

The commissioner and state agencies may only stock fish in waters where there is public access. The commissioner may stock fish in any stream within privately owned lands where the public is granted free access to and use of the stream for fishing purposes.

Sec. 3. ANOKA COUNTY DRAINAGE.

Subdivision 1. REPAIRS OVER \$100,000 IN ANOKA COUNTY. A repair under this chapter or chapter 112 of a drainage system located in Anoka county that costs more than \$100,000 may not be started unless a petition is presented to the drainage authority or board of managers, signed by:

- (1) 26 percent of the property owners affected by the repair; or
- (2) owners of 26 percent of the property affected by the repair.

Subd. 2. PETITION TO PROCEED AS IMPROVEMENT. A repair under this chapter or chapter 112 of a drainage system located in Anoka county must proceed as an improvement under section 106A.215 if, before the contract for the repair is awarded, a petition requesting the repair to proceed as an improvement is presented to the drainage authority or board of managers and signed by:

- (1) 20 percent of the property owners affected by the repair; or
- (2) the owners of 20 percent of the property affected by the repair.

Subd. 3. REPAIR OF ANOKA COUNTY DITCH NO. 57. Notwithstanding any other law to the contrary, a repair proceeding on Anoka county ditch No. 57 is stayed and may not be continued until August 1, 1986. The repair proceeding must be dismissed and proceed as an improvement under section 106A.215 if a petition requesting that the repair proceed as an improvement is presented to the Coon Creek watershed district managers by August 1, 1986, signed by:

- (1) 10 percent of the property owners affected by the repair; or
- (2) the owners of 10 percent of the property affected by the repair.

Approved March 24, 1986

CHAPTER 425—H.F.No. 1968

An act relating to environment; prohibiting certain disposal of hazardous waste; providing for the selection of locations for and developers of hazardous waste stabilization and containment facilities; authorizing establishment of county solid waste management service areas; providing for financing of certain improvements; authorizing the city of Babbitt to

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exercise certain powers for solid waste management purposes; authorizing St. Louis county to enter into joint powers agreements with the city of Babbitt; amending Minnesota Statutes 1984, sections 115.01, by adding subdivisions; 115A.03, subdivision 1, and by adding subdivisions; 115A.05, subdivision 2; 115A.06, by adding a subdivision; 115A.13; 115A.14, subdivision 6; 115A.15, subdivision 6; 400.08; 400.11; 473.153, subdivision 3, and by adding a subdivision; 473.516, by adding a subdivision; 473.806, subdivision 2; 473.811, subdivision 2, and by adding a subdivision; Minnesota Statutes 1985 Supplement, sections 116.07, subdivision 4h; 275.50, subdivision 5; 473.153, subdivisions 1, 5, and 6b; and 477A.012; proposing coding for new law in Minnesota Statutes, chapters 115, 115A, 116C and 400; repealing Minnesota Statutes 1984, sections 115A.17; 400.05; and 400.10; Minnesota Statutes 1985 Supplement, section 473.811, subdivision 11.

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

Section 1. Minnesota Statutes 1984, section 115.01, is amended by adding a subdivision to read:

Subd. 18. HAZARDOUS WASTE. "Hazardous waste" means waste as defined in section 116.06, subdivision 13.

Sec. 2. Minnesota Statutes 1984, section 115.01, is amended by adding a subdivision to read:

Subd. 19. RADIOACTIVE WASTE. "Radioactive waste" means high-level radioactive waste as defined in section 116C.71, subdivision 17, and low-level radioactive waste as defined in article II of the Midwest Interstate Low-Level Radioactive Waste Compact, as enacted by section 116C.831.

Sec. 3. Minnesota Statutes 1984, section 115.01, is amended by adding a subdivision to read:

Subd. 20. POTABLE WATER. "Potable water" means water which is or may be used as a source of supply for human consumption including drinking, culinary use, food processing, and other similar purposes, and which is suitable for such uses in its untreated state or when treated using generally recognized treatment methods.

Sec. 4. Minnesota Statutes 1984, section 115.01, is amended by adding a subdivision to read:

Subd. 21. GROUNDWATER. "Groundwater" means water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near-surface unconsolidated sediment or regolith, or in rock formations deeper underground.

Sec. 5. Minnesota Statutes 1984, section 115.01, is amended by adding a subdivision to read:

Subd. 22. DEPOSITORY. "Depository" means: (a) a disposal facility or

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stabilization and containment facility for hazardous waste as defined in section 115A.03; and (b) a radioactive waste management facility as defined in section 116C.71, subdivision 7.

Sec. 6. [115.063] HAZARDOUS AND RADIOACTIVE WASTE; STATE POTABLE WATER PROTECTION POLICY.

The legislature finds that:

(1) the waters of the state, because of their abundant quantity and high natural quality, constitute a unique natural resource of immeasurable value which must be protected and conserved for the benefit of the health, safety, welfare, and economic well-being of present and future generations of the people of the state;

(2) the actual or potential use of the waters of the state for potable water supply is the highest priority use of that water and deserves maximum protection by the state; and

(3) the disposal of hazardous waste and radioactive waste in Minnesota may pose a serious risk of pollution of the waters of the state, particularly potable water.

It is therefore the policy of the state of Minnesota, consistent with the state's primary responsibility and rights to prevent, reduce, and eliminate water pollution and to plan for the preservation of water resources, that depositories for hazardous waste or radioactive waste should not be located in any place or be constructed or operated in any manner that can reasonably be expected to cause pollution of potable water.

Sec. 7. [115.065] PROHIBITION OF DISPOSAL.

The location, construction, or operation of any depository for hazardous waste or radioactive waste, whether generated within or outside of the state, in any place or in any manner that can reasonably be expected to cause the pollution of potable water is prohibited.

