

cumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.

Extra Session Laws 1961, Chapter 60, Section 2, Subdivision 26; Extra Session Laws 1967, Chapter 13, Section 2, Subdivisions 20, 21, 24, 26, 28, 29 (1) and (2), 30 (2), 31 (2), 32, 33 (2), 34 (1) and 35 (1); Laws 1969, Chapter 1136, Section 4, Subdivision 1; Laws 1969, Chapter 1154, Section 32, Subdivision 2; Laws 1969, Chapter 1155, Section 2, Subdivisions 17 (1) and (3), 19 (1), (2), (6), (7), (8) and (9), 20 (2) and (5), 25 (2), (3) and (8), 26 (1) and (2), and 27 (1); Laws 1971, Chapter 964, Section 2, Subdivisions 18 (1), (2) and (5), 19 (1) and (2), 20 (2), (3), (4), (5), (7), (9) and (10), 21 (1) and (3), 22 (1), (2) and (3), 23 (1), 24 (1) and (2), and 25 (2); Laws 1973, Chapter 777, Section 2, Subdivisions 3 (2) and (3), 4 (3), 5 (1), 6 (1) and (2), and 7 (3) and (5).

Approved April 20, 1976.

CHAPTER 348—H.F.No.2678

An act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature; authorizing issuance of state building bonds; appropriating money; amending Minnesota Statutes 1974, Sections 16.16, Subdivision 2; 137.02, Subdivision 3; repealing Laws 1973, Chapter 778, Section 20.

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

Section 1. PUBLIC LAND AND BUILDINGS; BUILDING FUND APPROPRIATIONS. There is appropriated from the state building fund in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended for the acquisition and betterment of public land and buildings and other public improvements of a capital nature, as more specifically described in the following sections of this act.

APPROPRIATIONS

Sec. 2. CAPITOL COMPLEX. Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Rehabilitation and remodeling of 1246 University avenue building for the bureau of criminal apprehension \$1,165,000

To include planning complete rehabilitation and modernization of the exterior, basement, laboratories, and other analytical investigatory, classroom, and office spaces.

The appropriation in this clause is available only upon guaranteed federal participation of 50 percent of the total cost of planning, rehabil-

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itation, and remodeling of the building for the bureau of criminal apprehension.

The entire federal share need not be made immediately available, but shall be totally available upon completion of the project.

Subd. 3. Improvements to 117 University avenue building \$809,000

(a) Rehabilitation and remodeling of interior, climate control system, roof, windows and exterior face \$800,000

(b) Modification of oil storage tank \$9,000

Sec. 3. To the commissioner of administration for the veterans home. Subdivision 1. Construct and equip a nursing care facility of approximately 250 beds plus dining facilities for the total home. Cost to include planning and demolition of buildings 1, 2, and laundry building.

State share \$1,925,000

Subd. 2. Fire protection, air conditioning, and bathroom modernization, nursing care unit.

State share \$66,150

Subd. 3. Fire protection, building 16, and centralized call system for home.

State share \$40,000

Sec. 4. STATE UNIVERSITIES. Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Construction of building, Center for the arts, Moorhead \$2,414,000

Subd. 3. Remodeling of facilities \$1,502,470

(a) Hickory Hall, Bemidji \$1,077,470

(b) Stewart Hall, St. Cloud \$275,000

(c) Somsen Hall, Winona \$150,000

Subd. 4. Preliminary plans, remodeling of Deputy and Sanford Hall, Bemidji \$120,000

Subd. 5. Mankato Campus Consolidation \$3,500,000

(a) Notwithstanding any law to the contrary, all money appropri-

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ated by this act and all previous acts from the Minnesota state building fund to the commissioner of administration for construction and equipment of state university buildings, not to exceed \$1,800,000, is available for the purposes of this subdivision and is in addition to the appropriation contained in this subdivision.

(1) Remodeling valley physical education building to house Wilson lab school.

(2) Demolition of old main annex.

(3) Construct and equip a general purpose building.

(4) Maintenance service building.

(5) Remodel Wilson lab school for art and physical education.

(6) Remodel Trafton Hall.

(7) Physical education addition.

(b) It is the intent of the legislature that the Mankato independent school district no. 77 enter into a long term commitment through a lease agreement with the Mankato state university to reimburse the state for remodeling of valley campus physical education building not to exceed \$756,000 to be used for housing the Wilson laboratory school.

In the event that a commitment is not forthcoming from independent school district no. 77 and an agreement is not completed by June 1, 1976, the above appropriation of \$756,000 shall not be expended and the state university board is instructed to proceed with the consolidation of all programs on the upper campus.

