

CHAPTER 638 — H.F.No. 2134

An act relating to intoxicating liquor; providing that on-sale licenses issued to certain nonprofit corporations shall authorize sales on all days of the week; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11b.

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

Section 1. Minnesota Statutes 1980, Section 340.11, Subdivision 11b, is amended to read:

Subd. 11b. **ON-SALE LICENSES TO CERTAIN NONPROFIT CORPORATIONS.** "On-sale" licenses for the sale of intoxicating liquor may, in the discretion of the municipality, be issued in ~~any~~ a city of the first class to ~~any~~ a nonprofit corporation which was organized prior to January 1, 1972 to promote, stimulate, and support community education, appreciation and development of the theater and cultural arts through dramatic performances and other means and which has operated a repertory theater in the city since at least January 1, 1972. ~~Such~~ The licenses may be issued notwithstanding any limitations imposed by law, charter or ordinance relating to liquor patrol limits, zoning, or school or church distance limitations ~~and such~~. The licenses shall be in excess of any limitations imposed by subdivision 6, or otherwise 5a. The licenses may authorize sales on all days of the week. All other laws, charter provisions, or ordinances relating to the licensing and regulation of on-sale liquor establishments, including the granting, renewal, suspension or revocation of licenses shall apply. ~~Any~~ A license issued pursuant to this subdivision shall authorize the sale of intoxicating liquor only to holders of tickets to dramatic performances presented by ~~such~~ the nonprofit corporation and members of ~~such~~ the nonprofit corporation and their guests.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day after final enactment.

Approved March 23, 1982

CHAPTER 639 — H.F.No. 2136

An act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; authorizing inter-fund borrowing in anticipation of bond proceeds; providing for bond sale expenses; authorizing covenants to secure certificates of indebtedness; fixing the boundaries of state parks and trails; postpon-

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ing the deadline for fencing certain open pit mines; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 16A.63, Subdivision 2, as amended; 16A.64, Subdivision 4; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; 180.03, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8.

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

Section 1. **PUBLIC LAND AND BUILDINGS; APPROPRIATIONS.**

The sums set forth in the column designated "APPROPRIATIONS" are appropriated from the state building fund, or other designated fund, to the state agencies indicated. The sums are to be expended for the acquisition and betterment of public land and buildings and other public improvements of a capital nature, as described in the following sections.

SUMMARY

ADMINISTRATION	\$1,048,000
NATURAL RESOURCES	162,000
MILITARY AFFAIRS	350,000
VETERANS AFFAIRS	63,000
EDUCATION	752,300
STATE UNIVERSITIES	924,000
UNIVERSITY OF MINNESOTA	1,235,000
TRANSPORTATION	2,255,600
PUBLIC SAFETY	100,000
CORRECTIONS	300,000
BOND SALE EXPENSES	5,700
TOTAL	\$7,195,600
Game and Fish Fund	100,000
Trunk Highway Fund	2,355,600
Building Fund	4,740,000

APPROPRIATIONS

Sec. 2. **ADMINISTRATION.**

Subdivision 1. To the commissioner of administration for the purposes specified in this section	\$1,048,000
Subd. 2. Fire and Life Safety - Capitol building	\$ 700,000
Subd. 3. Replace roofs - Capitol complex	130,000
Subd. 4. Reset steps and repair upper landing - Capitol building	108,000
Subd. 5. Emergency alarm and lighting systems - Capitol complex	110,000

Sec. 3. **NATURAL RESOURCES.**

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Subdivision 1. To the commissioner of natural resources or the commissioner of administration for the purposes specified in this section 162,000

Subd. 2. To the commissioner of administration for the Hibbing minerals office roof replacement 62,000

Subd. 3. To the commissioner of natural resources for conversion to a wood pellet heating system at the French River hatchery 100,000

The appropriation in this subdivision is from the game and fish fund.

Sec. 4. MILITARY AFFAIRS.

To the adjutant general for remodeling and repair of Holman Field hanger - State share 350,000

This appropriation is contingent upon the receipt of federal matching funds of at least 50 percent of the total project. The project shall not proceed until the actual share of federal and state dollars has been reported to the chairmen of the senate finance committee and the house appropriations committee.

Sec. 5. VETERANS AFFAIRS.

To the commissioner of administration to repair exterior and install air conditioning in building 16 of the Minneapolis veterans home - State share 63,000

These funds are only available upon receiving federal matching funds for 65 percent of the total project cost.