Sec. 8. [115.067] BELOW GRADE DISPOSAL SYSTEMS; PROHIBITION; EXCEPTION.

The construction or operation of a depository for hazardous waste or radioactive waste in whole or in part below the natural grade of the land where it is located is prohibited unless the person proposing to construct or operate the depository demonstrates that the depository cannot reasonably be expected to cause the pollution of potable water.

Sec. 9. [115.069] RADIONUCLIDE POLLUTION; HIGH-LEVEL NUCLEAR WASTE DEPOSITORY.

The determination of whether the location, construction, or operation of a

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depository for spent nuclear fuel or high-level radioactive waste can reasonably be expected to cause radionuclide pollution of potable groundwater in violation of section 7 shall be made in accordance with the provisions of section 11.

Sec. 10. [116C.75] DEFINITIONS.

Subdivision 1. APPLICABILITY. The definitions in this section apply to sections 10 and 11.

Subd. 2. GROUNDWATER. "Groundwater" means the water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near surface unconsolidated sediment or regolith, or in rock formations deeper underground.

Subd. 3. UNDISTURBED PERFORMANCE. "Undisturbed performance" means the predicted behavior of a radioactive waste management facility, including consideration of the uncertainties in predicted behavior, if the radioactive waste management facility is not disrupted by human intrusion or unlikely natural events.

Sec. 11. [116C.76] NUCLEAR WASTE DEPOSITORY RELEASE INTO GROUNDWATER.

Subdivision 1. RADIONUCLIDE RELEASE LEVELS. Radioactive waste management facilities for spent nuclear fuel or high-level radioactive wastes must be designed to provide a reasonable expectation that the undisturbed performance of the radioactive waste management facility will not cause the radionuclide concentrations, averaged over any year, in groundwater to exceed:

(1) five picocuries per liter of radium-226 and radium-228;

(2) 15 picocuries per liter of alpha-emitting radionuclides including radium-226 and radium-228, but excluding radon; or

(3) the combined concentrations of radionuclides that emit either beta or gamma radiation that would produce an annual dose equivalent to the total body of any internal organ greater than four millirems per year if an individual consumed two liters per day of drinking water from the groundwater.

Subd. 2. DISPOSAL RESTRICTED. The location or construction of a radioactive waste management facility for high level radioactive waste is prohibited where the average annual radionuclide concentrations in groundwater before construction of the facility exceed the limits in subdivision 1.

Subd. 3. PROTECTION AGAINST RADIONUCLIDE RELEASE. Radioactive waste management facilities must be selected, located, and designed to keep any allowable radionuclide releases to the groundwater as low as reasonably achievable.

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Sec. 12. Minnesota Statutes 1984, section 115A.03, subdivision 1, is amended to read:

Subdivision 1. For the purposes of ~~sections 115A.01 to 115A.72~~ chapter 115A, the terms defined in this section have the meanings given them, unless the context requires otherwise.

Sec. 13. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

Subd. 7a. CONTAINMENT. "Containment" means isolating, controlling, and monitoring waste in a waste facility in order to prevent a release of waste from the facility that would have an adverse impact upon human health and the environment.

Sec. 14. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

Subd. 13a. INDUSTRIAL WASTE. "Industrial waste" means solid waste resulting from an industrial, manufacturing, service, or commercial activity that is managed as a separate waste stream.

Sec. 15. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

Subd. 32a. STABILIZATION. "Stabilization" means a chemical or thermal process in which materials or energy are added to waste in order to reduce the possibility of migration of any hazardous constituents of the resulting stabilized waste in preparation for placement of the waste in a stabilization and containment facility.

Sec. 16. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

Subd. 32b. STABILIZATION AND CONTAINMENT FACILITY. "Stabilization and containment facility" means a waste facility that is designed for stabilization and containment of waste, together with other appurtenant facilities needed to process waste for stabilization, containment, or transfer to another facility.

Sec. 17. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

Subd. 37. WASTE RENDERED NONHAZARDOUS. "Waste rendered nonhazardous" means (1) waste excluded from regulation as a hazardous waste under the delisting requirements of United States Code, title 42, section 6921 and any federal and state delisting rules, and (2) other nonhazardous residual waste from the processing of hazardous waste.

Sec. 18. Minnesota Statutes 1984, section 115A.05, subdivision 2, is amended to read:

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Subd. 2. **PERMANENT MEMBERS.** Eight of the permanent members of the board shall be appointed by the governor, with the advice and consent of the senate, to represent diverse areas and interests within the state. One member shall be appointed from each congressional district ~~in accordance with boundaries existing on January 1, 1980.~~ The term of office and compensation of the eight members thus appointed, and the manner of removal and filling of vacancies, shall be as provided in section 15.0575, except that ~~the initial term of all members shall extend until 90 days after the board makes the decisions required by section 115A.28 and the terms of members serving on the effective date of this section expire on that date.~~ The rate of compensation shall be \$50 per day spent on board activities. The ninth permanent member of the board shall be the chairperson who shall be appointed by the governor with the advice and consent of the senate. Senate confirmation of the permanent members of the board shall be as provided by section 15.066. The chairperson shall serve at the pleasure of the governor for a term coterminous with that of the governor; ~~except that the initial term of the chairperson shall extend until 90 days after the board makes the decisions required by section 115A.28.~~ The chairperson shall be the executive and operating officer of the board and shall determine the time and place of meetings, preside at meetings, appoint all board officers and hire and supervise all employees subject to the approval of the board, carry out the policy decisions of the board, and perform all other duties and functions assigned to him by the board or by law. No permanent member of the board shall hold other elected or appointed public office.

