

~~granted to and the duties imposed upon the board of trustees of the corporation there referred to are hereby respectively granted to and imposed upon the commissioners.~~

Subd. 2. ~~If~~ the executive director of the corporation with the written concurrence of the chairman or vice-chairman ~~may declare~~ declares that an emergency exists requiring immediate purchase of ~~any equipment or material or supplies~~ or the making of emergency repairs at a cost ~~in excess of \$2,000 but no more than \$5,000, and, in that event, it shall not be necessary to or if two-thirds of the members of the corporation declare that an emergency exists requiring immediate purchase of materials or supplies or the making of emergency repairs at a cost in excess of \$5,000, the corporation shall not be required to advertise for bids ; but such.~~ The materials, equipment, or supplies may be purchased in the open market at the lowest price obtainable, or such the emergency repairs may be contracted for or performed without securing formal competitive bids.

Sec. 14. Minnesota Statutes 1976, Sections 473.611, Subdivisions 1, 2, 3 and 4, and 473.621, Subdivision 1, are repealed.

Approved June 2, 1977.

CHAPTER 418—H.F.No.1252

An act relating to the Minnesota state water pollution control fund; clarifying eligibility for 15 percent matching grants financed by the fund; eliminating certain matching grants; authorizing the issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1976, Sections 116.16, Subdivision 6; and 116.18, Subdivisions 1 and 4.

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

Section 1. Minnesota Statutes 1976, Section 116.16, Subdivision 6, is amended to read:

Subd. 6. **STATE WATER POLLUTION CONTROL; FINANCING; PRIORITIES.** The rules of the agency shall provide that a high priority shall be given to applications from municipalities which because of limited tax base, excessive bonded indebtedness, or critical conditions of water pollution requiring agency action pursuant to law, would face extreme financial hardship without the assistance provided through the state water pollution control fund, and to applications from sanitary districts or for systems to be constructed to serve more than one municipality. The rules shall contain criteria relating to:

- (1) The extent and nature of pollution,
- (2) Per capita costs of the proposed projects,
- (3) Financial capability of the municipality,

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(4) The technological feasibility of the project, and

(5) The adequacy of provision made to assure proper and efficient operation and maintenance of the project after the construction is completed.

No municipality shall be eligible to use state grants financed through the Minnesota state water pollution control fund for any additional construction of a wastewater treatment facility after meeting state water quality standards. For purposes of this subdivision, "wastewater treatment facility" means any plant, disposal field, lagoon, or other works not specifically mentioned herein, installed for the purpose of collecting, pumping, treating, stabilizing or disposing of sewage.

Sec. 2. Minnesota Statutes 1976, Section 116.18, Subdivision 1, is amended to read:

116.18 WATER POLLUTION CONTROL FUNDS; APPROPRIATIONS AND BONDS. Subdivision 1. **APPROPRIATION FROM THE FUND.** The sum of ~~\$95,000,000~~ \$135,000,000, or so much thereof as may be necessary, is appropriated from the Minnesota state water pollution control fund in the state treasury to the pollution control agency, for the period commencing on July 23, 1971 and ending June 30, ~~1977~~ 1979, to be granted and disbursed to municipalities and agencies of the state in aid of the construction of projects conforming to section 116.16, in accordance with the rules, priorities, and criteria therein described. Except as otherwise provided in subdivision 2, these state funds shall be expended at 15 per centum of the eligible cost of construction and shall be expended only for projects tendered a grant of federal funds under section 201(g), section 202, section 203 or section 206(f) of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1314 et seq., at 75 per centum of the eligible cost for construction of the treatment works; provided, that not less than 10 percent of such cost shall be paid by the municipality or agency constructing the project. In the event that a municipality is tendered such federal and state grants in a percentage cumulatively exceeding 90 per centum of the eligible cost of construction, the state pollution control agency shall reduce the grant to such municipality under this chapter to the extent necessary to assure that not less than 10 percent of such cost shall be paid by said municipality. It is the purpose of this appropriation that a grant of state funds for each project approved in each of the fiscal years ending June 30, 1971 through ~~1977~~ 1979, shall be made in an amount not less than that required in federal law and regulations as a condition for the grant of federal funds for the project and for all other water pollution control projects for which federal grants are allocated in the same year, in the maximum amount permissible under such law and regulations.

Notwithstanding any other provision, the agency may, in its discretion, and after consideration of the amount of state funds required to match federal funds, make a grant of state funds not exceeding ~~25~~ 15 per centum to a municipality that would qualify for a grant of federal funds but desires to initiate construction of a project without a federal grant, ~~where such project is necessary to abate an immediate health hazard.~~ The agency may limit the scope and eligible cost of such project.

Sec. 3. Minnesota Statutes 1976, Section 116.18, Subdivision 4, is amended to read:

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Subd. 4. **BOND AUTHORIZATION.** For the purpose of providing money appropriated in subdivision 1 for expenditure from the Minnesota state water pollution control fund through grants to municipalities and agencies of the state for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the prevention, control, and abatement of water pollution, the commissioner of finance is authorized upon request of the pollution control agency to sell and issue Minnesota state water pollution control bonds in the amount of ~~\$84,000,000~~ \$124,000,000, in the manner and upon the conditions prescribed in section 116.17 and in the Constitution, Article 11, Sections 4 to 7. The proceeds of such bonds, except as provided in section 116.17, subdivision 5, are appropriated and shall be credited to the Minnesota state water pollution control fund. The amount of bonds issued pursuant to this authorization shall not exceed at any time the amount needed to produce a balance in the water pollution control fund equal to the aggregate amount of grants then approved and not previously disbursed, plus the amount of such grants to be approved in the current and the following fiscal year, as estimated by the pollution control agency.

Approved June 2, 1977.

CHAPTER 419—H.F.No.1276

[Not Coded]

An act relating to public welfare; providing for pilot dental health programs; providing money; repealing Laws 1976, Chapter 305, Section 10.

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

Section 1. PUBLIC WELFARE; PILOT DENTAL HEALTH PROGRAM; RE-APPROPRIATION. Of the sum of \$400,000 appropriated from the general fund by Laws 1976, Chapter 305, Section 9, for pilot dental health programs, the unexpended balance is hereby reappropriated to the commissioner of public welfare for the biennium ending June 30, 1979, for continuation of the pilot dental health programs. \$60,000 of the \$400,000 appropriation may be used for administrative purposes by the commissioner of public welfare for the purposes of this act.

Sec. 2. REPEALER. Laws 1976, Chapter 305, Section 10, is repealed.

Approved June 2, 1977.

CHAPTER 420—H.F.No.1283

[Coded in Part]

An act relating to economic development; industrial development bonds; removing requirement of approval by commissioner of economic development; amending Minnesota

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