residents or nonresidents, shall be:

- (1) To buy fish from licensed commercial fishermen on Lake Superior:
 - (a) For the purpose of selling to retailers, ~~\$25~~ \$50;
 - (b) For the purpose of retail selling only, ~~\$5~~ \$10.
- (2) To buy fish from licensed commercial fishermen on Lake of the Woods, Namakan, Sand Point, or Rainy Lake:
 - (a) Wholesale fish buyer's license, \$100;
 - (b) Fish buyer's license to ship from one place to another on international waters only, \$10.
- (3) To tan or dress raw furs, ~~\$10~~ \$15;
- (4) Fish peddler's license, to peddle with the use of a motor vehicle, any fish lawfully salable within the state, ~~\$5~~ \$25. It shall be unlawful to misrepresent the species of any fish sold by any licensed fish peddler or ~~his~~ peddler's employee. Upon conviction of misrepresentation of the species of fish sold by any fish peddler licensed hereunder or ~~his~~ employee, ~~his~~ the license shall be revoked, and ~~such~~ the licensee shall not be eligible to obtain a fish peddler's license for the period of one year after ~~said~~ revocation. Misrepresentation shall include the following acts in addition to any other acts constituting misrepresentation in fact: (1) The designation of any fish by any name other than its common name in Minnesota; (2) The designation of any fish by any other name than its common name in the locality where it was taken if it is not generally known by any common name in Minnesota.

Sec. 305. Minnesota Statutes 1980, Section 98.47, Subdivision 1, is amended to read:

Subdivision 1. Residents who have attained the age of 65 years may take fish by angling or spearing without a license. Residents under the age of

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16 years may take fish and trap fur bearing animals except beaver or otter without procuring a license. Residents under the age of 13 years may take small game without a license. Residents under the age of 16 years and over 12 may take small game provided they have in their possession while hunting a valid firearm safety certificate. Residents under 14 must be accompanied by a parent or guardian while hunting. No hunting license shall be issued to any resident under the age of 16, except that such residents who possess a valid certificate may purchase a big game hunting license. Nonresidents under the age of 16 years may take fish by angling without procuring a license, if their parent or legal guardian has obtained a nonresident fishing license. Fish so taken shall be included in the daily and possession limit of the parent or legal guardian. Any nonresident under the age of 16 years who is attending a camp adjacent to any public waters of the state conducted by a social, charitable, or welfare organization or institution, not for profit, may take fish by angling in such waters or other adjacent waters without procuring a license, provided the organization or institution conducting the camp shall have a certificate from the commissioner that the camp is qualified hereunder, describing the waters affected as determined by the commissioner, and each such nonresident shall carry with him at all times while taking or attempting to take fish by angling in such waters a certificate identifying him and describing the waters, in such form as the commissioner shall prescribe, signed and dated by the officer or agent of the organization or institution in charge of the camp within the current calendar year.

Sec. 306. [97.4842] TROUT STAMP.

Subdivision 1. STAMP REQUIRED. No person over the age of 18 and under the age of 65 years who is otherwise required to possess a Minnesota fishing license shall take trout by angling in any trout stream within this state without first purchasing a stamp and having the stamp in his possession while angling for trout in any trout stream. Each stamp shall be validated by the signature of the licensee written across its face. The commissioner shall determine the form of the stamp and shall furnish and distribute stamps to county auditors for sale by them and their authorized subagents as prescribed by order of the commissioner. The commissioner shall encourage the purchase of stamps by any persons who are interested in the improvement of trout streams.

Subd. 2. FEE. A stamp shall be issued to each fishing license applicant or other person interested in improvement of trout streams upon the payment of a fee of \$3. Stamps shall be issued annually and shall be valid from March 1 through the last day of the following February.

Subd. 3. USE OF REVENUE. The commissioner shall approve projects for the following purposes:

(a) Development, restoration, maintenance or preservation of trout streams; and

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(b) Necessary related administrative costs in an amount not to exceed ten percent of the annual deposits into the game and fish fund attributable to the sale of stamps.

Sec. 307. Minnesota Statutes 1980, Section 98.50, Subdivision 5, is amended to read:

Subd. 5. Any resident desiring to sell the licenses referred to in subdivision 1 may either purchase for cash or obtain on consignment license blanks from a county auditor in groups of not less than five non-resident, and ten resident license blanks. In addition to the basic license fee, he shall collect a fee for issuing each license in the amount of ~~75 cents~~ \$1 for the license to take deer and for the sportsman license authorized in section 98.46, subdivision 2a, and ~~50~~ 75 cents for all other licenses. The state migratory waterfowl stamp required by section 97.4841 shall be considered to be a "license" within the meaning of this subdivision except when such stamp and a small game license are issued in the same transaction in which case the stamp shall be considered a part of the small game license and only one issuing fee shall be collected. In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for 100 percent of the surcharge imposed by section 97.482 plus 96 percent of the price to the licensee, exclusively of said surcharge and the issuing fee, for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission four percent of all license fees, excluding issuing fees for licenses consigned to subagents. In addition, for licenses sold for cash directly to the licensee, the auditor shall collect the same issuing fee as a subagent. Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the agent *possessing the same or to whom they are charged shall be accountable therefor.* The commissioner shall collect the same issuing fee as a subagent for licenses sold directly through a license distribution center operated by the department of natural resources. The issuing fees so collected by the commissioner shall be credited to the game and fish fund.

Sec. 308. Minnesota Statutes 1980, Section 99.28, Subdivision 5, is amended to read:

Subd. 5. The holder of any such license shall pay an annual license fee of ~~\$2.50~~ \$10 for any such farm upon which muskrats are taken on said owner's premises.

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Sec. 309. Minnesota Statutes 1980, Section 100.273, Subdivision 7, is amended to read:

Subd. 7. In taking raccoon, bobcat, coyote or fox when treed or at bay on private land with the aid of dogs, a person while on foot may, without permission of the landowner, enter such private land to retrieve any dogs and then shall immediately leave the premises. During the season for taking big or small game, a hunter may on foot retrieve a wounded big or small game animal from agricultural land of another which is not posted pursuant to subdivision 6, without permission of the landowner, and shall then leave as soon as possible.

Sec. 310. Minnesota Statutes 1980, Section 100.35, Subdivision 1, is amended to read:

Subdivision 1. The fee for a shooting preserve license or permit shall be ~~\$50~~ \$75.

Sec. 311. Minnesota Statutes 1980, Section 100.35, Subdivision 5, is amended to read:

Subd. 5. All harvested game except ducks which are marked in accordance with regulations of the United States fish and wildlife service shall be tagged with a selfsealing tag to be issued by the department at a cost of ~~five~~ 15 cents. The tags shall be so numbered or otherwise identified that each preserve using them can be identified and ~~such~~ the tag shall be maintained on each bird shot until either consumed on the premises or if removed therefrom, until actually prepared for consumption.

Sec. 312. Minnesota Statutes 1980, Section 101.44, is amended to read:

101.44 FROGS; SEASON, REGULATION, LICENSES.

Except as otherwise permitted, frogs may not be taken or possessed during the months of April and the first 15 days of May. During the open season, frogs not exceeding six inches in length, measured from tip of nose to tip of hind toes, legs fully extended, may be possessed in any numbers, bought, sold, and transported for angling purposes only. Except as otherwise provided under commissioner's regulations, not to exceed 150 frogs over six inches in length may be possessed in or transported through the state, except by common carrier, and may be possessed in any quantity and sold during the open season. It shall be unlawful to use cloth screens or other similar contrivances in catching frogs. Provided, the taking of frogs may be prohibited in ~~such~~ areas of the state and during ~~such~~ periods as the commissioner may by order prescribe. Provided, further, that no person shall be permitted to take or possess frogs unless legally entitled to take fish within the state. The commissioner shall establish regulations dealing with the purchase, possession and transportation of frogs for purposes other than bait. The fee for this license shall be ~~\$50~~ \$70 for resident; ~~\$150~~ \$200 for nonresidents. The commissioner

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may issue licenses to residents to take, possess, transport and sell frogs for purposes other than bait. The license fee shall be ~~\$2.50~~ \$10.

Sec. 313. Minnesota Statutes 1980, Section 116C.69, Subdivision 2, is amended to read:

Subd. 2. **SITE APPLICATION FEE.** Every applicant for a site certificate shall pay to the board a fee in an amount equal to \$500 for each \$1,000,000 of production plant investment in the proposed installation as defined in the Federal Power Commission Uniform System of Accounts. The board shall specify the time and manner of payment of the fee. If any single payment requested by the board is in excess of 25 percent of the total estimated fee, the board shall show that the excess is reasonably necessary. The applicant shall pay within 30 days of notification any additional fees reasonably necessary for completion of the site evaluation and designation process by the board. In no event shall the total fees required of the applicant under this subdivision exceed an amount equal to 0.001 of said production plant investment (\$1,000 for each \$1,000,000). All money received pursuant to this subdivision shall be deposited in the general fund a special account. ~~So much Money as is necessary in the account is annually appropriated from the general fund to the board to pay expenses incurred in processing applications for certificates in accordance with sections 116C.51 to 116C.69 and in the event the expenses are less than the fee paid, to refund the excess to the applicant. This annual appropriation shall not exceed the fees to be paid during each period.~~

Sec. 314. Minnesota Statutes 1980, Section 116C.69, Subdivision 2a, is amended to read:

Subd. 2a. **ROUTE APPLICATION FEE.** Every applicant for a transmission line construction permit shall pay to the board a base fee of \$35,000 plus a fee in an amount equal to \$1,000 per mile length of the longest proposed route. The board shall specify the time and manner of payment of the fee. If any single payment requested by the board is in excess of 25 percent of the total estimated fee, the board shall show that the excess is reasonably necessary. In the event the actual cost of processing an application up to the board's final decision to designate a route exceeds the above fee schedule, the board may assess the applicant any additional fees necessary to cover the actual costs, not to exceed an amount equal to \$500 per mile length of the longest proposed route. All money received pursuant to this subdivision shall be deposited in the general fund a special account. ~~So much Money as is necessary in the account is annually appropriated from the general fund to the board to pay expenses incurred in processing applications for construction permits in accordance with sections 116C.51 to 116C.69 and in the event the expenses are less than the fee paid, to refund the excess to the applicant. This annual appropriation shall not exceed the fees to be paid during each period.~~

Sec. 315. Minnesota Statutes 1980, Section 116C.69, Subdivision 3, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 3. **FUNDING; ASSESSMENT.** The board shall finance its base line studies, general environmental studies, development of criteria, inventory preparation, monitoring of conditions placed on site certificates and construction permits, and all other work, other than specific site and route designation, from an assessment made annually quarterly, at least 30 days before the start of each quarter, by the board against all utilities. Each share shall be determined as follows: (1) the ratio that the annual retail kilowatt-hour sales in the state of each utility bears to the annual total retail kilowatt-hour sales in the state of all such utilities, multiplied by 0.667, plus (2) the ratio that the annual gross revenue from retail kilowatt-hour sales in the state of each utility bears to the annual total gross revenues from retail kilowatt-hour sales in the state of all such utilities, multiplied by 0.333, as determined by the board. The assessment shall be credited to the general fund and shall be paid to the state treasury within 30 days after receipt of the bill, which shall constitute notice of said assessment and demand of payment thereof. The total amount which may be assessed to the several utilities under authority of this subdivision shall not exceed the annual budget of the board for carrying out the purposes of this subdivision. The assessment for the second quarter of each fiscal year shall be adjusted to compensate for the amount by which actual expenditures by the board for the preceding fiscal year were more or less than the estimated expenditures previously assessed.

Sec. 316. Minnesota Statutes 1980, Section 116F.06, Subdivision 2, is amended to read:

Subd. 2. The agency shall review new or revised packages or containers except when such changes involve only color, size, shape or printing. The agency shall review innovations including, but not limited to, changes in constituent materials or combinations thereof and changes in closures. When the agency determines that any new or revised package or container would constitute a solid waste disposal problem or be inconsistent with state environmental policies, the manufacturer of the product may withdraw it from further consideration until such time as the manufacturer may resubmit such product to the agency, or, the agency may, by order made after notice and hearing as provided in chapter 15, and following an additional period not to exceed 30 days during which the environmental quality board may review the proposed action, prohibit the sale of the package or container in the state. Any such prohibition shall continue in effect until revoked by the agency or until the last legislative day of the next following legislative session, whichever occurs first, unless extended by law. This subdivision shall not apply to any package or container sold at retail in this state prior to ~~final enactment of sections 116F.01 to 116F.08~~ September 7, 1979.

Sec. 317. Minnesota Statutes 1980, Section 139.16, is amended to read:

139.16 PUBLIC TELEVISION GRANTS; PURPOSE.

The purpose of sections 139.16 to 139.18 is to facilitate the use of public television as a community resource for the public by providing financial

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assistance to public television stations serving Minnesota citizens, and to provide for cooperation between public television station officials and the board of the arts department of administration.

Sec. 318. Minnesota Statutes 1980, Section 139.17, is amended to read:

139.17 DEFINITIONS.

Subdivision 1. As used in sections 139.16 to ~~139.18~~ 139.19, the terms defined in this section have the meanings here given them.

Subd. 2. "Public station" means a licensee of the federal communications commission station holding a license or operating under a program test authority from the Federal Communications Commission as a noncommercial educational television broadcast station within this state or a station outside the state which received funds under section 139.18 in 1976.

Sec. 319. Minnesota Statutes 1980, Section 139.17, is amended by adding a subdivision to read:

Subd. 3. COMMISSIONER. "Commissioner" means the commissioner of administration.

Sec. 320. Minnesota Statutes 1980, Section 139.18, Subdivision 1, is amended to read:

Subdivision 1. The board of the arts commissioner shall distribute the funds money provided by sections 139.16 to 139.18. Twice annually the board of the arts commissioner shall make block grants which shall be distributed in equal amounts to public stations for operational costs. The board of the arts commissioner shall allocate funds money appropriated for the purposes of sections 139.16 to 139.18 in such a manner that each eligible public station receives a block grant. In addition, the board of the arts commissioner shall make matching grants to public stations. Matching grants shall be used for operational costs and shall be allocated using the procedure developed for distribution of state money under this section for grants made in fiscal year 1979. No station's matching grant in any fiscal year shall exceed the amount of Minnesota based contributions received by that station in the previous fiscal year.

Sec. 321. Minnesota Statutes 1980, Section 139.18, Subdivision 3, is amended to read:

Subd. 3. Each educational station receiving a grant shall annually report by July 1 to the board of the arts commissioner the purposes for which the ~~funds were~~ money was used in the past fiscal year and the anticipated use of the ~~funds money~~ money in the next fiscal year. The report shall be certified by an independent auditor or a certified public accountant. If the report is not submitted by September 1, the board of the arts commissioner may withhold

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from the educational station 45 percent of the amount to which it was entitled based upon the contribution of the previous fiscal year, and may redistribute those funds that money to other educational stations.

Sec. 322. Minnesota Statutes 1980, Section 139.18, Subdivision 4, is amended to read:

Subd. 4. ~~In designating The board of the arts as the administrative agency to distribute these funds, the legislature recognizes that this is strictly an administrative function unrelated to the artistic and cultural mandate of the board. In future years, the board may develop program categories and funding programs in television, film and other public media, which shall not be limited, prohibited or otherwise affected by the board's serving the specific administrative functions under the terms of sections 139.16 to 139.18.~~

Sec. 323. Minnesota Statutes 1980, Section 139.19, Subdivision 3, is amended to read:

Subd. 3. **STATION ELIGIBILITY.** To qualify for a grant under this section, a noncommercial radio station shall:

(a) Hold a valid noncommercial educational radio station license or program test authority from the Federal Communications Commission;

(b) Have facilities adequate to provide local program production and origination;

(c) Employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of two full time professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;

(d) Maintain a minimum daily broadcasting schedule of (1) the maximum allowed by its Federal Communications Commission license or (2) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;

(e) Broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license;

(f) Have a daily broadcast schedule devoted primarily to programming that serves ascertained community needs of an educational, informational or cultural nature within its primary signal area; however, a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in-school or professional in-service audiences;

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(g) Originate significant, locally produced programming designed to serve its community of license;

(h) Have a total annual operating income and budget of at least \$50,000;

(i) Have either a board of directors representing the community or a community advisory board that conducts advisory board meetings that are open to the public;

(j) Have a board of directors that: (1) holds the portion of any meeting relating to the management or operation of the radio station open to the public and (2) permits any person to attend any meeting of the board without requiring a person, as a condition to attendance at the meeting, to register the person's name or to provide any other information; and

(k) Have met the criteria in clauses (a) to (j) for six months before it is eligible for state assistance under this section.

The ~~board of the arts commissioner~~ shall accept the judgment of Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the applicant station is not qualified for assistance from the Corporation for Public Broadcasting, an independent audit is required.

Sec. 324. Minnesota Statutes 1980, Section 139.19, Subdivision 4, is amended to read:

Subd. 4. **APPLICATION.** To be eligible for a grant under this section, a station shall submit an application to the ~~board of the arts commissioner~~ within the deadline prescribed by the ~~board commissioner~~. It shall also submit, within the deadline prescribed by the ~~board commissioner~~, its audited financial records for the fiscal year preceding the year for which the grant will be made.

Sec. 325. Minnesota Statutes 1980, Section 139.19, Subdivision 5, is amended to read:

Subd. 5. **GRANTS.** (a) The ~~board of the arts commissioner~~ shall determine eligibility for grants and the allocation of grant ~~funds~~ money on the basis of audited financial records for the applicant station's fiscal year preceding the year in which the grant is made, as well as on the basis of the other requirements set forth in this section. The ~~board commissioner~~ shall annually distribute grants to all stations that comply with the eligibility requirements and apply for a grant. The ~~board of the arts commissioner~~ may promulgate rules to implement this section. For this purpose the ~~board of the arts commissioner~~ may promulgate temporary rules pursuant to section 15.0412, subdivision 5. An applicant's share of the grant money shall be based on:

(1) The amount received in the preceding year by the station in private non-tax generated contributions from sources within the state; no contributions made for the purpose of capital expenditures shall be counted; and

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(2) The dollar value in the preceding year of contributions of volunteer time to station operations, provided that the volunteer time was not used for the purpose of raising money for the station. Volunteer time shall be valued at the federal minimum wage per hour. A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to this section.

(b) The ~~board of the arts~~ commissioner shall match every verified contribution dollar under paragraph (a), clause (1) and volunteer time dollar, as calculated under paragraph (a), clause (2), with two state dollars for each eligible applicant until the applicant station has received \$10,000 in grant money under this section, and thereafter grant money shall be distributed on a dollar for dollar basis until the total amount appropriated for that year has been distributed equally among all applicants. A station may receive state matching money only until the station's total verified contribution and volunteer time has been matched or the amount of the grant received equals one-third of the station's total operating income for the previous fiscal year.

(c) A station may use grant money under this section for any radio station expenses.

Sec. 326. Minnesota Statutes 1980, Section 139.19, Subdivision 6, is amended to read:

Subd. 6. **AUDIT.** A station that receives a grant under this section shall have an audit of its financial records made by an independent auditor or Corporation for Public Broadcasting accepted audit at the end of the fiscal year for which it received the grant. The audit shall include a review of station promotion, operation, and management and an analysis of the station's use of the grant money. A copy of the audit shall be filed with the ~~board of the arts~~ commissioner.