Sec. 19. Minnesota Statutes 1984, section 115A.06, is amended by adding a subdivision to read:

Subd. 14. NONHAZARDOUS AND INDUSTRIAL WASTE; EVALUATION OF WASTE MANAGEMENT. The board may evaluate and make recommendations for the management of waste rendered nonhazardous and industrial waste that should be managed separately from mixed municipal solid waste, and may provide technical and planning assistance to political subdivisions, waste generators, and others for the purpose of identifying, developing, and implementing alternative management methods for those wastes.

Sec. 20. Minnesota Statutes 1984, section 115A.13, is amended to read:

115A.13 BOARD; EXPIRATION.

The board shall ~~cease~~ ceases to exist on June 30, ~~1987~~ 1992.

Sec. 21. Minnesota Statutes 1984, section 115A.14, subdivision 6, is amended to read:

Subd. 6. **EXPIRATION.** The provisions of this section shall expire on June 30, ~~1987~~ 1992.

Sec. 22. Minnesota Statutes 1984, section 115A.15, subdivision 6, is amended to read:

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Subd. 6. **RESOURCE RECOVERY REVOLVING ACCOUNT.** Upon the certification of the commissioner of administration, the commissioner of finance shall establish an account in the general services revolving fund, effective June 30, 1980, for the operation of the state government resource recovery program. The revolving account shall consist of all funds appropriated by the state for the program, all revenues resulting from the sale of recyclable and reusable commodities made available for sale as a result of the resource recovery program and all reimbursements to the commissioner of his expenses incurred in developing and administering resource recovery systems for state agencies, local governments, and regional agencies. The account may be used for all activities associated with the program including payment of administrative and operating costs, except statewide and agency indirect costs.

Sec. 23. [115A.175] SITING AND FACILITY DEVELOPMENT AUTHORITY; LIMITATIONS.

Subdivision 1. SITING ACTIVITY. The board shall terminate all activity under sections 115A.18 to 115A.30 relating to the selection and evaluation of sites for hazardous waste facilities, except as provided in this section.

Subd. 2. DISMISSAL OF CANDIDATE SITES. All candidate sites remaining under section 115A.21, subdivision 1, are dismissed from further consideration as candidate sites for hazardous waste facilities.

Subd. 3. ALTERNATIVE SITING PROCEDURE. The board shall proceed with site evaluation and selection in accordance with sections 24 to 27. In evaluating and selecting sites under sections 24 to 27, the board shall act in accordance with sections 115A.18 to 115A.20, except as otherwise provided in sections 24 to 27.

Subd. 4. STABILIZATION AND CONTAINMENT FACILITY; RESTRICTIONS; CONTAINMENT STANDARDS TO PROTECT HUMAN HEALTH AND ENVIRONMENT. No facility may be sited under sections 115A.18 to 115A.30 except a stabilization and containment facility. The facility must be above grade unless the board determines, after environmental review under section 27, subdivision 2, that an alternative design would provide greater protection for human health and the environment. No waste may be accepted for containment at the facility except the following:

(a) waste rendered nonhazardous;

(b) industrial waste; and

(c) waste that is not eligible for acceptance under clause (a) or (b), if the agency determines that all of the following requirements are met:

(1) there is no feasible and prudent alternative to containment of the waste that would minimize adverse impact upon human health and the environment;

(2) the waste has been treated using feasible and prudent technology that

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minimizes the possibility of migration of any hazardous constituents of the waste; and

(3) the waste meets the standards adopted to protect human health and the environment under the authority of 42 U.S.C. section 6924(m), and any additional protective standards adopted by the agency under section 116.07, subdivision 4.

If no federal or state standards have been adopted for a waste as provided in clause (3), the waste may not be accepted for containment.

A person proposing a waste for containment at the facility has the burden of demonstrating that the waste may be accepted under the requirements of this subdivision. The demonstration under clause (c) must document in a form satisfactory to the agency the manner in which the person has attempted to meet the standard for acceptance of the waste under clause (a) and the characteristics of the waste that prevent compliance with that standard.

Subd. 5. AGENCY ADOPTION OF RULES. The agency shall adopt rules under chapter 14 establishing procedures by which a person must demonstrate that a hazardous waste can be accepted by the facility as provided in subdivision 4. The agency shall adopt all rules necessary to implement the provisions of subdivision 4 and this subdivision before granting any permit for operation of the facility.

Sec. 24. [115A.19] VOLUNTARY CONTRACTS WITH COUNTIES.

Subdivision 1. BOARD TO SEEK CONTRACTS. The waste management board and any eligible county board may enter a contract as provided in this section expressing their voluntary and mutually satisfactory agreement concerning the location and development of a stabilization and containment facility. The chair shall negotiate contracts with eligible counties and shall present drafts of the negotiated contracts to the board for its approval. The chair shall actively solicit, encourage, and assist counties, together with developers, landowners, the local business community, and other interested parties, in developing resolutions of interest. The county shall provide affected political subdivisions and other interested persons with an opportunity to suggest contract terms.

Subd. 2. RESOLUTION OF INTEREST IN NEGOTIATING; ELIGIBILITY. A county is eligible to negotiate a contract under this section if the county board files with the waste management board and the board accepts a resolution adopted by the county board that expresses the county board's interest in negotiations and its willingness to accept the preliminary evaluation of one or more study areas in the county for consideration as a location of a stabilization and containment facility. The county board resolution expressing interest in negotiations must provide for county cooperation with the board, as necessary to facilitate the evaluation of study areas in the county, and for the appointment of a member of the county board or an officer or employee of the county as official liaison with the board with respect to the matters provided in the resolution and

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future negotiations with the board. A county board by resolution may withdraw a resolution of interest, and the waste management board may withdraw its acceptance of such a resolution, at any time before the parties execute a contract under this section. A county that is eligible to negotiate a contract shall receive the benefits as provided in section 42.