(c) Not more than \$300,000 of the appropriations made in this subdivision may be used to develop a consolidation plan including architectural and working drawings for the Highland Campus and the plans for a maintenance services building. The balance of the appropriation shall be available at such time as:

(1) The commissioner has developed a plan for utilization or disposal of not less than 60 percent of the lower campus, and,

(2) The consolidation plan and utilization plan have been submitted to the house appropriations committee and the senate finance committee and the committees have made their recommendations thereon. The recommendations shall be submitted to the commissioner within 60 days of receipt of the consolidation and utilization plans and shall be advisory only. Failure or refusal to make a recommendation within 60 days shall be deemed a negative recommendation.

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(d) The commissioner of administration may expend this appropriation to remodel or demolish buildings on the lower campus of the Mankato State University \$250,000

These funds are available for remodeling buildings that are to be leased. Leases for the buildings shall include charges adequate to amortize the remodeling costs in a reasonable period of time.

(e) Notwithstanding any other law to the contrary, the commissioner of administration may, without any other approval, lease buildings on the lower campus of Mankato State University to any public or private person or group for periods not to exceed 10 years.

(f) Notwithstanding any other law to the contrary, the commissioner of administration may sell any portion of the lower campus of Mankato State University. The commissioner may undertake sale to other governmental units by negotiation. Sales to any other purchasers shall be through competitive bidding under such terms and conditions as the commissioner deems appropriate. Any proposed sale shall be submitted to the house appropriations committee and the senate finance committee and the sale shall not be final until the committees have made their recommendations thereon. The recommendations shall be submitted to the commissioner within 60 days of receipt of the proposed sale and shall be advisory only. Failure or refusal to make a recommendation within 60 days shall be deemed a negative recommendation.

Subd. 6. To the chancellor of the state university system for construction of maintenance facilities \$800,000

Notwithstanding provisions of any law to the contrary, the chancellor of the state university system may select nonconventional construction techniques in order to remain within budgetary constraints.

Sec. 5. **COMMUNITY COLLEGES.** Subdivision 1. To the commissioner of administration to plan, construct and equip facilities at the following community colleges \$3,345,570

(a) Preliminary plans for metropolitan community college \$50,000

(b) Inver Hills\$368,000

(c) Lakewood \$2,497,870

(d) Rainy River \$253,000

(e) North Hennepin \$153,700

(f) Hibbing \$23,000

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Subd. 2. To the chancellor of the community college system for construction of storage facilities \$400,000

Notwithstanding provisions of any law to the contrary, the chancellor of the community college system may select nonconventional construction techniques in order to remain within budgetary constraints.

Subd. 3. The commissioner of administration is hereby authorized to convey by quitclaim deed to special school district no. 1, city of Minneapolis the following described state real property, to wit: All of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Block 1, of the Washington Yale addition to the city of Minneapolis, all according to the respective recorded plats or maps thereof, Hennepin county, Minnesota.

In consideration of said transfer, special school district no. 1, Minneapolis, Minnesota shall reimburse the state of Minnesota an amount equal to the purchase price of the real property, demolition and all other expenses incurred by the state in the purchase of said property. The commissioner of administration is hereby authorized to expend all or a portion of said funds for the acquisition of land, demolition and site preparation for the expansion of metropolitan community college and the construction of a parking ramp in conjunction with special school district no. 1 Minneapolis, Minnesota.

Sec. 6. UNIVERSITY OF MINNESOTA. Subdivision 1. To the regents of the university of Minnesota for the purposes specified in this section.

Subd. 2. At the university of Minnesota, twin city campus

(a) Complete St. Paul library learning resource center including equipment \$4,897,489

(b) Complete home economics building \$1,435,500

(c) Remodeling and rehabilitation \$500,000

(d) Upgrade for the physically handicapped, university wide \$400,000

(e) O.S.H.A. projects university wide \$500,000

(f) Boiler and baghouse, St. Paul \$1,996,000

(g) Pollution control and heating plant modification, Minneapolis \$1,000,000

(h) St. Anthony storm sewer assessment \$383,000

(i) Primary electric system, St. Paul \$521,950

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(j) Greenhouse and headhouse, St. Paul \$350,000

(k) Basic sciences remodeling \$4,937,150

(l) Remodeling and Reassignment, Plans \$300,000

To be expended for the purpose of producing plans for remodeling existing and future structures for pharmacy and nursing programs. The plans for remodeling shall be presented to the Legislature by February 1, 1977.