Sec. 6. EDUCATION.

Subdivision 1. To the state board of education for post-secondary vocational-technical construction in the school districts listed in this section 752,300

Subd. 2. Independent School District No. 492, Austin 510,000

This appropriation is for roof repair.

Subd. 3. Independent School District No. 697, Eveleth 242,300

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This appropriation is for roof repair.

Sec. 7. STATE UNIVERSITIES.

Subdivision 1. To the commissioner of administration for the purposes more specifically described in the following subdivisions of this section

924,000

Subd. 2. Bemidji Campus 404,000

(a) Coal conveyor \$227,000

(b) Roofs 177,000

Subd. 3. Mankato Campus Fire Safety 90,000

Subd. 4. Moorhead Campus Roofs 430,000

Sec. 8. UNIVERSITY OF MINNESOTA.

Subdivision 1. To the regents of the University of Minnesota for the purposes more specifically described in the following subdivisions of this section

1,235,000

Subd. 2. Minneapolis Campus civil mineral engineering building

The board of regents is hereby encouraged to seek nonstate funds for any furnishings and equipment which are needed for the new civil and mineral engineering building and which cannot be purchased within the \$16,503,000 which was appropriated for the project.

Subd. 3. St. Paul Campus Bag house for heating plant 1,235,000

Sec. 9. TRANSPORTATION.

Subdivision 1. To the commissioner of transportation for the purposes more specifically described in the following subdivisions of this section

2,255,600

Subd. 2. International Falls equipment storage 275,000

Building and site acquisition costs shall not exceed \$150,000.

Subd. 3. Chemical storage sheds 35,600

Subd. 4. Energy saving modifications 420,000

Subd. 5. Construct north Minneapolis equipment storage facility to replace

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Hawthorne Avenue facility	900,000
Subd. 6. Sleepy Eye equipment storage	310,000
Subd. 7. Dodge Center equipment storage	315,000

Subd. 8. If the commissioner of transportation does not have sufficient money to match all available federal aid for road and bridge construction during the biennium ending June 30, 1983, the commissioner shall defer the construction of some or all of the buildings in this section until it is possible to match federal aid.

The commissioner of transportation shall investigate, in coordination with other jurisdictions of government, the development of cost effective plans for the construction or reconstruction of transportation buildings. This investigation shall include, but not necessarily be limited to, potentially mutually beneficial site locations and construction plans.

The commissioner of transportation, in cooperation with the commissioner of the department of corrections, shall prepare a report outlining potentially mutually beneficial site locations for a new transportation central shop. The commissioner of transportation shall submit the report to the chairman of the senate finance committee and the chairman of the house appropriations committee by January 3, 1983.

The appropriations in this section are from the trunk highway fund.

Sec. 10. PUBLIC SAFETY.

100,000

To the commissioner of public safety to establish and equip a decentralized animated audio-visual traffic accident reconstruction system. This money shall be used in conjunction with federal grants or private contributions. This appropriation is from the trunk highway fund.

Sec. 11. CORRECTIONS.

To the commissioner of administration for the purposes specified in this section

300,000

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This appropriation includes money for: roof repair and renovations of a critical nature; health and life safety measures; boiler repair; sewage system renovations; other repairs of an emergency nature; project plans and design of a new women's correctional facility at Shakopee, or plans for remodeling an available existing facility to accommodate women, or both.

The commissioner of corrections shall report specific expenditure plans to the house appropriations committee and the senate finance committee prior to encumbrance of any moneys appropriated in this section. In addition, any plans for construction or remodeling of a women's correctional facility shall be submitted to the appropriate committees of the legislature prior to January 14, 1983.

Sec. 12. BOND SALE EXPENSE.

To the commissioner of finance for bond sale expenses pursuant to Minnesota Statutes, Section 16A.64, Subdivision 4.

5,700

Sec. 13. 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 an amount up to \$4,740,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Section 16A.63 to 16A.67 and by the Minnesota Constitution, Article XI, Sections 4 to 7.

Sec. 14. CONSULTATION REQUIRED.

No land shall be purchased and no buildings shall be purchased, constructed, or erected on lands of the University of Minnesota until the regents have first consulted with the chairman of the senate finance committee and the chairman of the house appropriations committee and obtained their recommendations, which are advisory only.

Sec. 15. SPEED SKATING RINK.