Subd. 3. EVALUATION OF STUDY AREAS. The chair, in cooperation with the county board, may engage in activities necessary for the evaluation of study areas in any county that is eligible to negotiate a contract under this section. The determination of whether any study area may be considered or excluded from consideration under sections 115A.18 to 115A.20 and sections 24 to 27 is exclusively the authority of the board. Before entering a contract under this section, the board shall determine whether the study area identified in the contract is appropriate for preparation of an environmental impact statement.

Subd. 4: REQUIREMENTS OF CONTRACT. A contract between the board and a county must include provisions by which:

(a) the state, acting through the board, agrees to implement the terms of the contract and provide the benefits and implement the procedures and practices agreed upon pursuant to subdivision 5;

(b) the state, acting through the board, agrees to provide benefits to the county under section 42; and

(c) the county agrees that the study area or areas in the county that have been determined by the board to be appropriate for preparation of an environmental impact statement are subject to evaluation and selection by the board as provided in section 27.

After executing the contract, the study areas identified in the contract remain subject to the provisions of section 27 until the study areas are dismissed from further consideration by the board.

Subd. 5. NEGOTIATED TERMS. A contract executed under subdivision 4 may contain any terms agreed upon by the state and the county, including:

(a) procedures relating to the evaluation and selection of a site and the construction, operation, and maintenance of a proposed facility, including procedures for cooperation, consultation, and coordination between the board and the county or political subdivisions in the county on those matters;

(b) practices and procedures necessary to assure and demonstrate safe operation of a proposed facility;

(c) services, compensation, or benefits to be provided by the state to the county or political subdivisions in the county, including (i) payments in lieu of taxes on a publicly owned site; (ii) compensation for property owners adjoining or in close proximity to the facility through property tax relief or assurance of property value; (iii) compensation for local public expenditures necessitated by

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the facility; (iv) compensation for demonstrable private and community impacts from the facility; (v) monetary compensation to the county and other parties affected by the facility, in addition to compensation for necessary expenditures and demonstrable impacts; (vi) provision of services or benefits to promote the health, safety, comfort, and economic development and well-being of the county and its citizens;

(d) provision for amendment of the contract; and

(e) provisions for resolutions of disputes under the contract.

Terms of the contract requiring enactment of additional state law, including an appropriation law, are contingent on that enactment. The contract may provide for implementation of its terms during evaluation of a study area in the county under section 27 and in the event that a study area in the county is selected as the site for a facility under that section.

Sec. 25. [115A.192] SELECTION OF DEVELOPER OF STABILIZATION AND CONTAINMENT FACILITY; REQUEST FOR PROPOSALS.

Subdivision 1. REQUEST FOR PROPOSALS. The chair shall issue requests for proposals for the development and operation of a stabilization and containment facility. The request must be designed to obtain detailed information about the qualifications of a respondent to develop and operate the facility; the capital and operating costs of the facility and the sources and methods by which the respondent plans to finance the facility; the technical specifications of the proposed facility and the technologies to be employed for processing, stabilization, containment, and monitoring; the requirements of the site for the proposed facility; the schedule for developing and commencing operation of the facility; and other matters which the chair deems necessary for the board to evaluate and select a developer and operator for the facility. Before issuing the requests, the chair shall prepare a draft of clauses (a) to (e) of the report required by section 26. The draft must accompany the requests for proposals.

Subd. 2. SELECTION OF DEVELOPER; PROCEDURE. After evaluating responses to the request for proposals and before selecting a site as provided in section 27, the board shall decide whether to select a developer for a stabilization and containment facility. If the board selects a developer it shall proceed as provided in section 27 to select a site for the development of a facility. If the board decides not to select a developer, the board shall proceed as provided in section 27 to select and acquire a site for potential future development of a facility.

Sec. 26. [115A.193] REPORT ON FACILITY DEVELOPMENT.

The chair shall prepare a report concerning the development of a stabilization and containment facility. The report must include:

(a) a conceptual plan that describes and evaluates the proposed design and

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operation of the facility, including an evaluation of technical feasibility, a description and evaluation of the types and quantities of hazardous waste and non-hazardous residual waste from hazardous waste processing that the facility would be designed to accept, and a description and evaluation of technologies needed or desired at the facility for processing, stabilization, and containment, including above grade containment;

(b) procedures and standards for the operation of the facility that require the use of reduction, recycling, and recovery of any hazardous waste before the waste is accepted for stabilization when the alternative or additional management method is feasible and prudent and would materially reduce adverse impact on human health and the environment;

(c) evaluation of the design and use of the facility for processing, stabilization, or containment of industrial waste, including technical and regulatory issues and alternative management methods;

(d) evaluation of feasible and prudent technologies that may substantially reduce the possibility of migration of any hazardous constituents of wastes that the facility would be designed to accept;

(e) a general analysis of the necessary and desirable physical, locational, and other characteristics of a site for the facility;

(f) an evaluation of the prospects of and conditions required for the regulatory delisting of residual waste from hazardous waste processing;

(g) an evaluation of the feasibility of an interstate, regional approach to the management of hazardous waste; and

(h) an economic feasibility analysis of the development and operation of the facility, including the anticipated use of the facility by Minnesota generators from within and outside the state, and sources of private and public financing that may be available or necessary for development or operation.

The chair shall submit a draft of the report to the board and the legislative commission on waste management by July 1, 1988, and before executing contracts under section 24.

Sec. 27. **[115A.194] EVALUATION AND SELECTION OF SITES; PERMITS.**

Subdivision 1. BOARD; DETERMINATION OF SITING PROCEDURE. The board shall proceed to take the actions provided in subdivisions 2 and 4 pursuant to any contracts executed under section 24.