Subd. 3. At the university of Minnesota, Duluth campus

(a) Construct and equip basic sciences building \$1,422,400

(b) Campus utilities, water distribution system improvement, and road and campus improvements \$500,000

Subd. 4. At the university of Minnesota Morris campus

Development roadway \$155,000

Subd. 5. At the technical college, Crookston

(a) Food service building, working drawings \$100,000

(b) Learning resources center addition \$1,118,150

Subd. 6. At the technical college, Waseca

(a) Renovation of school facilities \$220,000

(b) Addition and renovation of plant services area \$150,000

Subd. 7. At the North Central Experiment Station, Grand Rapids, Construct greenhouse and headhouse \$150,000

Subd. 8. At the southern experiment station Waseca

Office, laboratory, and meeting facility \$300,000

Subd. 9. The University of Minnesota shall conduct a study to explore the feasibility of remodeling an existing building or buildings or constructing new facilities to accommodate the programs of the department of vocational and technical education on the twin cities campus. A report containing the results and recommendations including the location, cost estimate, and square footage of the alternatives examined shall be submitted to the legislature by January 15, 1977.

Subd. 10. All construction authorized and appropriations provided in this section shall be subject to the terms and provisions of Minne-

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sota Statutes, Sections 16.823 to 16.827.

Sec. 7. **PUBLIC WELFARE.** Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Construction of buildings \$3,500,000

(a) Willmar State Hospital \$2,000,000

(b) Anoka State Hospital \$1,500,000

Subd. 3. Life Safety \$5,500,000

A priority rating of buildings shall be conducted taking into account program plans, age and location of the buildings. The merits and cost of installing sprinkling equipment shall be considered in lieu of other life safety code requirements. Within the plan developed, sprinkling systems shall be installed where practical.

Subd. 4. Major Remodeling and Renovation \$3,500,000

Subd. 5. Air conditioning \$800,000

Subd. 6. Carpeting \$300,000

Sec. 8. **CORRECTIONS.** Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Security Modifications, New construction and major remodeling \$1,700,000

The commissioner of corrections shall make application and seek nonstate money for modifications to the Minnesota metropolitan training center. The commissioner of corrections shall consider optional security measures in modifications to the Minnesota metropolitan training center.

Sec. 9. **EXPENSES OF BOND SALE.** To the commissioner of finance for bond sale expenses pursuant to Minnesota Statutes, Section 16A.64, Subdivision 4 \$50,000

Sec. 10. **ADMINISTRATION.** To the commissioner of administration for administration of the building program authorized by this act, including the employment of personnel \$150,000

The commissioner may expend this money for microfilming of plans for all state buildings.

Sec. 11. **STATE BUILDING CONTINGENT.** To the commissioner of administration for the state building contingent account \$500,000

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This appropriation may be spent for plans, studies and surveys, and for alterations, betterments, construction, reconstruction, improvements, or rehabilitation of any state owned building or structure, if it appears to the commissioner that the expenditure is necessary in the public interest in order to avoid injury or damage to persons or property and money has not been otherwise appropriated for these purposes. The commissioner, however, shall not authorize any expenditures from the account until he has first consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and has received their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation. The unobligated balance remaining on June 30, 1978 shall cancel.

Sec. 12. STATE BUILDING ASSISTANCE. To the commissioner of administration for the state building assistance account \$50,000

This appropriation may be spent for the purpose of preparing preliminary plans or other documentation that may be required for assistance in obtaining nonstate participation in state building programs.

Sec. 13. FUEL CONVERSION PLANS. To the commissioner of administration for plans to convert major state institutional heating plants from gas-oil to coal \$200,000

Sec. 14. BOND SALE; DEBT SERVICE. To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in the amount of \$53,934,000 in the manner and upon the terms prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7.

Sec. 15. Minnesota Statutes 1974, Section 16.16, Subdivision 2, is amended to read:

Subd. 2. FUNDS TO WHICH SYSTEM APPLIES. Except as otherwise expressly provided therein, the provisions of Laws 1939, Chapter 431, relating to the allotment system and to the encumbering of funds shall apply to appropriations and funds of all kinds, including standing or annual appropriations and dedicated funds from which expenditures are to be made, from time to time, by or under the authority of any agency, but shall not apply to appropriations for the courts or the legislature, nor to payment of unemployment compensation benefits nor to the funds deposited in the state treasury for disbursement by the commissioner of highways when acting as the agent of a political subdivision pursuant to law. In the case of construction ~~contracts or other~~ permanent improvements of a capital nature and transactions for the acquisition of real estate for public purposes, where periodical allotments are impracticable, the commissioner may dispense therewith

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and prescribe such regulations as will insure proper application and encumbering of funds. Contingent funds appropriated for the governor or the attorney general shall not be subject to the provisions thereof relating to allotment, but shall be subject to the other provisions thereof relating to expenditure and encumbering of funds.