The metropolitan council and the metropolitan parks and open space commission shall include a speed skating facility in their considerations for the 1982 revision of the capital improvement program for regional recreation and open space. If the council and commission are unable to accomplish further study and design within their current budget, they shall seek additional funding from private and public sources other than the state. The additional funding

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may be matched by council or commission funds on a basis determined by the council.

Sec. 16. AREA VOCATIONAL-TECHNICAL INSTITUTE CONSTRUCTION.

Notwithstanding the provisions of sections 121.214, 121.215, 121.2155, and 275.125, subdivision 14a, or any other law to the contrary, Independent School District No. 287, Suburban Hennepin, Independent School District No. 742, St. Cloud, and Independent School District No. 861, Winona, may commence construction of the projects authorized in Laws 1981, Chapter 362, Section 2, Subdivision 1, subject to the following conditions:

(1) approval of the school board,

(2) availability at the time of construction of unencumbered funds in the district's area vocational-technical institute capital expenditure fund or building construction fund equal to or exceeding the total cost as authorized in Laws 1981, Chapter 362, Section 2, Subdivision 1, and

(3) provided the cost of construction shall not exceed the total cost as authorized.

At the time of construction, these projects shall be financed entirely from the balances in capital expenditure or building construction funds in the respective districts.

It is the intent of the legislature that the appropriations in Laws 1981, Chapter 362, Section 2, Subdivision 1, shall be paid to the districts at the time the commissioner of finance determines that the proceeds of state bond sales are available for the projects. Upon receipt, the district shall reimburse the fund from which the project was funded. The state's financial obligation to any district for a project constructed pursuant to this section shall be computed as follows: The actual cost of the project less the maximum amount to be expended by the school district as defined in the original appropriation. If the actual cost of the project is less than the maximum amount to be expended by the school district, the state shall have no financial obligation for the project. The state's financial obligation to a district does not include any interest.

Sec. 17. REPLACEMENT BUILDING, ST. CLOUD STATE UNIVERSITY.

The state university board is authorized to replace the existing building at the highway safety center at St. Cloud state university. Funding for the building shall be exclusively from earned revenue and shall not exceed \$28,000. For purposes of this section, "earned revenue" includes user fees.

Sec. 18. MINNESOTA SECURITY HOSPITAL.

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The commissioner of public welfare is authorized to discontinue all heating and utility service to building 57, the old Minnesota security hospital, St. Peter, upon vacating the building. The commissioner of public welfare is authorized to salvage fixtures and other equipment from the Minnesota security hospital for which there is an immediate use elsewhere in the state hospital system.

Sec. 19. REVIEW OF PLANS.

The commissioner of administration and the board of regents of the University of Minnesota shall not prepare final plans and specifications for any major construction or major remodeling 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 are advisory only. Failure or refusal to make a recommendation promptly is a negative recommendation. The program and schematic plans shall include a statement of the gross number of square feet to be constructed or remodeled and the estimated cost of completing the construction or remodeling project.

Sec. 20. APPROPRIATIONS FOR PLANNING.

The commissioner of administration for planning appropriations under department of administration supervision and the board of regents of the University of Minnesota for planning appropriations under its supervision shall promptly report to the chairman of the house appropriations committee and the chairman of the senate finance committee any major increase in the estimated cost or gross number of square feet over the cost and area figures presented with the program and schematic plans. For a planning project, the estimate of cost shall include at least the following items: the cost of construction and initial equipment and furnishings; the cost of architectural, engineering and other required services; the cost of all real estate, properties, rights and easements acquired; the cost of demolition work, utilities services, and site development; an appropriate contingency allowance; and any other expenses necessary or incident to completing the planned construction or remodeling project.

Sec. 21. APPROPRIATIONS FOR CONSTRUCTION; ESTIMATED COST EXCEEDING APPROPRIATION.

The commissioner of administration for projects under department of administration supervision or the board of regents of the University of Minnesota for projects under its supervision, shall promptly notify the chairman of the house appropriations committee and the chairman of the senate finance committee if at any time the estimated cost of completing any major project exceeds the appropriation for it. The commissioner, or the university, and the using agency or department shall present a plan to the chairmen for completing the project

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without an additional appropriation and the chairmen shall make their recommendations on it. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is a negative recommendation. The plan shall include a statement describing the reductions in the project, the implications of the reductions, and whether the university, or the using agency or department intends to seek additional appropriations to restore the reduction during the current biennium or in future biennia.