Subd. 2. BOARD; REQUIREMENTS BEFORE DECISIONS. Before the board makes decisions under subdivision 4:

(a) the board shall complete environmental impact statements on the envi-

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ronmental effects of the decisions, in the manner provided in chapter 116D and the rules issued under that chapter; and

(b) the chair shall present to the board the report on facility development prepared as provided in section 26.

Subd. 3. AGENCIES; REPORT ON PERMIT CONDITIONS AND APPLICATION REQUIREMENTS. Within 30 days following the determination of the adequacy of the environmental impact statements and the presentation of the report on facility development, after consulting with the board, facility developers, and affected local government units, the chief executive officer of each permitting state agency shall issue to the board reports on permit conditions and permit application requirements at each location. The reports must indicate, to the extent possible based on existing information, the probable terms, conditions, and requirements of permits, and the probable supplementary documentation that will be required for the environmental impact statement and permit applications under subdivision 5. If the board has selected a developer, the report of the agency must include a description of the rules necessary to implement the provisions of section 23, subdivision 4.

Subd. 4. BOARD DECISIONS. Within 90 days after the board has determined the adequacy of the environmental impact statement, the board shall: (1) specify the type, capacity, and function of the stabilization and containment facility, including operating and design standards for the facility; and (2) select one of the study areas evaluated under this section as the site for the facility, unless the board determines, based upon potential significant adverse effects on the environment, that none of the study areas should be selected as the site consistent with the reasonable requirements of the public health, safety, and welfare and the state's paramount concern for the protection of its air, water, land, and other natural resources from pollution, impairment, or destruction. The provisions of sections 115A.28, subdivisions 2 and 3 and 115A.30 apply to any board decision to select a study area as a site under this subdivision.

If the board selects a study area as a site under this subdivision, the board shall dismiss all other study areas from further consideration. If the board does not select a study area as a site under this subdivision, the board shall dismiss all study areas from further consideration.

Subd. 5. AGENCY; PERMITS; ENVIRONMENTAL REVIEW. Before the agency issues permits for the facility, the agency shall complete an environmental impact statement specifically on the environmental effects of permitting decisions required to be made by permitting agencies. The statement must be completed in the manner provided in chapter 116D and the rules issued under that chapter.

Sec. 28. Minnesota Statutes 1985 Supplement, section 116.07, subdivision 4h, is amended to read:

Subd. 4h. FINANCIAL RESPONSIBILITY RULES. The agency shall

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adopt rules requiring the operator or owner of a solid waste disposal facility to submit to the agency proof of the operator's or owner's financial capability to provide reasonable and necessary response during the operating life of the facility and for 20 years after closure, and to provide for the closure of the facility and postclosure care required under agency rules. Proof of financial responsibility is required of the operator or owner of a facility receiving an original permit or a permit for expansion after adoption of the rules. Within 180 days of the effective date of the rules or by ~~January~~ July 1, 1987, whichever is later, proof of financial responsibility is required of an operator or owner of a facility with a remaining capacity of more than five years or 500,000 cubic yards that is in operation at the time the rules are adopted. Compliance with the rules is a condition of obtaining or retaining a permit to operate the facility.

Sec. 29. Minnesota Statutes 1985 Supplement, section 275.50, subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1983 payable in 1984 and subsequent years, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any tort action, or to pay the costs of settlements out of court against the governmental subdivision in a tort action when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgments and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order initially issued prior to January 1, 1977 by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs to a governmental subdivision for their minimum required share of any program otherwise authorized by law for which matching funds have been appropriated by the state of Minnesota or the United States, excluding the administrative costs of public assistance programs, to the extent of the increase in levy over the amount levied for the local share of the program for the taxes payable year 1971. This clause shall apply only to those programs or projects for which matching funds have been designated by the state of Minne-

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sota or the United States on or before September 1, of the previous year and only when the receipt of these matching funds is contingent upon the initiation or implementation of the project or program during the year in which the taxes are payable or those programs or projects approved by the commissioner;

(d) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law, and the costs of purchase or delivery of social services. Except for the costs of general assistance as defined in section 256D.02, subdivision 4, general assistance medical care under section 256D.03 and the costs of hospital care pursuant to section 261.21, the aggregate amounts levied pursuant to this clause are subject to a maximum increase of 18 percent over the amount levied for these purposes in the previous year;

(e) pay the costs of principal and interest on bonded indebtedness or to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(f) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency; and to pay the cost for certificates of indebtedness issued pursuant to sections 298.28 and 298.282;

(g) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(h) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(i) pay the amounts required to compensate for a decrease in manufactured homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 274.19, subdivision 8, as amended, is less than the distribution of the manufactured homes tax to the governmental subdivision pursuant to Minnesota Statutes 1969, section 273.13, subdivision 3, in calendar year 1971;

(j) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(k) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in a levy year, but only to the extent

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that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(l) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal board but only to the extent and for the levy years as provided by the board in its order pursuant to section 414.01, subdivision 15. Special levies authorized by the board shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the board's order;

(m) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) the increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) the amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development. In the levy year following the levy year in which the special levy made pursuant to this clause is discontinued, one-half of the amount of that special levy made in the preceding year shall be added to the permanent levy base of the governmental subdivision;

(n) recover a loss or refunds in tax receipts incurred in nonspecial levy funds resulting from abatements or court action in the previous year pursuant to section 275.48;

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(o) pay amounts required by law to be paid to pay the interest on and to reduce the unfunded accrued liability of public pension funds in accordance with the actuarial standards and guidelines specified in sections 356.215 and 356.216 reduced by 106 percent of the amount levied for that purpose in 1976, payable in 1977. For the purpose of this special levy, the estimated receipts expected from the state of Minnesota pursuant to sections 69.011 to 69.031 or any other state aid expressly intended for the support of public pension funds shall be considered as a deduction in determining the required levy for the normal costs of the public pension funds. No amount of these aids shall be considered as a deduction in determining the governmental subdivision's required levy for the reduction of the unfunded accrued liability of public pension funds;