Sec. 327. Minnesota Statutes 1980, Section 176.131, Subdivision 10, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner of labor and industry the sum of \$5,000 for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to at least \$5,000 in monetary benefits of dependency compensation, the employer shall pay to the commissioner of labor and industry for the benefit of the special compensation fund the difference between the amounts actually paid for the dependency benefits and \$5,000; but in no event shall the employer pay the commissioner of labor and industry less than \$1,000;

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(2) When an employee suffers a personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or dependents to compensation under sections 176.101 or 176.111, the employer shall in addition to compensation provided therein, pay to the commissioner of labor and industry for the benefit of the special compensation fund a lump sum without interest deduction equal to seven percent of the total compensation, as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties and the amount is approved by the commissioner of labor and industry.

The provisions of clauses (1) and (2) shall apply to all workers' compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.

Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence.

The seven percent of the total compensation required to be paid by the employer to the commissioner of labor and industry for the benefit of the special compensation fund as provided in clause (2) of this subdivision shall remain fixed at said seven percent for the period from June 1, 1971, to June 1, 1972. Effective June 1, 1972, through June 1, 1975, and thereafter on January 1, beginning in 1976, the rate shall be adjusted on the following basis: if the balance in the special compensation fund as of April 30 in any year through 1975 and as of September 30, 1975, and each September 30 thereafter, is below \$1,000,000, the rate of payment shall be increased by two percent over the then prevailing rate. If the balance is at least \$1,000,000 but below \$1,500,000, the rate will be increased by one percent. If the balance is at least \$1,500,000 but below \$2,000,000, there shall be no change. If the balance is at least \$2,000,000 but less than \$2,500,000, the rate shall be decreased by one percent. If the balance is at least \$2,500,000, the rate shall be decreased by two percent. If the balance is \$3,000,000 or more the commissioner of labor and industry shall within 30 days determine the percent of decrease, which shall be not less than two percent nor more than five percent.

Sums paid to the commissioner of labor and industry pursuant to the provisions hereof, shall be deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by this chapter. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund. Any interest or profit accruing from investment of these sums shall be credited to the special compensation fund.

The state treasurer shall be the custodian of this special fund and the workers' compensation division and the workers' compensation court of appeals in cases before it shall direct the distribution thereof, the same to be paid as

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other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under circumstances that justice requires a refund thereof, the state treasurer is authorized to refund the deposit under order of the workers' compensation division or the workers' compensation court of appeals. There is appropriated to the persons entitled to the refunds from the fund an amount sufficient to make the refund and payment.

Costs within the department of labor and industry for the accounting, investigation, and legal procedures necessary for administration of the programs financed by the special compensation fund shall be paid from the moneys biennially appropriated to the department and not from the special compensation fund come as appropriated from the fund during each biennium commencing July 1, 1981. Staffing and expenditures related to the administration of the special compensation fund shall be approved through the regular budget and appropriations process.

Sec. 328. Minnesota Statutes 1980, Section 176.183, Subdivision 2, is amended to read:

Subd. 2. ~~Upon a warrant prepared by The commissioner of the department of labor and industry and approved by the commissioner of finance, and, in accordance with the terms of the order awarding compensation, the state treasurer shall pay compensation to the employee or his dependent from the special compensation fund. The commissioner of the department of labor and industry shall certify to the state treasurer commissioner of finance and to the legislature at the end of each biennium annually the total amount of compensation paid from the special compensation fund under subdivisions 1 and 1a. The state treasurer commissioner of finance shall upon proper certification reimburse the special compensation fund from the general fund the total amount certified as paid under this section.~~

Sec. 329. Minnesota Statutes 1980, Section 179.71, Subdivision 2, is amended to read:

Subd. 2. The director shall accept and investigate all petitions for:

- (a) certification or decertification as the exclusive representative of an appropriate unit;
- (b) mediation services;
- (c) any election or other voting procedures provided for in sections 179.61 to 179.76;
- (d) certification to the board of arbitration;
- (e) upon the receipt of a \$10 filing fee, to hear and decide all issues in a fair share fee challenge.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 330. Minnesota Statutes 1980, Section 223.03, as amended by Laws 1981, Chapter 90, Section 3, is amended to read:

223.03 LICENSES, APPLICATION, BONDS, CONDITIONS.

The application for license shall be in writing, state the commodities for which license to sell is wanted, also the cities or other location in the state where applicant intends to do business, and give the business address of the applicant and the estimated volume of business to be done monthly. The bond shall be conditioned for the faithful performance of ~~his~~ the duties ~~as of~~ commission merchant. Separate licenses shall be required for each city or location at which consignments are received and disposed of by ~~such~~ the commission merchant, and the licenses shall be kept posted in each office of licensee. All licenses shall expire ~~May thirty-first~~ June 30 of each year. The fee for each license shall be ~~\$50~~ \$65. ~~Such~~ A license may be revoked by the department for cause, upon notice and hearing. All moneys collected under this chapter shall be deposited in the state treasury.

Sec. 331. Minnesota Statutes 1980, Section 231.16, is amended to read:

231.16 WAREHOUSEMAN TO OBTAIN LICENSE.

Every person desiring to engage in the business of warehouseman, before engaging therein, shall be licensed annually by, and shall be under the supervision and subject to the inspection of, the department. Written application in ~~such~~ the form as ~~shall be~~ prescribed by the department shall be made to the department for license, specifying the city in which it is proposed to carry on the business of warehousing, the location, size, character, and equipment of the buildings or premises to be used by the warehouseman, the kind of goods, wares, and merchandise intended to be stored therein, the name of the person or corporation operating the same, and of each member of the firm or officer of the corporation, and any other facts necessary to satisfy the department that the property proposed to be used is suitable for warehouse purposes and that the warehouseman making the application is qualified to carry on the business of warehousing. Should the department decide that the building or other property proposed to be used as a warehouse is suitable for the proposed purpose and that the applicants are entitled to a license, notice of ~~such~~ the decision shall be given the interested parties and, upon the applicants filing with the department the necessary bond, as provided for in this chapter, the department shall issue the license provided for, upon payment of the license fee, as in this section provided. A warehouseman to whom a license is issued shall pay for ~~such~~ the license a fee based on the storage capacity of the warehouse as follows:

Storage capacity in square feet:

(1) 5,000 or less	\$ 50	<u>\$ 65</u>
(2) Over 5,000 to 10,000	\$100	<u>\$125</u>
(3) Over 10,000 to 20,000	\$150	<u>\$200</u>

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(4) Over 20,000 to 100,000	\$200	\$250
(5) Over 100,000 to 200,000	\$250	\$325
(6) Over 200,000	\$300	\$375.

Such The license may shall be renewed from year to year but shall never be valid for a period of more than one year annually on June 30, and always upon payment of the full license fee, as provided for in this section for such renewal; and no license shall be issued for any portion of a year for less than the full amount of the license fee, as provided for in this section. Each license obtained under this chapter shall be publicly displayed in the main office of the place of business of the warehouseman to whom it is issued. Such The license shall authorize the warehouseman to carry on the business of warehousing only in the one city or town named in the application and in the buildings therein described. The department, without requiring an additional bond and license, may issue permits from time to time to any warehouseman already duly licensed under the provisions of this chapter to operate an additional warehouse in the same city or town for which his original license was issued during the term thereof, upon his filing an application for such a permit in such the form as shall be prescribed by the department.

License may be refused for good cause shown and revoked by the department for violation of law or of any rule or regulation by it prescribed, upon notice and after hearing.

Sec. 332. Minnesota Statutes 1980, Section 232.02, Subdivision 1, is amended to read:

Subdivision 1. Any person, firm, or corporation, operating a public or private local grain warehouse shall be licensed to buy grain annually by the department. Application for license must be filed with the department and the license issued before transacting warehouse business. The fee shall be ~~\$25~~ \$35 for each private local grain warehouse license issued and a license shall be required for each warehouse operated. ~~For the purpose of distributing the work of issuing licenses, the department may, beginning July 1, 1968, and until July 1, 1970, issue the licenses provided for in this section for periods of not less than three months nor more than twelve months and prorate the fee for such license according to the length of time for which the license is issued. Thereafter,~~ Licenses shall expire one year from the date of issuance annually on June 30.

Sec. 333. Minnesota Statutes 1980, Section 232.02, Subdivision 2, is amended to read:

Subd. 2. Any person, firm or corporation operating a public local grain warehouse shall be licensed annually by the department; ~~said~~ the license shall cover both the buying and storing of grain. Application for such the license must be filed with the department and the license issued before the licensee may either buy or store grain. ~~For the purpose of distributing the work of~~

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issuing licenses, the department may, beginning July 1, 1968, and until July 1, 1970, issue the licenses provided for in this section for periods of not less than three months nor more than twelve months and prorate the fee for such licenses according to the length of time for which the license is issued. Thereafter, All licenses shall expire one year from the date of issuance annually on June 30. The fee for the issuance of such the license shall be as follows: for all warehouses under 100,000 bushels capacity — \$30 \$40; if the capacity is 100,000 bushels or over but under 500,000 bushels — \$45 \$60; if the capacity is 500,000 bushels or over — \$60 \$75. The fees collected under this section shall be paid into the state treasury and credited to the general fund. Such A license shall be revocable by the department for cause upon notice and hearing. All licenses, grade rules, and all rules regulating public or private local grain warehouses shall, upon receipt thereof by the warehouseman, be posted in a protected place in the driveway to his the warehouse.