Sec. 22. 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 of administration and the board of regents of the University of Minnesota as to appropriations made to them may transfer any unencumbered 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 board of 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. 23. APPROPRIATIONS FOR CONSTRUCTION; FEDERAL FUNDS; 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 improvement project for which money is appropriated by sections 1 to 11. 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, as appropriate, 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 are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Sec. 24. 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. 25. Minnesota Statutes 1980, Section 16.826, is amended to read:

16.826 DUTIES AND POWERS OF BOARD.

Subdivision 1. The board shall meet as often as is necessary, not less than twice annually, in order to act expeditiously upon requests submitted to it for selection of primary designers.

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Subd. 2. Upon receipt of a request from a user agency for a primary designer, the board shall publicize the proposed project in order to determine the identity of designers interested in the design work on the project. The board shall establish criteria for the selection process and shall make this information public, and shall, in addition, compile data on and conduct interviews of designers. The board's selection criteria shall include consideration of each interested designer's performance on previous projects for the state or any other person. Upon completing the foregoing, the board shall select the primary designer and shall state its reasons in writing. Notification to the commissioner of administration of such selection shall be made not more than 60 days after receipt from a user agency of a request for a primary designer. The commissioner of administration shall promptly notify the designer and the user agency. The department of administration shall negotiate the designer's fee and prepare the contract to be entered into between the designer and the user agency.

Subd. 3. No designer or their firms shall be selected in which a member of the design selection board has a current financial interest.

Subd. 4. In the event the board receives a request for a primary designer on a project, the estimated cost of which is less than the limit established by section 16.825, subdivision 1, or a planning project with estimated fees of less than the limit established by section 16.825, subdivision 1, the board may submit the request to the commissioner of administration, with or without recommendations, and the commissioner shall thereupon select the primary designer for the project.

Subd. 5. In the event the designer selected for a project declines the appointment or is unable to reach agreement with the department of administration on the fee or the terms of the contract, the commissioner of administration shall, not less than 60 days after the first appointment, request of the board that another selection be made.

Subd. 6. If the board fails to make a selection and notify the commissioner of administration thereof within 60 days of the user agency's request for a designer, the commissioner of administration may appoint a designer to the project without the recommendation of the board.

Subd. 7. The commissioner of administration, or the University of Minnesota for projects under its supervision, shall forward to the board a written report on each instance where the performance of a designer, which has been selected by the board or the commissioner, has been less than satisfactory. The basis of the complaint includes the ability of the designer to complete design work on time, to provide a design responsive to program needs within the constraints of the budget, to solve design problems and achieve a design consistent with the proposed function of the building, to avoid costly design errors or omissions, and to observe the construction work. These reports are public data and available for inspection according to the provisions of section 15.1621.

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Sec. 26. Minnesota Statutes 1980, Section 16A.63, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article VII, Section 1, is amended to read:

Subd. 2. **TEMPORARY FINANCING.** In anticipation of the receipt of proceeds of state bonds to be credited to the Minnesota state building fund, the commissioner of finance may transfer amounts not in excess of the anticipated proceeds from the general fund to the Minnesota state building fund or other state fund to which the proceeds are appropriated. Upon receipt of the state bond proceeds in anticipation of which a general fund transfer has been made, the commissioner of finance shall transfer to the general fund from the ~~Minnesota state building fund to the general fund which the proceeds were appropriated~~ an amount equal to the sum originally transferred from the general fund. There is are annually appropriated to the commissioner of finance from the general fund and from the Minnesota state building fund proceeds of the bonds sums sufficient to effect the transfers authorized by this subdivision.

Sec. 27. Minnesota Statutes 1980, Section 16A.64, Subdivision 4, is amended to read:

Subd. 4. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including, but not limited to, actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the Minnesota state building fund, and the amounts necessary therefor are appropriated from said fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be limited to first paid to the extent possible from the amount so appropriated.

Sec. 28. Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8, is amended to read:

Subd. 8. **APPROPRIATION FOR PAYMENT AND COSTS.** The principal of and interest and premium, if any, on all certificates of indebtedness issued hereunder, and all expenses incidental to the sale, guaranty of sale, placement, printing, execution, authorization, registration, and delivery thereof, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees, and costs arising from lines of credit obtained with respect to outstanding debt shall be paid from the general fund and shall be included in the computation of current cash flow requirements and of amounts available for allotment pursuant to appropriations, and the amounts necessary for these purposes are appropriated from the general fund. These appropriations are irrevocable and shall not be canceled. The commissioner of finance may enter into a covenant, on behalf of the state, for the security of the holders of certificates of indebtedness, for the segregation of cash and cash equivalent assets in a special account within the general fund for the payment of interest, principal, and premium, if any, in the amounts and at the times in advance of the due dates

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that the commissioner determines to be advisable for the state in marketing the certificates of indebtedness and to take action required under section 16A.15, subdivision 1, to enable the performance of the covenant.