(p) the amounts allowed under section 174.27 to establish and administer a commuter van program;

(q) pay the costs of financial assistance to local governmental units and certain administrative, engineering, and legal expenses pursuant to Laws 1979, chapter 253, section 3;

(r) compensate for revenue lost as a result of abatements or court action pursuant to section 270.07, 270.17 or 278.01 due to a reassessment ordered by the commissioner of revenue pursuant to section 270.16;

(s) pay the total operating cost of a county jail as authorized in section 641.01. If the county government utilizes this special levy, then any amount levied by the county government in the previous year for operating its county jail and included in its previous year's levy limitation computed pursuant to section 275.51 shall be deducted from the current levy limitation;

(t) pay the costs of implementing section 18.023, including sanitation and reforestation; and

(u) pay the estimated cost for the following calendar year of the county's share of funding the Minnesota cooperative soil survey; and

(v) pay the costs of meeting the planning requirements of section 115A.46; the requirements of section 115A.917; the planning requirements of the metropolitan plan adopted under section 473.149 and county master plans adopted under section 473.803; waste reduction and source separation programs and facilities; response actions that are financed in part by service charges under section 400.08 or section 22; closure and postclosure care of a solid waste facility closed by order of the pollution control agency or by expiration of an agency permit before January 1, 1989; and current operating and maintenance costs of a publicly-owned solid waste processing facility financed with general obligation bonds issued after a referendum before the effective date of this section.

Sec. 30. Minnesota Statutes 1984, section 400.08, is amended to read:

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400.08 SERVICE AREAS AND CHARGES.

Subdivision 1. DEFINITION. For purposes of this section, "solid waste management services" includes collection, processing, and disposal of solid waste, closure and post-closure care of a solid waste facility, and response, as defined in section 115B.02, to releases from a solid waste facility or closed solid waste facility.

Subd. 2. SERVICE AREAS. In addition to the power that the county may exercise under other law, and in order to provide solid waste management services to those areas needing services, the county board by resolution may establish and determine the boundaries of solid waste management service areas in the county. Before the adoption of the resolution the county board shall hold a public hearing on the question. If a service area is established, the county board may impose service charges for solid waste management services for the area and may levy a tax on all the property in the area, or any combination of charges and taxes. The county board may enlarge any existing service area following the procedures specified in this section. Upon the petition of the landowner, land may be added to the service area without a public hearing on the enlargement.

Subd. 3. SERVICE CHARGES. The county may establish by ordinance, revise when deemed advisable, and collect just and reasonable rates and charges for solid waste management services provided by the county or by others under contract with the county. The ordinance may obligate the owners, lessees, or occupants of property, or any or all of them, to pay charges for solid waste management services to their properties and may obligate the user of any facility to pay a reasonable charge for the use of the facility. Rates and charges may take into account the character, kind, and quality of the service and of the solid waste, the method of disposition, the number of people served at each place of collection, and all other factors that enter into the cost of the service, including but not limited to depreciation and payment of principal and interest on money borrowed by the county for the acquisition or betterment of facilities. A notice of intention to enact an ordinance, published pursuant to section 375.51, subdivision 2, shall provide for a public hearing prior to the meeting at which the ordinance is to be considered.

Subd. 4. COLLECTION. The rates and charges may be billed and collected in a manner the board shall determine. On or before October 15 in each year, the county board ~~shall~~ may certify to the county auditor all unpaid outstanding charges ~~for services hereunder~~, and a ~~statement of the description of the lands which were serviced and against which the charges arose.~~ It shall be the duty of the county auditor, upon order of the county board, to extend the assessments, with interest not to exceed ~~six percent~~ as the interest rate provided for in the county ordinance section 279.03, subdivision 1, upon the tax rolls of the county for the taxes of the year in which the assessment is filed. For each year ending October 15 the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and

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collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the state. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the state. All rates and charges shall be uniform in their application to use and service of the same character and quantity. A notice of intention to enact such an ordinance, published pursuant to section 375.51, subdivision 2, shall provide for a public hearing thereon to be held prior to the meeting at which the ordinance is to be considered.

Sec. 31. **[400.101] BONDS.**

The county, by resolution, may authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities, related transmission facilities, or property or property rights for the facilities, for improvements of a capital nature to respond, as defined in section 115B.02, to releases from closed solid waste facilities, or for refunding any outstanding bonds issued for any such purpose, and may pledge to the payment of the bonds and the interest thereon, its full faith, credit, and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any facility operated by or for the county, or any combination thereof. Except as otherwise provided in this section, the bonds must be issued and sold in accordance with the provisions of chapter 475. The proceeds of the bonds may be used in part to establish a reserve as further security for the payment of the principal and interest of the bonds when due. Revenue bonds issued under this section may be sold at public or private sale upon conditions that the county board determines, but any bonds to which the full faith and credit and taxing powers of the county are pledged must be sold in accordance with the provisions of chapter 475. No election is required to authorize the issuance of bonds under this section.

Sec. 32. Minnesota Statutes 1984, section 400.11, is amended to read:

400.11 TAX LEVIES; ADVANCE FUNDING.

The county may levy taxes for solid waste management purposes upon all taxable property within the county, ~~which shall not affect the amount or rate of taxes which may be levied for other county purposes.~~ The county may levy a tax in anticipation of need for solid waste management purposes as specified in the resolution levying the tax, appropriating the proceeds of the tax to a special fund to be used only for those purposes and, until used, to be invested in securities authorized in section 475.66.