Sec. 334. Minnesota Statutes 1980, Section 232.02, Subdivision 3, is amended to read:

Subd. 3. Any person, firm, or corporation, other than a licensed warehouseman, who shall purchase grain from the owner thereof for the purpose of resale shall first procure a license therefor from the department before transacting such business and shall be subject to the same laws, rules, and regulations as may govern local grain warehousemen insofar as they may apply. The fee for each such buyer's license shall be \$20 \$25. For the purpose of distributing the work of issuing licenses, the department may, beginning July 1, 1968, and until July 1, 1970, issue the licenses provided for in this section for periods of not less than three months nor more than twelve months and prorate the fee for such licenses according to the length of time for which the license is issued. Thereafter, All licenses shall expire one year from the date of issuance annually on June 30. Truck grain buyers using trucks or tractor-trailer units shall obtain a separate license for each truck or tractor-trailer unit used in such grain buying. Before any license shall be issued the applicant therefor shall file with the department a bond to the state with a corporate surety, approved by the department, in a penal sum to be prescribed by the department, but not less than \$3,000 for each such truck and not less than \$5,000 for each tractor-trailer unit used in grain buying, conditioned that the applicant will pay upon demand to such the owner the purchase price of such the grain. Said The bond is to provide coverage or security for the protection of the public required with respect to truck grain buyers, regardless of whether the motor vehicles used by the licensee are specifically licensed as required by this section.

Sec. 335. Minnesota Statutes 1980, Section 233.08, is amended to read:
233.08 LICENSE.

No public terminal warehouse shall be operated or receive grain for storage, either to be mixed with the grain of other parties of like grade, or in separate bins, until the owners or parties in charge and operating such the

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warehouse shall first obtain a license from the department authorizing ~~such the~~ warehouseman to operate ~~such a~~ warehouse under the provisions of this chapter. All licenses issued or renewed annually shall expire at midnight on the 30th day of June next following the date of issuance or renewal. Before any ~~such~~ license shall be issued, written application ~~under oath~~ shall be made to the department for license specifying the kind of warehouse, the nature of its construction, its capacity and location, the name of the firm or corporation operating the same and each member of the firm or officer of the corporation and ~~such~~ other facts as the department may require shall be contained in ~~such the~~ application. The application shall be acted upon with reasonable dispatch by the department; and, if no reason exists for refusing the same, ~~such a~~ license may be issued upon the payment of the fee of ~~\$50 \$60~~ for each elevator. ~~Such The~~ application shall be granted only upon the warehouseman furnishing to the department a bond to the state of Minnesota, to be approved by the department, in a penal sum to be fixed by the department but not less than \$50,000 for each warehouse, which shall be conditioned for the faithful discharge of ~~his the~~ duties as ~~such of~~ warehouseman and full compliance with all the laws of the state and rules of the department relative to the operation of public terminal warehouses and for the delivery to parties storing grain in such warehouses under the terms of this chapter of the grain or an equal amount of the same kind and grade so stored or the payment therefor of the value of ~~such the~~ grain in case of failure to make ~~such the~~ delivery. ~~Such The~~ license may be revoked by the department for violation of the law or any rule or regulation prescribed by the department, but shall only be revoked upon a written notice or complaint specifying the charges and after a hearing had before the department. A license may be refused to any warehouseman whose license has been revoked within the preceding year. All moneys collected for license fees shall be deposited with the state treasurer. If ~~such a~~ warehouseman applies for a license for more than one warehouse in the same county, but one bond need be furnished but the same shall in all cases be in proportion to the capacity of ~~such all~~ warehouses.

Sec. 336. [270.063] COLLECTION OF DELINQUENT TAXES.

For the purpose of collecting delinquent state tax liabilities from taxpayers who do not reside or are not located in Minnesota, there is appropriated to the commissioner of revenue an amount representing the cost of collection, not to exceed one-third of the amount collected by contract with collection agencies to enable the commissioner to reimburse these agencies for this service. The commissioner shall report quarterly on the status of this program to the chairmen of the house tax and appropriation committees and senate tax and finance committees.

Sec. 337. Minnesota Statutes 1980, Section 270.66, is amended to read:

270.66 RIGHT OF SETOFF.

Upon certification by the commissioner of revenue to the commissioner of finance that a taxpayer has an uncontested delinquent tax liability owed to

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the commissioner of revenue, and notice that the state has purchased personal services, supplies, contract service, or purchased property from said taxpayer, the commissioner of finance shall apply to such delinquent tax liability funds sufficient to satisfy such unpaid tax liability from funds appropriated for payment of said obligation of the state or any of its agencies that are due and owing the taxpayer, provided however, that such credit shall not be made against any funds exempt under section 550.37 or owed the taxpayer under the provisions of chapter 256 or 256B.

All funds, whether general or dedicated, shall be subject to setoff in the manner herein provided. Transfer of funds as herein provided is payment of the obligation of the state or any of its agencies to such taxpayer and any actions for said funds, if any, shall be had against the department of revenue on the issue of such tax liability. Nothing in this section shall be construed to limit the previously existing right of the state or any of its agencies to setoff.

Notwithstanding any provision to the contrary, every person, organization, or corporation doing business (hereafter called vendor) with the state of Minnesota or any of its departments, agencies, or educational institutions including the University of Minnesota (all hereafter called agency) shall provide that agency with their social security number or Minnesota tax identification number. The agency shall maintain records of this information, and shall make these records available to the commissioner, upon his request, for the sole purpose of identifying people who have not filed state tax returns or who have not paid uncontested state tax liabilities (hereafter called delinquent taxpayer). When an agency is notified by the commissioner that a vendor is a delinquent taxpayer, payments shall not be made by the agency to the vendor until the commissioner notifies the agency that the vendor no longer is a delinquent taxpayer. The commissioner shall determine that a vendor no longer is a delinquent taxpayer when the vendor has filed all delinquent state tax returns, paid all uncontested state tax liabilities or entered into an agreement with the commissioner which provides for the payment of these liabilities. The commissioner may notify an agency concerning a vendor, notwithstanding the provisions of sections 290.61 or 297A.43.

Sec. 338. Minnesota Statutes 1980, Section 271.02, is amended to read:

271.02 OFFICERS.

The judges of the tax court shall choose a chief judge of the tax court. The chief judge of the tax court shall appoint one of the judges to serve as the administrator, who shall be custodian of the court's files and records and shall coordinate and make hearing assignments. The administrator may appoint up to two employees who shall be in the unclassified service. The judge who is appointed the administrator may delegate his duties as administrator to the employees whom he has appointed and may select one employee to act in his place as the assistant administrator. The clerk of district court in each county

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shall be the clerk of the tax court in that county. Filing fees and library fees deposited with the clerk of district court in his capacity as clerk of the tax court and in cases originally commenced in district court and transferred to the tax court shall be retained by the clerk of district court. The tax court clerk in each county shall be subject to the supervision of the administrator in tax court matters.

Sec. 339. Minnesota Statutes 1980, Section 284.28, Subdivision 8, is amended to read:

Subd. 8. There is established in the state treasury a real estate assurance account. This account is composed of money appropriated by the legislature for this purpose and all money deposited in the state treasury and credited to the account. Money in the state treasury credited to the real estate assurance account from all sources is annually appropriated to the state treasurer for the purpose of paying claims ordered by the district court to be paid from the fund. At the time of sale of a parcel of tax forfeited land, the county auditor shall charge and collect in full an amount equal to three percent of the total sale price of land. Before filing a notice of expiration of time for redemption, in cases where an auditor's certificate of sale or a state assignment certificate has been issued, the county auditor shall charge and collect in full from the holder of the certificate an amount equal to three percent of the appraised value of the property for tax purposes. The amounts so collected by the auditor shall be deposited in the state treasury and credited to the real estate assurance account. Income earned from moneys in the account shall be credited to the account. The state treasurer may separately invest account moneys. The unobligated balance in the real estate assurance account in excess of \$100,000, as of July 1 of each fiscal year, shall be cancelled into the general fund.

In determining compensation for the unjust deprivation suffered by the claimant, which may include severance damages sustained if the claimant owns adjoining land, the court shall take into account delinquent taxes, penalties, costs, and interest which would have been due and owing if the claimant had redeemed the land.

No claimant shall recover the value of improvements made to the land by other persons or the increment in value of land that occurs after the claimant has actual notice of the forfeiture proceeding. All claims against the real estate assurance account and ordered by the district court to be paid therefrom shall be obligations of the state and shall be paid out of the first moneys coming into the assurance fund from legislative appropriations, the collection of money by county auditors or from any other sources as provided by law.

Sec. 340. Minnesota Statutes 1980, Section 290.431, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

290.431 NON-GAME WILDLIFE CHECKOFF.

Effective with returns filed for taxable years beginning after December 31, 1979, every person who files an income tax return or property tax refund claim form may designate that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that person and paid into a fund an account to be established for the management of non-game wildlife. The commissioner of revenue shall, on the first page of the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into the non-game wildlife management fund account. The sum of the amounts so designated to be paid shall be annually appropriated from the general fund to the commissioner of natural resources and credited to the non-game wildlife management fund account for use by the non-game section of the division of wildlife in the department of natural resources. The commissioner of natural resources shall submit a work program for each fiscal year and semi-annual progress reports to the legislative commission on Minnesota resources in the form determined by the commission. None of the money provided in this section may be expended unless the commission has approved the work program.

Sec. 341. Minnesota Statutes 1980, Section 300.49, Subdivision 1, is amended to read:

Subdivision 1. **PAID TO STATE TREASURER.** Domestic corporations shall pay to the state treasurer the following fees:

(1) For filing articles of incorporation, ~~\$62.50~~ \$70 for the first \$25,000 or fraction thereof of the par value of its authorized shares, and \$1.25 for each additional \$1,000 or fraction thereof;

(2) For filing an instrument extending or renewing corporate existence, ~~\$10~~ \$15;

(3) For filing any amendment of articles of incorporation increasing the authorized number of shares, or the par value of shares previously authorized, or both, \$1.25 for each \$1,000 or fraction thereof of such increase.