Sec. 29. [85.012] [Subd. 18.] (a) The following areas are added to Fort Snelling State Park:

Commencing at the southwest corner of Section 17, Township 28 North, Range 23 West of the fourth principal meridian, said corner being MCM 107 of the City of Minneapolis and State of Minnesota coordinate grid systems; thence South 39 degrees 54 minutes 57 seconds East a distance of 4,015.45 feet to monument number 2 located on a western extension of the south line of the U.S. Department of the Interior, Bureau of Mines reservation heretofore established; thence South 89 degrees 52 minutes 00 seconds East for a distance of 1,192 feet, more or less, along the south boundary and fence line of the Bureau of Mines to Station H.H., the said station being a 1-inch-diameter steel rod firmly imbedded in concrete, the center point of which being the southeast corner of the parcel to be described and the point of beginning; thence North 41 degrees 42 minutes West, 309.26 feet; thence North 53 degrees 59 minutes West, 198.69 feet; thence North 08 degrees 51 minutes West, 493.72 feet; thence North 18 degrees 16 minutes 30 seconds West, 131.27 feet; thence North 07 degrees 47 minutes 30 seconds West, 828.78 feet to Station A.A., the station being a 2-inch-pipe cap, the exact point being a center punch mark, said point being the northeast corner of the parcel being described; thence South 89 degrees 55 minutes 24 seconds West, 18 feet along the North line of the Bureau of Mines to an existing fence; thence southeasterly for a distance of 1,820 feet, more or less, along said existing fence line to the south line of the Bureau of Mines; thence South 89 degrees 52 minutes 0 seconds East, 235 feet along the south line of the Bureau of Mines to the point of beginning.

(b) The following areas are deleted from Fort Snelling State Park:

That part of Section 20, Township 28 North, Range 23 West, described as follows: From monument number 2, located on the westerly extension of the south boundary of the U.S. Department of the Interior, Bureau of Mines, thence South 89 degrees 52 minutes 00 seconds East along said south boundary of the Bureau of Mines, 478.97 feet to reference point 1 on the easterly right-of-way line of Trunk Highway No. 55 and the point of beginning; thence South 48 degrees 48 minutes 53 seconds East, 458.74 feet along the easterly right-of-way line of said Trunk Highway No. 55; thence North 23 degrees 48 minutes 00 seconds East, 329.00 feet to the south boundary of the Bureau of Mines, thence North 89

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degrees 52 minutes 00 seconds West, 478.07 feet along said south boundary of the Bureau of Mines to the point of beginning.

Sec. 30. Minnesota Statutes 1980, Section 85.015, Subdivision 8, is amended to read:

Subd. 8. Sakatah Singing Hills Trail, Blue Earth, LeSueur, and Rice counties.

(a) The trail shall originate at mile post 4.1 of the Chicago and Northwestern Railway Company right of way in the junction of Benning, Blue Earth county, and shall extend in a northeasterly direction along the railroad right of way to mile post 46.01 of the Chicago and Northwestern Railway at a point commonly known as Faribault Junction in Rice county, a distance of approximately 42 miles, and there terminate.

(b) The trail shall be developed primarily for riding and hiking. Motorized vehicles, except snowmobiles, are prohibited from the trail.

~~(c) The commissioner shall not acquire any of the right of way of the Chicago and Northwestern Railway Company until the abandonment of the line of railway described in this subdivision has been approved by the Interstate Commerce Commission. However, before the abandonment is complete, the commissioner may take such preliminary steps as are necessary for the acquisition of such lands or interests in land, contingent upon the abandonment.~~

Sec. 31. Minnesota Statutes 1980, Section 85.015, Subdivision 13, is amended to read:

Subd. 13. Arrowhead Region Trails, in Cook, Lake, St. Louis, Koochiching and Itasca counties.