Sec. 16. REVIEW OF BUILDING PLANS. Neither the commissioner of administration nor the board of regents of the university of Minnesota shall prepare final plans and specifications for any building authorized by this act until the using agency or department has presented the program and schematic plans to the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 17. METHODS OF ACQUISITION. Where money has been appropriated by this act to the commissioner of administration to acquire lands or sites for public buildings or real estate, acquisition may be by gift, purchase, or condemnation proceedings. Condemnation proceedings shall be pursuant to chapter 117.

Sec. 18. APPROPRIATIONS FOR CONSTRUCTION; TRANSFER. Upon the awarding of final contracts for the completion of any project for construction or other permanent improvement authorized by this act, the commissioner as to appropriations made to him and the regents as to appropriations made to them may transfer any unexpended balance in the project account to any other project enumerated in the same section of the appropriation act as the project about to be completed. The money transferred pursuant to this section is appropriated for the purposes for which transferred. The commissioner of administration and the regents of the university of Minnesota shall report to the chairman of the house appropriations committee and the chairman of the senate finance committee on any transfer made pursuant to this section.

Sec. 19. TRANSFER OF BUILDINGS. Notwithstanding the provisions of any other laws to the contrary, any buildings at Hastings state hospital declared surplus by the department of welfare may, with the approval of the commissioner of administration, be transferred to the control of the department of veterans affairs if the commissioner of veterans affairs determines that such buildings are appropriate and needed to carry out his responsibilities for residential care. The department of veterans affairs shall pay the prorata costs of the operations and maintenance of any buildings so transferred.

Sec. 20. APPROPRIATIONS FOR CONSTRUCTION; FEDERAL MONEY; EXCEEDING AUTHORIZED COST. The commissioner of administration and the board of regents of the university of Minnesota shall apply for the maximum federal share for each capital improve-

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ment project for which money is appropriated by this act. Encumbrance or expenditure of money in excess of the project authorization shall be made only after the commissioner of administration and the board of regents have consulted with the chairman of the house appropriations committee and the chairman of the senate finance committee and the chairmen have made their recommendations thereon. The recommendations shall be advisory only. Failure or refusal to make a recommendation promptly shall be deemed a negative recommendation.

Sec. 21. Minnesota Statutes 1974, Section 137.02, Subdivision 3, is amended to read:

Subd. 3. **POWER OF EMINENT DOMAIN GRANTED.** The Board of Regents may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation. In case it is desired to use the fund for the acquisition of land by eminent domain, the power of eminent domain ~~may~~ shall be exercised ~~either~~ in accordance with ~~General Statutes 1894, Sections 4085 to 4091, or chapter 117.~~

Sec. 22. **CANCELLATION OF BALANCES.** Any balance of the following appropriations which remain unobligated June 30, 1976, or become unobligated anytime thereafter, shall be cancelled to the bond fund. For the purposes of this section, a requisition shall not constitute an encumbrance. Any encumbrance which remains unliquidated on June 30, 1977 shall be cancelled.

Laws 1963, Chapter 839, Section 5, Subdivisions 2 (1), 5 (1) and 6; Laws 1965, Chapter 882, Section 4, Subdivisions 3 (1), (2) and (3), 4 (2), 5 (1), 6 (1), and 7 (1); Extra Session Laws 1967, Chapter 8, Section 2, Subdivisions 12 (1) and (3), 16 (1), 17 (1), Section 4, Section 5, Section 8, Subdivision 1 (1), (2) and (4); Laws 1969, Chapter 1159, Section 2, Subdivisions 12 (1), 13 (1), 14 (1), and 15 (1), Section 7, Subdivisions 1 (6) and 2, and Section 13; Laws 1971, Chapter 963, Section 2, Subdivisions 15 (1), (2) and (4), 16 (2), (3), (4), and (5), 17 (1) and (2), 18 (1), Section 4, Section 7, Subdivisions 1 (2), (3), (4), (5) and (6), Sections 14 and 15; Laws 1973, Chapter 778, Section 3, Section 6, Subdivision 1 (1) and (9), Sections 13 and 14.

Sec. 23. **REAPPROPRIATION.** The unobligated balance of the appropriation made by Laws 1969, Chapter 1159, Section 15 is reappropriated and added to the appropriation made by Laws 1971, Chapter 963, Section 3, for metropolitan community college.

Sec. 24. **REPEALER.** Laws 1973, Chapter 778, Section 20, is repealed.

Approved April 20, 1976.

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