Sec. 342. Minnesota Statutes 1980, Section 301.071, Subdivision 2, is amended to read:

Subd. 2. *In addition to the fees prescribed in subdivision 1, a fee of ~~\$10~~ \$15 shall be paid to the secretary of state for filing any instrument required to be filed under the provisions of this chapter. The fee shall be paid at the time the service is performed.*

Sec. 343. The bill enacted at the 1981 session of the legislature known as S.F. No. 120, Section 1, Subdivision 11, is amended to read:

Changes or additions are indicated by underline, deletions by strikeout.

[302A.011] Subd. 11. FILED WITH THE SECRETARY OF STATE.

"Filed with the secretary of state" means that an original of a document meeting the applicable requirements of sections 1 to 125, signed, and acknowledged or verified in the manner provided in chapter 358, and accompanied by a filing fee of ~~\$40~~ \$15, has been delivered to the secretary of state of this state. The secretary of state shall endorse on the original the word "Filed" and the month, day, year, and time of filing, record the document in the office of the secretary of state, and return the document to the person who delivered it for filing.

Sec. 344. The bill enacted at the 1981 session of the legislature known as S.F. No. 120, Section 19, is amended to read:

Sec. 19. [302A.153] EFFECTIVE DATE OF ARTICLES.

Articles of incorporation are effective and corporate existence begins when the articles of incorporation are filed with the secretary of state accompanied by a payment of ~~\$60~~ \$85, which includes a ~~\$50~~ \$70 incorporation fee in addition to the ~~\$10~~ \$15 filing fee required by section 1, subdivision 11. Articles of amendment are effective when filed with the secretary of state or at another time within 30 days after filing if the articles of amendment so provide.

Sec. 345. Minnesota Statutes 1980, Section 322A.16, is amended to read:

322A.16 FILING IN OFFICE OF SECRETARY OF STATE.

(a) Two signed copies of the certificate of limited partnership and of any certificates of amendment or cancellation (or of any judicial decree of amendment or cancellation) shall be delivered to the secretary of state. A person who executes a certificate as an agent or fiduciary need not exhibit evidence of his authority as a prerequisite to filing. Unless the secretary of state finds that any certificate does not conform to law, upon receipt of all filing fees required by law a \$10 filing fee he shall:

(1) endorse on each duplicate original the word "Filed" and the day, month and year of the filing thereof;

(2) file one duplicate original in his office; and

(3) return the other duplicate original to the person who filed it or his representative.

(b) Upon the filing of a certificate of amendment (or judicial decree of amendment) in the office of the secretary of state, the certificate of limited partnership shall be amended as set forth therein, and upon the effective date of a certificate of cancellation (or a judicial decree thereof), the certificate of limited partnership is cancelled.

Sec. 346. Minnesota Statutes 1980, Section 322A.71, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

322A.71 ISSUANCE OF REGISTRATION.

(a) If the secretary of state finds that an application for registration conforms to law and ~~all requisite fees have~~ a \$10 filing fee has been paid, he shall:

(1) endorse on the application the word "Filed", and the month, day and year of the filing thereof;

(2) file in his office a duplicate original of the application; and

(3) issue a certificate of registration to transact business in this state.

(b) The certificate of registration, together with a duplicate original of the application, shall be returned to the person who filed the application or his representative.

Sec. 347. Minnesota Statutes 1980, Section 336.9-403, is amended to read:

336.9-403 WHAT CONSTITUTES FILING; DURATION OF FILING; EFFECT OF LAPSED FILING; DUTIES OF FILING OFFICER.

(1) Presentation for filing of a financing statement and tender of the filing fee or acceptance of the statement by the filing officer constitutes filing *under this article*.

(2) Except as provided in subsection (6) a filed financing statement is effective for a period of five years from the date of filing. The effectiveness of a filed financing statement lapses on the expiration of the five year period unless a continuation statement is filed prior to the lapse. If a security interest perfected by filing exists at the time insolvency proceedings are commenced by or against the debtor, the security interest remains perfected until termination of the insolvency proceedings and thereafter for a period of 60 days or until expiration of the five year period, whichever occurs later regardless of whether the financing statement filed as to that security interest is destroyed by the filing officer pursuant to subsection (3). Upon lapse the security interest becomes unperfected, unless it is perfected without filing. If the security interest becomes unperfected upon lapse, it is deemed to have been unperfected as against a person who became a purchaser or lien creditor before lapse.

(3) A continuation statement may be filed by the secured party within six months prior to the expiration of the five year period specified in subsection (2). Any such continuation statement must be signed by the secured party, identify the original statement by file number, and state that the original statement is still effective. A continuation statement signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with subsection (2) of section 336.9-405, including payment of the required fee.

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Upon timely filing of the continuation statement, the effectiveness of the original statement is continued for five years after the last date to which the filing was effective whereupon it lapses in the same manner as provided in subsection (2) unless another continuation statement is filed prior to such lapse. Succeeding continuation statements may be filed in the same manner to continue the effectiveness of the original statement. Unless a statute on disposition of public records provides otherwise, the filing officer may remove a lapsed statement from the files and destroy it immediately if he has retained a microfilm or other photographic record, or in other cases after one year after the lapse. The filing officer shall so arrange matters by physical annexation of financing statements to continuation statements or other related filings, or by other means, that if he physically destroys the financing statements of a period more than five years past, those which have been continued by a continuation statement or which are still effective under subsection (6) shall be retained. If insolvency proceedings are commenced by or against the debtor, the secured party shall notify the filing officer both upon commencement and termination of the proceedings, and the filing officer shall not destroy any financing statements filed with respect to the debtor until termination of the insolvency proceedings. The security interest remains perfected until termination of the insolvency proceedings and thereafter for a period of 60 days or until expiration of the five year period, whichever occurs later.

(4) Except as provided in subsection (7) a filing officer shall mark each statement with a file number and with the date and hour of filing and shall hold the statement or a microfilm or other photographic copy thereof for public inspection. In addition the filing officer shall index the statements according to the name of the debtor and shall note in the index the file number and the address of the debtor given in the statement.

(5) The secretary of state shall prescribe uniform forms for statements and samples thereof shall be furnished to all filing officers in the state. The uniform fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement or for a continuation statement shall be ~~\$2~~ \$5 if the statement is in the standard form prescribed by the secretary of state and otherwise shall be ~~\$3~~ \$10, plus in each case, if the financing statement is subject to subsection (5) of section 336.9-402, \$5. ~~The uniform fee for each name more than one required to be indexed shall be \$1. The secured party may at his option show a trade name for any person and an extra uniform indexing fee of \$1 shall be paid with respect thereto. An additional fee of \$5 shall be collected if more than one name is required to be indexed or if the secured party, at his option, shows a trade name for any debtor listed. There shall be no fee collected for the filing of an amendment to a financing statement if the amendment is in the standard form prescribed by the secretary of state and otherwise it shall be \$5.~~

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(6) If the debtor is a transmitting utility (subsection (5) of section 336.9-401) and a filed financing statement so states, it is effective until a termination statement is filed. A real estate mortgage which is effective as a fixture filing under subsection (6) of section 336.9-402 remains effective as a fixture filing until the mortgage is released or satisfied of record or its effectiveness otherwise terminates as to the real estate.

(7) When a financing statement covers timber to be cut or covers minerals or the like (including oil and gas) or accounts subject to subsection (5) of section 336.9-103, or is filed as a fixture filing, it shall be filed for record and the filing officer shall index it under the names of the debtor and any owner of record shown on the financing statement in the same fashion as if they were the mortgagors in a mortgage of the real estate described, and, to the extent that the law of this state provides for indexing of mortgages under the name of the mortgagee, under the name of the secured party as if he were the mortgagee thereunder, or, for filing offices other than the secretary of state, where indexing is by description in the same fashion as if the financing statement were a mortgage of the real estate described. If requested of the filing officer on the financing statement, a financing statement filed for record as a fixture filing in the same office where nonfixture filings are made is effective, without a dual filing, as to collateral listed thereon for which filing is required in such office pursuant to section 336.9-401 (1) (a); in such case, the filing officer shall also index the recorded statement in accordance with subsection (4) using the recording data in lieu of a file number.

(8) The fees provided for in this article shall supersede the fees for similar services otherwise provided for by law except in the case of security interests filed in connection with a certificate of title on a motor vehicle.

Sec. 348. Minnesota Statutes 1980, Section 336.9-404, is amended to read:

336.9-404 TERMINATION STATEMENT.

(1) If a financing statement covering consumer goods is filed on or after January 1, 1977, then within one month or within ten days following written demand by the debtor after there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, the secured party must file with each filing officer with whom the financing statement was filed, a termination statement to the effect that he no longer claims a security interest under the financing statement, which shall be identified by file number. In other cases whenever there is no outstanding secured obligation and no commitment to make advances, incur obligations, or otherwise give value, the secured party must on written demand by the debtor send the debtor, for each filing officer with whom the financing statement was filed, a termination statement to the effect that he no longer claims a security interest under the financing statement, which shall be identified by file number. A

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termination statement signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with subsection (2) of section 336.9-405, including payment of the required fee. If the affected secured party fails to file such a termination statement as required by this subsection, or to send such a termination statement within ten days after proper demand therefor he shall be liable to the debtor for \$100, and in addition for any loss caused to the debtor by such failure.

(2) On presentation to the filing officer of such a termination statement he must note it in the index. If he has received the termination statement in duplicate, he shall return one copy of the termination statement to the secured party stamped to show the time of receipt thereof. If the filing officer has a microfilm or other photographic record of the financing statement, and of any related continuation statement, statement of assignment and statement of release, he may remove the originals from the files at any time after receipt of the termination statement, or if he has no such record, he may remove them from the files at any time after one year after receipt of the termination statement.