Sec. 33. Minnesota Statutes 1985 Supplement, section 473.153, subdivision 1, is amended to read:

Subdivision 1. **FACILITIES REQUIRED.** Except as provided in subdivision 7 and section 115A.33, all facilities for the disposal of solid waste generated by the metropolitan waste control commission shall be established and operated

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in accordance with this section and section 473.516. The ~~council and the~~ commission shall establish acquire and own all of the facilities needed for the disposal of ~~solid waste~~ the sludge ash generated by the commission. The ~~council and the~~ commission shall acquire and establish at least one facility for sludge ash disposal at a site selected by the council under this section, unless the council and the agency determine under section 35 that the facility is not needed.

Sec. 34. Minnesota Statutes 1984, section 473.153, subdivision 3, is amended to read:

Subd. 3. **MORATORIUM.** In order to permit the comparative evaluation of sites and the participation of affected localities in decisions about the use of sites, a moratorium is hereby imposed as provided in this subdivision on development within the area of each candidate site and buffer area selected by the council. The moratorium shall extend until six months following the council's decision under subdivision 6 or until the sites are dismissed from consideration pursuant to section 35. No development shall be allowed to occur within the area of a site or buffer area during the period of the moratorium without the approval of the council. No county, city, or town land use control shall permit development which has not been approved by the council, nor shall any county, city, or town sanction or approve any subdivision, permit, license, or other authorization which would allow development to occur which has not been approved by the council. The council shall not approve actions which would jeopardize the availability of a candidate site for use as a solid waste facility. The council may establish guidelines for reviewing requests for approval under this subdivision. Requests for approval shall be submitted in writing to the chairman of the council and shall be deemed to be approved by the council unless the chairman otherwise notifies the submitter in writing within 15 days.

Sec. 35. Minnesota Statutes 1984, section 473.153, is amended by adding a subdivision to read:

Subd. 4a. NEED FOR FACILITY; OPTION TO TERMINATE SITING. The council may determine, by resolution following a public hearing, that the new sludge ash disposal facility to be acquired and established under this section, as required by subdivision 1, is not needed, because the council finds that permitted management methods other than land disposal, together with land disposal of ash on property owned by the commission prior to March 1, 1986, will be sufficient to accommodate all of the commission's ash without the acquisition and establishment of a new facility. A determination of the council that the facility is not needed is subject to review and approval by the pollution control agency. If the agency disapproves, the council and the commission shall proceed to site, acquire, and establish the facility as required by this section. If the agency approves, the council shall terminate the siting process established by this section and permanently dismiss the candidate sites from further consideration as sites for the facility.

Sec. 36. Minnesota Statutes 1985 Supplement, section 473.153, subdivision 5, is amended to read:

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Subd. 5. **ENVIRONMENTAL REVIEW.** Unless the council and the agency determine under section 35 that the sludge ash disposal facility required by subdivision 1 is not needed, an environmental impact statement must be completed on the environmental effects of the council's decisions required by subdivision 6. The statement must be prepared and reviewed in accordance with chapter 116D and the rules issued pursuant thereto, except as otherwise required by this section. The statement must not address or reconsider alternatives eliminated from consideration pursuant to subdivisions 1 and 2 and must not address the matters subject to decision by the council pursuant to subdivision 6b.

Sec. 37. Minnesota Statutes 1985 Supplement, section 473.153, subdivision 6b, is amended to read:

Subd. 6b. **CERTIFICATION OF NEED.** ~~No new facility for disposing of~~ The disposal of sludge ash and other waste generated by the commission ~~shall be~~ is not permitted in the metropolitan area without a certification of need issued by the council indicating the council's determination:

(a) that the disposal of waste with concentrations of hazardous materials is necessary; and

(b) that ~~additional ash disposal capacity is needed~~ necessary.

The council shall certify need only to the extent that there are no feasible and prudent methods of reducing the concentrations of hazardous materials in the waste and no feasible and prudent alternatives to ash disposal, including large-scale composting and co-composting of sludge, which would minimize adverse impact upon natural resources. Methods and alternatives that are speculative or conjectural shall not be deemed to be feasible and prudent. Economic considerations alone shall not justify the certification of need or the rejection of methods or alternatives, including large-scale composting and co-composting of sludge as an alternative to incineration. In its certification the council shall not consider alternatives which have been eliminated from consideration by the selection of sites pursuant to subdivision 2.

Sec. 38. Minnesota Statutes 1984, section 473.516, is amended by adding a subdivision to read:

Subd. 5. Notwithstanding section 473.523, the commission may enter into a negotiated contract with a private person to use the sludge ash generated by the commission in a manufacturing process. The contract may not exceed 30 years.

Sec. 39. Minnesota Statutes 1984, section 473.806, subdivision 2, is amended to read:

Subd. 2. **ACQUISITION OF TEMPORARY DEVELOPMENT RIGHTS.** If pursuant to subdivision 1 the council refuses to approve development which

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is permitted by local development plans, land use classification, and zoning and other official controls applying to the property on February 1, 1983, the land owner may elect to have the county purchase temporary development rights to the property for the period extending from the date when the council approved the site which affects the property for inclusion in the metropolitan inventory of sites until ~~July 1, 1985~~ December 31, 1987. The election must be made within 30 days of the council's decision to refuse to approve development. The council shall provide funds, from the proceeds of the bonds issued pursuant to section 473.831, for the county to purchase the temporary development rights. The land owner's compensation shall be determined by the agreement of the owner, the county, and the council. If the parties cannot agree within 60 days of the owner's election, the county shall acquire the temporary development rights through eminent domain proceedings, and the land owner's compensation shall be the fair market value of the temporary development rights. A landowner who elects under this section to have the county purchase temporary development rights to the landowner's property is entitled to prompt action by the county. If the landowner brings a successful action to compel the county to initiate eminent domain proceedings, the landowner is entitled to petition the court for reimbursement of reasonable costs and expenses, including reasonable attorney, appraisal, and engineering fees that were actually incurred in bringing the action.

