

the rights or remedies which are otherwise available to a consumer under any other law.

Subd. 12. DISCLOSURE REQUIREMENT. In addition to any investigative powers authorized by law, the attorney general may inspect the records of the informal dispute settlement mechanism upon reasonable notice, during regular business hours, and may make available to the public information about the operation of the mechanism, but data on an individual may not be disclosed without the prior consent of the individual.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective August 1, 1987, and applies to all motor vehicles that are still under an applicable express manufacturer's warranty and which were originally delivered to the consumer during the previous one-year period.

Approved May 4, 1987

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**CHAPTER 53—H.F.No. 499**

*An act relating to metropolitan government; changing the treatment of current value credits and modifying the cost allocation system of the metropolitan waste control commission; providing for a reserve fund for the commission; authorizing appointment of advisory committees by the commission; authorizing an implementation period for transition to a new cost allocation system; amending Minnesota Statutes 1986, sections 473.511, subdivision 4; and 473.517, subdivisions 1, 2, 3, and 9; repealing Minnesota Statutes 1986, section 473.517, subdivisions 4, 5, and 7.*

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

Section 1. Minnesota Statutes 1986, section 473.511, subdivision 4, is amended to read:

Subd. 4. **CURRENT VALUE OF EXISTING FACILITIES.** When the commission assumes the ownership of any existing interceptors or treatment works as provided in subdivision 2 or 3, the local government unit or units which paid part or all of the cost of such facility, directly or pursuant to contracts for reimbursement of costs, shall be entitled to receive a credit against amounts to be allocated to them under section 473.517, which may be spread over such period not exceeding 30 years as the commission shall determine, and an additional credit equal to interest on the unused credit balance from time to time at the rate of four percent per annum. The amount of such credit shall equal the current value of the facility computed by the commission in the manner provided in this subdivision at the time the commission acquires it. The original cost of a facility shall be computed as the total actual costs of constructing it, including engineering, legal, and administrative costs, less any

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part of it paid from federal or state funds and less the principal amount of any then outstanding bonds which were issued to finance its construction. The original cost shall be multiplied by a factor equal to a current cost index divided by the same cost index at the time of construction, to determine replacement cost. The cost indices used shall be the Engineering News Record Construction Cost Indices for facilities or parts thereof completed before 1930, and the United States Public Health Service Federal Water Pollution Control Values for Sewer and Treatment Plant Construction, as applied to facilities or parts thereof completed in or after 1930. The current value of the facility shall be the replacement cost depreciated by 2.50 percent per annum from the date of construction of treatment works and 1.25 percent per annum from the date of construction of interceptors; and decreased further by a reasonable allowance for obsolescence if the board determines that the facility or any part thereof will not be useful for board purposes for at least the remaining period required to depreciate it fully, assuming no salvage value. The current value of each such facility shall be credited to each local government unit in proportion to the amount of the construction cost paid by that unit, as determined by the commission, taking into account reimbursements previously made under contracts between any of the local government units. The commission shall prepare an itemized statement of the amount of credit each local government unit is entitled to receive under this subdivision, and the years and amounts of installments of principal and interest thereon, and shall cause it to be mailed or delivered to the governing body of each local government unit concerned. ~~The amount of the annual credits of principal and interest made under this subdivision to each local government unit shall be paid for as current costs of operation and maintenance of the facilities for which the credits were made.~~ All credits allowed under this subdivision shall be used to finance current costs allocated to the local government unit by the commission or for other sewer costs, and the credits shall not be considered as proceeds from the sale of municipal property so as to permit their use for other purposes.

Sec. 2. Minnesota Statutes 1986, section 473.517, subdivision 1, is amended to read:

Subdivision 1. **CURRENT COSTS DEFINED.** The estimated costs of operation, maintenance, and debt service of the metropolitan disposal system to be paid by the commission in each fiscal year, and the costs of acquisition and betterment of the system which are to be paid during the year from funds other than bond proceeds, including all expenses incurred by the council pursuant to sections 473.501 to 473.545, are referred to in this section as current costs, and shall be allocated in the budget for that year to the respective local government units in the metropolitan area as provided in subdivisions 2 to 6. The amount budgeted by the commission for any year for a reserve or contingency fund must be treated as a current cost and allocated as a cost of operation and maintenance in accordance with this section. The reserve or contingency fund so established may not exceed an amount equal to 7.5 percent of the commission's operating budget in total.