(a) (1) The Taconite Trail shall originate at Ely in St. Louis county and extend southwesterly to Tower in St. Louis county, thence westerly to McCarthy Beach state park in St. Louis county, ~~thence southerly crossing state trunk highway number 169 at O'Brien creek between Keowatin and Nashwauk in Itasca county,~~ thence southwesterly to Blackberry Grand Rapids in Itasca county and there terminate;

(2) The Northshore Trail shall originate in Duluth in St. Louis county and extend northeasterly to Two Harbors in Lake county, thence northeasterly to Grand Marais in Cook county, thence northeasterly to the international boundary in the vicinity of the north shore of Lake Superior, and there terminate;

(3) The Grand Marais to International Falls Trail shall originate in Grand Marais in Cook county and extend northwesterly, outside of the Boundary Waters Canoe Area, to Ely in St. Louis county, thence southwesterly along the route of the Taconite Trail to Tower in St. Louis county, thence northwesterly through the Pelican Lake area in St. Louis county to International Falls in Koochiching county, and there terminate.

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(b) The trails shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Arrowhead Region Trails may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the legislative advisory commission before granting his approval. Recommendations of the legislative advisory commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

Sec. 32. Minnesota Statutes 1980, Section 86.72, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise specifically provided, federal reimbursements and match money received for the purposes described in this chapter, regardless of the source of state match, credit or value used to earn the reimbursement or match, other than the federal match for state money appropriated to the local recreation and natural areas grant-in-aid account, and other than the federal great river road money, shall in the first instance be credited to a federal receipt account by the state agency receiving the reimbursement or match. Any state department or agency, including the Minnesota historical society and the University of Minnesota, that receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account.

Sec. 33. Minnesota Statutes 1980, Section 121.21, Subdivision 4a, is amended to read:

Subd. 4a. No district shall expend funds from any source for the acquisition or betterment of lands or buildings or for capital improvements needed for an area vocational-technical school without the approval of the state board and authorization by specific legislative act if that acquisition, betterment or capital improvement requires the expenditure of ~~an amount equal to or greater than \$150,000~~ \$250,000 or more, or adds more than 1,000 gross square feet to a post-secondary vocational facility, or requires the issuance of school district bonds. No acquisition or betterment of lands or buildings or capital improvement which requires the expenditure of ~~an amount less than \$150,000 but equal to or greater than \$50,000 or more but less than \$250,000~~ or which changes the perimeter walls of an existing facility shall be carried out without the approval of the state board. No acquisition or betterment of lands or buildings or capital improvement which requires the expenditure of less than \$50,000, which does not change a perimeter wall and which does not require the issuance of school district bonds, shall be carried out without the approval of the commissioner of education. As used in this subdivision, the terms "acquisition" and "betterment", as applied to lands and buildings, and "capital improvement" shall have the meanings ascribed to them in chapter 475, but shall not include the acquisition or betterment of machinery or equipment.

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Sec. 34. Minnesota Statutes 1980, Section 180.03, Subdivision 2, is amended to read:

Subd. 2. Every person, firm or corporation that is or has been engaged in the business of mining or removing iron ore, taconite, semitaconite or other minerals except sand, crushed rock and gravel by the open pit method in any county which has appointed an inspector of mines pursuant to section 180.01 shall erect two inch by four inch mesh fencing along the outside perimeter of the excavation, open pit, or shaft of any mine in which mining operations have ceased for a period of six consecutive months or longer. The top and bottom wire shall not be less than 9 gauge and the filler wire shall not be less than 11 gauge. The fencing shall be not less than five feet in height with two strands of barbed wire six inches apart affixed to the top of the fence. The fence posts shall be no more than ten feet apart. In the case of open pit mines in which mining operations cease after November 1, 1979, and before March 1, 1980, the fencing shall be erected as soon as possible after March 1, 1980. Where mining operations cease on or after March 1, 1980, the fencing shall be erected forthwith. In the case of open pit mines in which mining operations had ceased for a period of six consecutive months or longer before November 1, 1979, and not resumed, the fencing shall be erected within ~~three~~ four years after November 1, 1979. Any fencing required by an inspector of mines pursuant to subdivision 3 or other applicable law shall meet the standards of this section as a minimum. This subdivision does not apply to any excavation, open pit, or shaft, or any portion thereof, exempted from its application by the commissioner of natural resources pursuant to laws relating to mineland reclamation or exempted from its application by the county mine inspector pursuant to subdivision 4.

Sec. 35. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved March 23, 1982

CHAPTER 640 — H.F.No. 2188

An act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; modifying certain provisions relating to medical assistance; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256.74, Subdivisions 1, as amended, and 1a, as added; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.

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