(3) There shall be no fee collected for the filing of a termination if the termination statement is in the standard form prescribed by the secretary of state the uniform fee for filing and indexing the termination statement shall be \$1 and otherwise shall be \$2 \$5, plus in each case, if the original financing statement was subject to subsection (5) of section 336.9-402, the fee prescribed by section 357.18, subdivision 1, clause (1). An additional fee of \$1 shall be charged for each name more than one against which the termination statement is required to be filed.

Sec. 349. Minnesota Statutes 1980, Section 336.9-405, is amended to read:

336.9-405 ASSIGNMENT OF SECURITY INTEREST; DUTIES OF FILING OFFICER; FEES.

(1) A financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in section 336.9-403(4). The uniform fee for filing, indexing, and furnishing filing data for a financing statement so indicating an assignment shall be \$2, the same as the fee prescribed in section 336.9-403, clause (5).

(2) A secured party may assign of record all or a part of his rights under a financing statement by the filing in the place where the original financing

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statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement, and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. He shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like (including oil and gas) or accounts subject to subsection (5) of section 336.9-103, he shall index the assignment under the name of the assignor as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, he shall index the assignment of the financing statement under the name of the assignee. The uniform fee for filing, indexing, and furnishing filing data about such a separate statement of assignment shall be ~~\$2~~ \$5 if the statement is in the standard form prescribed by the secretary of state and otherwise shall be ~~\$3~~ \$10, plus in each case, if the original financing statement was subject to subsection (5) of section 336.9-402, the fee prescribed by section 357.18, subdivision 1, clause (1). An additional fee of ~~\$1~~ \$5 shall be charged ~~for each name if there is more than one name~~ against which the statement of assignment is required to be indexed. Notwithstanding the provisions of this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing (subsection (6) of section 336.9-402) may be made only by an assignment of the mortgage in the manner provided by the law of this state other than Laws 1976, Chapter 135.

(3) After the disclosure or filing of an assignment under this section, the assignee is the secured party of record.

Sec. 350. Minnesota Statutes 1980, Section 336.9-406, is amended to read:

336.9-406 RELEASE OF COLLATERAL; DUTIES OF FILING OFFICER; FEES.

A secured party of record may by his signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with subsection (2) of section 336.9-405, including payment of the required fee. Upon presentation of such a statement

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of release to the filing officer he shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. ~~The uniform~~ There shall be no fee for filing and noting such a statement of release ~~shall be \$2~~ if the statement is in the standard form prescribed by the secretary of state and otherwise shall be ~~\$3 \$5~~, plus in each case, if the original financing statement was subject to subsection (5) of section 336.9-402, the fee prescribed by section 357.18, subdivision 1, clause (1). ~~An additional fee of \$1 shall be charged for each name more than one against which the statement of release is required to be indexed.~~

Sec. 351. Minnesota Statutes 1980, Section 336.9-407, is amended to read:

336.9-407 INFORMATION FROM FILING OFFICER.

(1) If the person filing any financing statement, termination statement, statement of assignment, or statement of release, furnishes the filing officer a copy thereof, the filing officer shall upon request note upon the copy the file number and date and hour of the filing of the original and deliver or send the copy to such person.

(2) Upon request of any person, the filing officer shall ~~issue his certificate showing whether there is on file on the date and hour stated therein any presently effective financing statement naming a particular debtor and any statement of assignment thereof and, if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The uniform fee for such a certificate shall be \$2 if the request is in the standard form prescribed by the secretary of state and otherwise shall be \$3 plus 50 cents for each financing statement and for each statement of assignment reported therein. Upon request the filing officer shall furnish a copy of any filed financing statement or statement of assignment for a uniform fee of 50 cents per page. conduct a search of his file for any effective financing statements naming a particular debtor and any statement of assignment thereof. He shall report what he finds as of that date and hour by issuing:~~

(a) His certificate listing the file number, date, and hour of each filing and the names and addresses of each secured party therein;

(b) Photocopies of the original documents on files; or,

(c) Upon request, both his certificate and photocopies of the statements.

The uniform fee for conducting the search and for preparing a certificate showing up to five listed filings or for preparing up to five photocopies of original documents, or any combination of up to five listed filings and photocopies, shall be \$5 if the request is in the standard form prescribed by the secretary of state and otherwise shall be \$10. There shall be an additional fee of 50 cents for each financing statement and each statement of assignment

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listed on the certificate and for each photocopy that he prepares in excess of the first five.

Sec. 352. Minnesota Statutes 1980, Section 345.42, Subdivision 1, is amended to read:

Subdivision 1. Within 120 days from the filing of the report required by section 345.41, the state treasurer shall cause notice to be published at least once ~~each week for two successive weeks~~ but not more than twice in an English language newspaper of general circulation in the county in this state in which is *located the last known address of any person to be named in the notice.* If no address is listed or if the address is outside this state, the notice shall be published in the county in which the holder of the abandoned property has his principal place of business within this state.

Sec. 353. Minnesota Statutes 1980, Section 345.53, is amended to read:

345.53 EXAMINATION OF RECORDS.

Subdivision 1. The state treasurer may at reasonable times and upon reasonable notice examine the records of any person if he has reason to believe that ~~such the~~ person has failed to report property that should have been reported pursuant to sections 345.31 to 345.60.

Subd. 2. If an examination of the records of a person results in the disclosure of property reportable and deliverable under sections 345.31 to 345.60, the treasurer may assess the cost of the examination against the holder at the rate of \$15 per hour per examiner, but in no case may the charges exceed the value of the property found to be reportable and deliverable.

Sec. 354. Minnesota Statutes 1980, Section 352E.04, is amended to read:

352E.04 DISBURSEMENTS.

Upon certification to the governor by the administrator of any state or governmental subdivision employing peace officers that a peace officer employed by that state or governmental subdivision within this state has been killed in the line of duty, leaving a spouse or one or more eligible dependents, the commissioner of finance shall, subject to the approval of the workers' compensation court of appeals, pay \$50,000 as follows:

- (a) If there is no dependent child, to the spouse;
- (b) If there is no spouse, to the dependent child or children in equal shares;
- (c) If there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;
- (d) If there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares;

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(e) If there is no surviving spouse or dependent child, children or parent, then there shall be no payment made from the peace officers benefit fund. ~~For the purpose of sections 352E.01 to 352E.045, killed in the line of duty shall not include any peace officer who dies as a result of a heart attack.~~

Sec. 355. Minnesota Statutes 1980, Section 354.43, Subdivision 3, is amended to read:

Subd. 3. Each school district, state university, community college and any other employing authority of members of the fund shall be obligated for employer contributions in accordance with the provisions of sections 354.42, subdivisions 3 and 5, and 355.46, subdivision 3, as provided in this section. With respect to state employees, each department and agency shall pay the amounts required by section 354.42, subdivisions 3 and 5 from the accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing, for the payment of salaries and in the same proportion as it pays therefrom the amounts of the salaries. The payments shall be charged as an administrative cost by these units of state government. For other reporting units, that portion of such the employer contributions based on salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27 shall be remitted to the teachers retirement association. Such The remittance shall be accompanied by a satisfactory certification which shows the total of all salaries paid which are subject to teachers retirement deductions. Such The certification shall also show the total amount of salaries paid from normal school operating funds and the total amount of salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27. For each individual salary included in the total of all salaries paid from sources other than normal school operating funds as defined in section 354.05, subdivision 27, the certification shall show each person's name, his salary or related portion of salary and remittance of employer contributions related to such the salary for each person included in the actual remittance.

Sec. 356. Minnesota Statutes 1980, Section 355.06, is amended to read:

355.06 REVOLVING FUND COSTS OF ADMINISTRATION.

Subdivision 1. REVOLVING FUND. A revolving fund is hereby created to be known as the state agency revolving fund for the purpose of paying the costs of the administration of the state agency and to be used by it solely for that purpose. There shall be paid into such fund all amounts received in reimbursement of the state agency's costs of administration in carrying out the provisions of this chapter, as amended, and such reimbursements are hereby appropriated to said revolving fund.

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Subd. 2. FEDERAL FUND POSITIONS: APPROPRIATION. In the case of state departments, agencies, and institutions that are financed in whole or in part with federal money, the portion of the cost of collecting social security contributions that is chargeable to federal money shall be reimbursed from federal money, and the amount necessary is appropriated from federal money for that purpose.

Subd. 3. DEDICATED FUND POSITIONS: APPROPRIATION. The cost of collecting employees' social security contributions and the state's matching share for reimbursement to the U.S. Secretary of the Treasury for state departments, agencies, and institutions whose salaries are provided by open, standing, continuing, or revolving appropriations or so called dedicated receipt accounts shall be reimbursed to the state agency revolving fund from those appropriations or dedicated receipt accounts, and the amount necessary is appropriated from those appropriations and accounts for that purpose.

Sec. 357. Minnesota Statutes 1980, Section 480.0595, is amended to read:

480.0595 JUVENILE COURT RULES.

The supreme court shall promulgate rules to regulate the pleadings, practice, procedure and the forms thereof in juvenile proceedings in all juvenile courts of the state in accordance with the provisions of section 480.059, except with respect to the composition of the advisory committee and the distribution of the proposed rules. Before adoption of the rules, the supreme court shall distribute copies of the proposed rules to such persons who register with the supreme court their desire to receive notice of hearings on the proposed rules. The rules shall be ~~published and distributed~~ available for distribution to the judiciary and attorneys of the state on or before September 1, 1981.

Sec. 358. [484.541] EXPENSES OF JUDGES.