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Sec. 3. Minnesota Statutes 1986, section 473.517, subdivision 2, is amended to read:

**Subd. 2. ALLOCATION OF METROPOLITAN TREATMENT WORKS AND INTERCEPTOR COSTS; ADJUSTED VOLUME.** Except as provided in subdivision 3, the current costs of all treatment works and interceptors in the metropolitan disposal system shall be allocated among and paid by all local government units which will discharge sewage, directly or indirectly, into the metropolitan disposal system during the budget year, in proportion to the total volume estimated to be so discharged by each local government unit, adjusted as follows:

(a) Increased or decreased, as the case may be, to the extent the commission determines, on the basis of such historical and reasonably projected data as may be available, that the sewage discharged by one unit will require more or less treatment to produce a suitable effluent than that discharged by others;

(b) Decreased by any amount of surface water estimated by the commission to be discharged by a local government unit from a combined storm and sanitary sewer system;

(c) Increased by that volume of normal sanitary sewage which is equivalent for treatment purposes to the volume of surface water referred to in (b) above, as determined by the commission from available engineering data; and

(d) Increased or decreased, as the case may be, by the amount of any substantial and demonstrable error in a previous estimate.

Sec. 4. Minnesota Statutes 1986, section 473.517, subdivision 3, is amended to read:

**Subd. 3. ALLOCATION OF METROPOLITAN TREATMENT WORKS AND INTERCEPTOR COSTS; RESERVED CAPACITY.** In preparing each budget the commission shall estimate the current costs of acquisition, betterment, and debt service, only, of ~~each~~ the treatment works in the metropolitan disposal system which will not be used to total capacity during the budget year, and the percentage of such capacity which will not be used, and shall deduct the same percentage of such treatment works costs from the current costs allocated under subdivision 2. The commission shall also estimate the current costs of acquisition, betterment, and debt service, only, of the interceptors in the metropolitan disposal system that will not be used to total capacity during the budget year, shall estimate the percentage of the total capacity that will not be used, and shall deduct the same percentage of interceptor costs from the current costs allocated under subdivision 2. The total amount so deducted with respect to all treatment works and interceptors in the system shall be allocated among and paid by the respective local government units in the metropolitan area for which system capacity unused each year is reserved for future use, in proportion to the amounts of such capacity reserved for each of them.

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Sec. 5. Minnesota Statutes 1986, section 473.517, subdivision 9, is amended to read:

Subd. 9. **SEWER SERVICE AREA ADVISORY BOARDS COMMITTEES.** Whenever the board establishes a sewer service area pursuant to subdivision 7, the government units located in whole or in part in such area may establish a sewer service area advisory board for such area, comprising not more than five members, one each to be appointed by each of the five most populous municipalities in such area as determined by the most recent decennial or special federal census. The commission may establish and appoint persons to advisory committees to assist the commission in the performance of its duties. If established, the advisory board committees shall meet with the waste control commission member or members representing such area, not less often than quarterly, to consult with such members concerning the acquisition, betterment, operation and maintenance of interceptors and treatment works in the service area metropolitan disposal system, and the allocation of costs therefor. Members of the advisory committee serve without compensation but must be reimbursed for their reasonable expenses as determined by section 15.059.

Sec. 6. **TRANSITION PLAN.**

In order to minimize the effects of the change in the cost allocation method provided by sections 1 to 9, the commission may adopt a reasonable implementation plan for transition from the cost allocation system in effect before the effective date of sections 1 to 9 and the cost allocation system established by those sections. The transition plan must cover fiscal years 1988 to 1991. It may include, but is not limited to, phase in of the difference in charges, to be paid by local government units, between the current cost allocation system and the new cost allocation system. The cost allocation system established by sections 1 to 9 must be fully effective in fiscal year 1992 after a phase-in period occurring in fiscal years 1988 through 1991.

Sec. 7. **CONSTRUCTION.**

Minnesota Statutes, section 645.35, shall not be construed to apply to sections 1 to 9.

Sec. 8. **REPEALER.**

Minnesota Statutes 1986, section 473.517, subdivisions 4, 5, and 7, are repealed.

Sec. 9. **APPLICATION.**

Sections 1 to 8 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Approved May 4, 1987

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