Sec. 40. Minnesota Statutes 1984, section 473.811, subdivision 2, is amended to read:

Subd. 2. **COUNTY FINANCING OF FACILITIES.** Each metropolitan county may by resolution authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities, related transmission facilities, or property or property rights for the facilities, for improvements of a capital nature to respond, as defined in section 115B.02, to releases from closed solid waste facilities, or for refunding any outstanding bonds issued for any such purpose; ~~and.~~ The county may pledge to the payment of the bonds and the interest thereon, its full faith, credit and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any facility operated by or for the county, or any combination thereof. Taxes levied for the payment of the bonds and interest shall not reduce the amounts of other taxes which the county is authorized by law to levy. The proceeds of the bonds may be used in part to establish a reserve as further security for the payment of the principal and interest of the bonds when due. Revenue bonds issued pursuant to this section may be sold at public or private sale upon such conditions as the county board shall determine, but any bonds to which the full faith and credit and taxing powers of the county are pledged shall be sold in accordance with the provisions of chapter 475. No election shall be required to authorize the issuance of the bonds. Except as otherwise provided, the bonds shall be issued and sold in accordance with the provisions of chapter 475.

Sec. 41. Minnesota Statutes 1984, section 473.811, is amended by adding a subdivision to read:

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Subd. 3a. SERVICE AREAS. Metropolitan counties have the authority provided in section 400.08.

Sec. 42. Minnesota Statutes 1985 Supplement, section 477A.012, is amended to read:

477A.012 COUNTY GOVERNMENT DISTRIBUTIONS.

Subdivision 1. AID AMOUNT. In calendar year 1986, each county government shall receive a distribution equal to 60 percent of the aid amount certified for 1983 pursuant to sections 477A.011 to 477A.03.

Subd. 2. ADDITIONAL AID FOR CERTAIN COUNTIES. (a) Each county that becomes eligible to negotiate a contract with the waste management board pursuant to section 24 shall be entitled to receive \$4,000 per month in additional local government aids, for each full calendar month that it is eligible. If the state's liability under this clause exceeds \$40,000 in any month, the commissioner shall proportionately reduce the entitlements of each eligible county.

(b) Any county government that has executed a contract with the board pursuant to section 24 shall receive an amount as provided under a schedule set forth in the contract not to exceed \$150,000 per year in additional local government aids, for a period of not more than two years following the execution of the contract. The sum of the state's obligations under this clause may not exceed \$600,000 in any fiscal year.

(c) Aid distributions under this subdivision are in addition to any distributions to which a county is entitled pursuant to subdivision 1, and must not be deducted in the computation of levy limits. When an aid payment is made pursuant to section 477A.015, the commissioner shall distribute to each eligible county the full entitlement due under clause (a) for the county's period of eligibility that was not paid in a previous distribution. When an aid payment is made pursuant to section 477A.015, the commissioner shall distribute to each county that has executed a contract the full amount due under clause (b) in accordance with the terms of the contract. In no case may any additional aid amounts due under this subdivision be paid prior to July 1, 1987.

Sec. 43. CITY OF BABBITT; SOLID WASTE MANAGEMENT EXPENDITURES.

Notwithstanding the provisions of any law or rule to the contrary, the council of the city of Babbitt may by resolution authorize expenditure of funds from any source, including a permanent improvement and replacement fund created under Minnesota Statutes, section 471.571, for any solid waste management purpose, including waste tire recycling. The city may exercise by resolution the powers of a corporation set forth in Minnesota Statutes, section 301.75, to assist and encourage the creation and operation of solid waste management facilities, and may by resolution grant, give, convey, guarantee or loan funds or property from any source for any solid waste management purpose and may enter into agreements and do all things necessary or convenient to further its solid waste management purpose.

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Sec. 44. ST. LOUIS COUNTY; JOINT POWERS AGREEMENT.

Notwithstanding any other law to the contrary, the board of commissioners of St. Louis county may by resolution enter into a joint powers agreement with the city of Babbitt by which the county may exercise the powers and authority enumerated in section 43.

Sec. 45. SOLID WASTE RECOVERY FACILITY; HENNEPIN COUNTY.

If a petition is filed with the public utilities commission under Minnesota Statutes, section 216B.164, subdivision 5, before April 1, 1986, by either a utility or a qualifying facility in connection with the operation of a solid waste recovery facility located in Hennepin county, the commission shall resolve the dispute within 120 days of filing. If the decision of the commission is appealed to court, the surety bond provisions of Minnesota Statutes, sections 562.01 to 562.03 and 562.05 shall apply; no additional supersedeas bond shall be required.

Sec. 46. REPEALER.

Minnesota Statutes 1984, sections 115A.17; 400.05; 400.10; and Minnesota Statutes 1985 Supplement, section 473.811, subdivision 11, are repealed.

Sec. 47. INSTRUCTION TO REVISOR.

The revisor of statutes is directed to change the word "disposal," wherever it appears in sections 115A.18 to 115A.301, except in section 115A.24, subdivision 1, clauses (2) and (3), and section 115A.301, subdivision 1, paragraph (b), clauses (1) and (2), to "stabilization and containment," in Minnesota Statutes 1986 and subsequent editions of the statutes.

Sec. 48. EFFECTIVE DATE.

Sections 1 to 45 are effective the day following final enactment.

Approved March 24, 1986

CHAPTER 426—H.F.No. 1970

An act relating to state lands; prescribing appraisal for conveyance of surplus state land in Dakota county to city of Hastings; amending Laws 1985, chapter 61, section 1.

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

Section 1. Laws 1985, chapter 61, section 1, is amended to read:

Section 1. **SALE OF CERTAIN DEPARTMENT OF VETERANS AFFAIRS LAND.**

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