During the biennium ending June 30, 1983, judges of the district court shall be reimbursed for all sums, not reimbursed by counties. They shall necessarily hereafter pay out membership dues in state and local judges' associations.

Sec. 359. Minnesota Statutes 1980, Section 546.27, is amended to read:

546:27 DECISION BY THE COURT.

Subdivision 1. When an issue of fact has been tried by the court, the decision shall be in writing, the facts found and the conclusion of law shall be separately stated, and judgment shall be entered accordingly. * All questions of fact and law, and all motions and matters submitted to a judge for ~~his~~ a decision in trial and appellate matters, shall be disposed of and ~~his~~ the decision filed with the clerk within 90 days after such submission, unless sickness or casualty shall prevent, or the time be extended by written consent of the parties. No part of the salary of any judge shall be paid unless the voucher therefor be

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accompanied by a certificate of the judge that ~~he has fully complied~~ there has been full compliance with the requirements of this section.

Subd. 2. The board on judicial standards shall annually review the compliance of each district, county, municipal, or probate judge with the provisions of subdivision 1. The board shall notify the ~~state court administrator~~ commissioner of finance of each judge not in compliance. If the board finds that a judge has compelling reasons for noncompliance, it may decide not to issue the notice. Upon notification that a judge is not in compliance, the commissioner of finance shall not pay the salary of that judge ~~his salary~~. The board may cancel a notice of noncompliance upon finding that a judge ~~has returned his status is in~~ is in compliance, but in no event shall a judge be paid ~~his~~ a salary for the period in which the notification of noncompliance was in effect.

Sec. 360. [611.215] STATE BOARD OF PUBLIC DEFENSE CREATED.

Subdivision 1. CREATION; MEMBERSHIP. There is created a state board of public defense as a part of, but not subject to the administrative control of, the judicial branch of government. The state board of public defense shall consist of seven members appointed by the governor including:

- (a) A district, county or county municipal court trial judge;
- (b) Four attorneys admitted to the practice of law, well acquainted with the defense of persons accused of crime, but not publicly employed as a prosecutor or defense counsel; and
- (c) Two public members.

All members shall demonstrate an interest in maintaining a high quality, independent defense system for those who are unable to obtain adequate representation. In making the four appointments of attorneys at law, the governor shall first consider a list of at least three nominees for each position submitted to the governor by the state bar association. The terms, compensation and removal of members shall be as provided in section 15.0575. The chairman shall be elected by the members from among the membership for a term of two years.

Subd. 2. DUTIES AND RESPONSIBILITIES. The state board of public defense shall have those duties and responsibilities imposed upon it by chapter 611.

Subd. 3. LIMITATION. In no event shall the board or its members interfere with the discretion, judgment or zealous advocacy of counsel in their handling of individual cases as a part of the judicial branch of government.

Sec. 361. Minnesota Statutes 1980, Section 611.23, is amended to read:

611.23 APPOINTMENT; SALARY.

The state public defender shall be appointed by the state ~~judicial council~~ board of public defense for a term of four years, except as otherwise provided

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herein, and until his successor is appointed and qualified. He shall be a qualified attorney, licensed to practice law in this state, ~~shall be serve~~ in the unclassified service of the state, and ~~shall be removed~~ only for cause by the appointing authority. Vacancies in the office shall be filled by the appointing authority for the unexpired term. The salary of the state public defender shall be fixed by law. ~~The first state public defender appointed pursuant to this section shall be appointed for a term commencing July 1, 1965, and expiring December 31, 1969. Subsequent~~ Terms of the state public defender shall commence on January 1. The state public defender shall devote full time to the performance of his duties and shall not engage in the general practice of law.

Sec. 362. Minnesota Statutes 1980, Section 611.24, is amended to read:

611.24 ORGANIZATION OF OFFICE; ASSISTANTS.

~~Subject to the approval of the judicial council,~~ The state public defender may employ or retain assistant state public defenders and ~~such~~ other personnel as may be necessary to discharge the function of the office. The commissioner of administration shall provide ~~such~~ the office with suitable quarters outside the capitol building. An assistant public defender shall be a qualified attorney, licensed to practice law in this state, ~~shall be serve~~ in the unclassified service of the state if employed, and ~~shall~~ serve at the pleasure of the appointing authority at a salary or retainer fee not to exceed reasonable compensation for comparable services performed for other governmental agencies or departments. Retained or part-time employed assistant state public defenders may engage in the general practice of law.

Sec. 363. Minnesota Statutes 1980, Section 611.26, Subdivision 1, is amended to read:

Subdivision 1. A majority of the judges of any judicial district not subject to the provisions of section 611.12, except the second district, may, by written order filed with the state ~~judicial council~~ board of public defense, establish in ~~such~~ the district the public defender system provided in Laws 1965, Chapter 869. ~~Such~~ The an order shall be effective 30 days after its filing. Notwithstanding this subdivision the state public defender may assist the public defenders of the second and fourth judicial districts at their request.

Sec. 364. Minnesota Statutes 1980, Section 611.26, Subdivision 2, is amended to read:

Subd. 2. Upon the filing of an order pursuant to subdivision 1 the state ~~judicial council~~ board of public defense shall appoint a district public defender after receiving recommendations from the judges of the district. Each district public defender shall be a qualified attorney, licensed to practice law in this state. He shall be appointed for a term of four years. The district public defender may be removed for cause upon the order of the state ~~judicial council~~

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board of public defense for cause. Vacancies in the office shall be filled by the appointing authority for the unexpired term.

Sec. 365. Minnesota Statutes 1980, Section 611.26, Subdivision 3, is amended to read:

Subd. 3. The compensation of the district public defender for each judicial district shall be set by the ~~judicial council~~ board of public defense at a specified sum per month or an hourly or per diem basis.

Sec. 366. Minnesota Statutes 1980, Section 611.26, Subdivision 4, is amended to read:

Subd. 4. A district public defender may appoint assistants, after receiving recommendations from the judges of the district, each of whom shall be a qualified attorney, licensed to practice law in this state, ~~but only with~~ subject to the approval of the ~~judicial council~~ board of public defense and ~~in accordance with the other~~ provisions of this section. Each assistant district public defender shall serve at the pleasure of the district public defender.

Sec. 367. Minnesota Statutes 1980, Section 611.26, Subdivision 5, is amended to read:

Subd. 5. The compensation of each assistant district public defender for each of the judicial districts shall be set by the district public defender with the approval of the ~~judicial council~~ board of public defense, at a specified sum per month or an hourly or per diem basis.

Sec. 368. **[611.261] TRANSITION.**

A written order filed before July 1, 1981 with the state judicial council establishing a district public defender system shall remain in effect. A district public defender, serving on July 1, 1981, may continue in office until the expiration of the term to which he has been appointed. The state public defender, serving on July 1, 1981, may continue in office until the expiration of the term to which he has been appointed.

Sec. 369. Minnesota Statutes 1980, Section 638.08, is amended to read:

638.08 ISSUANCE OF PROCESS; WITNESSES; STANDING APPROPRIATION.

The board of pardons may issue process requiring the presence of any person or officer before it, with or without books and papers, in any matter pending, and may take such reasonable steps in the matter as it may deem necessary to a proper determination thereof. When any person is summoned before the board by its authority, ~~he~~ the person may be allowed such compen-

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sation for travel and attendance as it may deem reasonable. ~~The sum of \$300 is hereby appropriated annually for carrying out the provisions of this chapter.~~

Sec. 370. Minnesota Statutes 1980, Section 648.39, is amended to read:

648.39 MINNESOTA STATUTES AND SESSION LAWS; SALE AND DISTRIBUTION.

Subdivision 1. **FREE DISTRIBUTION.** ~~To the extent that appropriations are available therefor,~~ The revisor of statutes shall without charge distribute each edition of Minnesota Statutes, supplement to the Minnesota Statutes, and each edition of the session laws Laws of Minnesota to the persons, officers, departments, agencies, or commissions listed in this subdivision. Prior to distribution of Minnesota Statutes, supplement to the Minnesota Statutes, or the Laws of Minnesota, the revisor of statutes shall inquire whether the full number of copies authorized by this subdivision are required for their work. Unless a smaller number is needed, each edition shall be distributed without charge as follows:

(a) 30 copies to the supreme court;

(b) 1 copy to each judge of a district court;

(c) 1 copy to the clerk of each district court for use in each courtroom of the district court of his county;

(d) 100 copies to the state law library;

(e) 100 copies to the law school of the University of Minnesota;

(f) ~~35~~ 100 copies to the office of the attorney general;

Such (g) 10 copies as may be necessary but not exceeding ten each to the governor's office, the departments of administration, agriculture, commerce, corrections, education, health, transportation, labor and industry, economic security, natural resources, public safety, public service, public welfare, and revenue, and the pollution control agency;

(h) 1 copy each to the other state departments, agencies, boards, and commissions that may request a copy not specifically named in this subdivision;

(i) 1 copy to each member of the legislature;

The necessary number of (j) 100 copies required for the use of the senate and 150 copies for the use of the house of representatives;

(k) 4 copies to the secretary of the senate;

(l) 4 copies to the chief clerk of the house of representatives;

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(m) 1 copy to each judge, district attorney, clerk of court of the United States and the deputy clerk of each division of the United States district court in this state, the secretary of state of the United States, the library of congress, and the Minnesota historical society;

~~Subd. 1a. Notwithstanding the provisions of subdivision 1, (n) 20 copies each to the departments department of administration and, state auditor, and legislative auditor may each receive not more than 20 copies of each edition of Minnesota Statutes and each edition of the session laws;~~

(o) 1 copy to each county library maintained pursuant to section 134.12 or 375.33, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 134.12 or 375.33, the copy shall be provided to any public library in the county; and

(p) 50 copies to the revisor of statutes.

