

authorized pursuant to sections 1 and 2 of this article. This appropriation is available until June 30, 1982. * Section 3 was vetoed by the governor.

Sec. 4. **EFFECTIVE DATE.** This article is effective the day following final enactment.

Approved April 24, 1980

CHAPTER 610—H.F.No. 1813

An act relating to transportation; appropriating money for rail service improvement; authorizing issuance of state bonds.

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

Section 1. **RAILROAD ASSISTANCE; APPROPRIATION.** The sum of \$13,500,000 is appropriated from the state building fund to the rail service improvement account in the special revenue fund, to be expended by the commissioner of transportation for the purposes specified in Minnesota Statutes, Sections 222.49 to 222.62.

Sec. 2. **BOND SALE; DEBT SERVICE.** Subdivision 1. 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 \$13,500,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7.

Approved April 24, 1980

CHAPTER 611—H.F.No. 1842

An act relating to nuclear safety; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the department of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, Subdivisions 1 and 4.

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

Section 1. Minnesota Statutes, 1979 Supplement, Section 12.03, Subdivision 4, is amended to read:

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Subd. 4. "Emergency services or civil defense" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters, or from acute shortages of energy, or from incidents occurring at nuclear fission electrical generating plants which pose radiological or other health hazards. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, implementation of energy supply emergency conservation and allocation measures, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Sec. 2. Minnesota Statutes 1978, Chapter 12, is amended by adding a section to read:

[12.13] NUCLEAR POWER PLANT EMERGENCY RESPONSE PLAN.
The state director, in cooperation with the commissioner of health and affected local units of government, shall develop the state and local portions of the emergency response plans specified in the licensing of each nuclear fission electrical generating plant located in Minnesota.

In addition to any requirements imposed by federal law, the director shall assess the need for protective actions required to mitigate the effect of an incident at a nuclear power plant, and develop a nuclear power plant emergency response plan which shall include, but is not limited to:

(1) Purchase of equipment for state and local units of government, including public warning systems, protective devices, and communication systems, including preparation of brochures, pamphlets and educational programs;

(2) Development of a detailed nuclear emergency response plan for areas surrounding each nuclear fission electrical generating plant;

(3) Training of state and local emergency response personnel;

(4) Development of accident scenarios and exercises for nuclear emergency response plans; and

(5) Provision of any other specialized response equipment necessary to fulfill the plan.

The director shall provide any necessary assistance to other state agencies and local units of government in order to improve the state's nuclear power plant emergency response capacity.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 12.21, Subdivision 1, is amended to read:

Changes or additions indicated by underline deletions by ~~strikeout~~

12.21 GOVERNOR. Subdivision 1. The governor has general direction and control of emergency services and has the power and duty to carry out the provisions of this chapter and, during a civil defense emergency declared as existing under section 12.31, or during the existence of an energy supply emergency as declared under section 116H.09. or during the existence of any emergency resulting from an incident at a nuclear fission electrical generating plant which poses radiological or other health hazard, may assume direct operational control over all or any part of the emergency services functions within this state.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 12.21, Subdivision 4, is amended to read:

Subd. 4. The governor shall propose procedures for annual review by state and local officials of the ~~evacuation plans~~ state emergency response plan specified in the licensing of each nuclear fission electrical generating plant. The review shall include, but not be limited to such factors as changes in traffic patterns, population densities, and new construction. Opportunity for full public participation in the annual review shall be provided. Copies of an ~~evacuation plan~~ state emergency response plan shall be published, publicized, and distributed to the news media and to the appropriate officials of affected communities, and shall be made available to the general public upon request, at no more than the cost of reproduction.

Sec. 5. [12.14] ASSESSMENT FOR NUCLEAR SAFETY PREPAREDNESS ACT. Any person, firm, corporation or association in the business of owning or operating a nuclear fission electrical generating plant located in Minnesota, shall pay an assessment of \$250,000 per plant to cover the initial cost of upgrading nuclear power plant emergency response plans and other programs necessary to deal with incidents resulting from the operation of nuclear fission electrical generating plants. This assessment shall be paid to the state for deposit in the general fund within 90 days of the effective date of this act. Thereafter, an assessment of \$50,000 per plant shall be paid annually on July 1 of each year, beginning with July 1, 1981, to cover ongoing costs related to the emergency response plan.

Sec. 6. APPROPRIATIONS. The sum of \$500,000 is appropriated from the general fund to the department of public safety for the purpose of furthering the policy stated in section 2 and for a study to include analysis of existing emergency planning zones, and the need for modification or extension, the need for changes in land use regulation near plant sites, the capacity of state and local agencies to deal with nuclear power plant emergency, the scope of federal assistance during an emergency, the scope and coverage of utility insurance programs, a review of the state's role in emergency planning, an evaluation of remote monitoring and notification systems used or planned for use in other states, and an evaluation and recommendations for the adjustment of the annual assessment fees to the owners of the nuclear power plants. That part of the study which deals with remote monitoring systems shall involve consultation with the pollution control agency and shall include specific recommendations and requirements for the system most suitable for use at Minnesota plant sites. The director of emergency services shall submit a report to the legislature by February 1, 1981.

The department of public safety, division of emergency services is authorized to increase its complement by two full time positions.

The department of health is authorized to increase its complement by one full time position. *

Sec. 7. This act is effective the day following final enactment.

Approved April 24, 1980

* See the amendment to section 6 in Laws 1980, Chapter 618, Section 23.

CHAPTER 612—H.F.No. 1873

An act relating to local government; regulating zoning of certain facilities; authorizing certain actions by the city of Saint Paul; setting conditions of employment for certain Washington county employees; providing for the membership and dues of the Ramsey County league of local governments; amending Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3; and Laws 1959, Chapter 690, Section 2, as amended; and Laws 1963, Chapter 728, Section 1, as amended.

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

Section 1. Minnesota Statutes 1978, Section 245.812, Subdivision 2, is amended to read:

Subd. 2. In determining whether a license shall be issued, the commissioner shall specifically consider the population, size, land use plan, availability of community services and the number and size of existing public and private community residential facilities in the town, municipality or county in which an applicant seeks to operate a residence. ~~Except as specified in section 252.28;~~ Under no circumstances may the commissioner newly license any group residential facility pursuant to Laws 1976, Chapter 243 if such residential facility will be within 1,320 feet of any existing ~~community group~~ residential facility unless the appropriate town, municipality or county zoning authority grants the facility a conditional use or special use permit. With the exception of foster family homes the requirements of this subdivision apply to all licensed residential facilities, and for cities of the first class apply even if a facility is considered a permitted single family residential use of property according to subdivision 3.

Sec. 2. Minnesota Statutes 1978, Section 252.28, Subdivision 3, is amended to read:

Subd. 3. (1) No new license shall be granted pursuant to this section when the issuance of the license would substantially contribute to an excessive concentration of community residential facilities within any town, municipality or county of the state.

Changes or additions indicated by underline deletions by ~~strikeout~~