Subd. 2. **COUNTY OFFICERS.** Each county shall purchase from the revisor of statutes one copy each for the use of the judge of probate, county attorney, sheriff, auditor, treasurer, county recorder, and superintendent of schools.

Subd. 3. **CITY AND TOWN OFFICERS.** Each city and town shall purchase from the revisor of statutes, for the use of each justice of the peace, judge of the municipal court, clerk of the municipal court, and clerk of the city or town, as the case may be, ~~such~~ the number of copies as the city or town shall determine determines is needed.

Subd. 4. **STATE DEPARTMENTS.** A department, agency, board, commission, or other instrumentality of the state listed in this section may purchase from the revisor of statutes any additional copies which may be required.

Subd. 5. **SALE PRICE.** The sale price for each edition of Minnesota Statutes is ~~not less than the actual cost thereof of composition, printing, binding, and distribution of all books ordered, but in no event not less than \$100~~ \$75. The sale ~~price~~ prices of each edition of the Laws of Minnesota session laws is and supplement to the Minnesota Statutes are not less than the actual cost ~~thereof of composition, printing, binding and distribution of all books ordered, but in no event not less than \$35~~ \$25. ~~Nothing in this subdivision~~ The revisor of statutes shall be construed to fix the sale prices of paper back editions of each of the publications should the revisor of statutes deem it desirable to publish paper back copies or pamphlets published pursuant to section 648.43. Receipts from the sale of the Minnesota Statutes, supplement to the Minnesota Statutes, Laws of Minnesota, and any pamphlets shall be deposited in the general fund.

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Subd. 6. The revisor of statutes shall provide without cost one copy of each edition of Minnesota Statutes and one copy of each supplement to Minnesota Statutes to each county library maintained pursuant to section 375.33 or 134.12, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located.

Sec. 371. Laws 1976, Chapter 337, Section 1, Subdivision 2, as amended by Laws 1978, Chapter 793, Section 82, is amended to read:

[3.9222] Subd. 2. The council shall consist of five members of the house of representatives appointed by the speaker, five members of the senate appointed by the committee on committees, and twelve citizens appointed by the governor. At least 50 percent of those appointed by the governor and by the speaker of the house shall be women. Members shall serve for two years or until the expiration of their legislative terms; except, in order to establish staggered membership terms for the citizen members, the governor shall appoint six citizens for three-year terms and six citizens for two-year terms starting July 1, 1981. The compensation of non-legislator members, their removal from office and the filling of vacancies shall be as provided in section 15.059. The persons appointed by the governor shall be representative of a range of economic interests and vocations and shall include persons who are not regularly employed on a full-time or part-time basis outside their homes.

Sec. 372. Laws 1976, Chapter 337, Section 1, Subdivision 3, is amended to read:

[3.9222] Subd. 3. The council shall study all matters relating to the economic status of women in Minnesota, including ~~matters of credit, family support and inheritance laws relating to economic security of the homemaker, educational opportunities, career counseling, contribution of women to Minnesota's per capita and family income and state revenues, job and promotion opportunities~~ economic security of homemakers and women in the labor force, opportunities for education and vocational training, employment opportunities, the contributions of women to the economy, their access to benefits and services provided to citizens of this state, and laws and business practices constituting barriers to the full participation by women in the economy. In addition, the council shall study the adequacy of programs, and services and facilities relating to families in Minnesota, including single-parent families and members beyond the nuclear or immediate family.

Sec. 373. Laws 1976, Chapter 337, Section 1, Subdivision 4, as amended by Laws 1978, Chapter 793, Section 83, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

[3.9222] Subd. 4. The council shall report its findings and recommendations to the governor and the legislature not later than December 15, 1977, of each even-numbered year and shall supplement its findings and recommendations not later than June 30, 1978 and June 30, 1981 December 15 of each odd-numbered year. The report shall recommend any necessary changes in laws and programs legislation and administrative action designed to enable women to achieve full participation in the economy. The report shall also recommend methods to encourage the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and public and private providers of services related to children, youth and families.

Sec. 374. Laws 1978, Chapter 510, Section 2, is amended to read:

[3.9223] [Subd. 2.] Sec. 2. **SPANISH-SPEAKING PEOPLE.**

For purposes of sections 3 to 8 7, the term "Spanish-speaking person" means a person who uses Spanish as a primary method of communication, or who is a spouse of a person who does.

Sec. 375. Laws 1978, Chapter 510, Section 5, is amended to read:

[3.9223] [Subd. 5.] Sec. 5. **POWERS.**

The council shall have power to contract in its own name. Contracts shall be approved by a majority of the members of the council and executed by the chairperson and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in sections 1 to 7.

The council shall appoint, subject to the approval of the governor, an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Spanish-speaking people. The council may delegate to the executive director any powers and duties under sections 1 to 7 which do not require council approval. The executive director and council staff shall serve in the unclassified service and. The executive director may be removed at any time by a majority vote of the entire council. The executive director shall recommend to the council the appropriate staffing patterns necessary to carry out its duties. The commissioner of administration shall provide the council with necessary additional staff and administrative services, and the council shall reimburse the commissioner for the cost of these services.

Sec. 376. **ADVISORY TASK FORCE ON INDEPENDENT LIVING.**

Subdivision 1. DEFINITION. For the purposes of this section, "independent living programs and services" means any appropriate service or cluster of services that will maximize the ability of a handicapped individual to live independently or function within the family and community and, if appropriate, to secure and maintain appropriate employment.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. MEMBERSHIP. The advisory task force on independent living shall consist of the governor; the executive director of the council for the handicapped; the commissioners of economic security and public welfare; two members of the house of representatives appointed in the same manner as is customary in the case of members of standing committees of the house; two members of the senate appointed in the same manner as is customary in the case of members of standing committees of the senate; and seven advocates or disabled persons representing the areas of visual impairment, hearing impairment, mobility impairment, mental retardation, mental health, epilepsy and special learning disabilities, appointed to the task force by the chairperson of the council for the handicapped. The necessary administrative support shall be provided by the council for the handicapped. The executive director of the council for the handicapped shall chair the task force meetings.

Subd. 3. DUTIES. The task force shall study all existing and proposed independent living programs and services in order to ascertain how they may be better integrated or coordinated with each other and with community residential programs so that service gaps and duplications will be minimized and services will be equitably available to the various categories of disabilities. Programs and services to be studied shall include but need not be limited to: the division of vocational rehabilitation's independent living program, the department of public welfare's semi-independent living program, the regional service centers for the hearing impaired, and the mental health nonresidential community programs. The task force shall report its findings and recommendations to the governor and the legislature by December 31, 1981. The task force report shall:

(a) Describe each independent living program or service studied by the task force;

(b) Identify and describe any state plans, court decrees or interagency agreements relating directly to independent living programs or services;

(c) Identify current and potential funding resources for independent living programs and services and describe restrictions affecting the use of this funding;

(d) Identify significant service gaps that prevent independent living programs or services from achieving their full potential;

(e) Identify areas of service duplication;

(f) Identify inequities with regard to the availability of independent living programs and services available to the various categories of disabilities;

(g) Recommend specific improvements in integration or coordination that will minimize or eliminate identified service gaps, duplications, or inequities in independent living programs and that will foster closer cooperation with community residential services; and

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(h) Recommend specific legislative, regulatory, or policy changes necessary to allow implementation of the recommended improvements.

Subd. 4. EFFECTIVE DATE; REPEALER. This section is effective the day following final enactment and is repealed January 1, 1982.

Sec. 377. REPEALER.

Minnesota Statutes 1980, Sections 3.86; 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; 363.073, Subdivisions 1 and 2; 481.15, Subdivision 3; 480.053; 483.01; 483.02; 648.45; and 648.46 are repealed. Minnesota Statutes 1980, Section 473.556, Subdivision 15 is repealed, effective July 1, 1982.

Sec. 378. REPEALER.

Laws 1961, Chapter 66, Section 1, as amended by Laws 1971, Chapter 867, Section 1, and Laws 1977, Chapter 310, Section 17, are repealed. Laws 1976, Chapter 337, Section 4, as amended by Laws 1978, Chapter 793, Section 84; Laws 1978, Chapter 510, Section 10; Laws 1981, Chapter 151, Section 1, are repealed, effective the day following enactment.

Sec. 379. EFFECTIVE DATE.

Sections 280 and 283 are effective the day following final enactment. Sections 345 to 351 are effective January 1, 1982. Sections 281, 282, and 284 to 312 are effective for the license year commencing March 1, 1982 and thereafter.

Approved June 1, 1981

CHAPTER 357 — H.F.No. 1434

An act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; providing for the regulation of professional wrestling; imposing a tax on the gross receipts from admission to professional wrestling exhibitions, and on the gross receipts from the lease or sale of radio, motion picture and television rights therein; providing penalties; amending Minnesota Statutes 1980, Sections 12.14; 15.0412, Subdivision 4; 16A.128; 37.17, by adding a subdivision; 43.491, Subdivision 2; 46.131, Subdivision 3; 161.125, Subdivision 1; 161.242, Subdivision 4; 162.09, Subdivision 4; 168.013, Subdivisions 1c and 1e and by adding a subdivision; 168.12, Subdivisions 1 and 2a; 168.27, Subdivisions 16 and 17; 168.33, Subdivision 7; 169.09, Subdivision 7; 169.451; 169.79; 169.974, Subdivision 2; 171.13, by adding a subdivision; 171.36; 173.25; 174.255, by adding a subdivision; 214.01, Subdivision 3; 214.06, Subdivision 1; 216B.16 by adding a subdivision; 216B.62, Subdivision 3 and by adding a subdivision; 237.075 by adding a subdivision; 237.295, Subdivision 2 and by adding a subdivision;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.