

Section 1. COORDINATION WITH WORKERS' COMPENSATION PAYMENTS; CERTAIN DISABILITY BENEFIT RECIPIENTS.

Subdivision 1. APPLICABILITY. This section applies to a former employee of the city of Worthington who was born on October 10, 1930; who was employed by the city from January 1, 1955 to May 7, 1991; who was injured on the job on March 12, 1990; and who began drawing disability benefits on May 8, 1991.

Subd. 2. REDUCTION IN BENEFITS; JOINT AND SURVIVOR ANNUITY. Notwithstanding Minnesota Statutes, section 353.33, subdivision 5, the association shall reduce the benefit paid under a joint and survivor annuity to a person described in subdivision 1 only to the extent that the sum of the benefit and the amounts received under workers' compensation law, equal the greater of:

(1) the salary the person received as of the date of the disability; or

(2) the salary currently payable for the same employment position or an employment position substantially similar to the one the person held as of the date of the person's disability.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the first day of the month following the day of final enactment.

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 9:53 p.m.

CHAPTER 190—S.F.No. 1087

An act relating to utilities; providing for determination by public utilities commission of competitive rate filings; amending Minnesota Statutes 1992, section 216B.162, subdivision 7.

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

Section 1. Minnesota Statutes 1992, section 216B.162, subdivision 7, is amended to read:

Subd. 7. COMMISSION DETERMINATION. Except as provided under subdivision 6, competitive rates offered by electric utilities under this section must be filed with the commission and must be approved, modified, or rejected by the commission within 90 days. The utility's filing must include statements of fact demonstrating that the proposed rates meet the standards of this subdivision. The filing must be served on the department of public service and the

New language is indicated by underline, deletions by ~~strikeout~~.

office of the attorney general at the same time as it is served on the commission. In reviewing a specific rate proposal, the commission shall determine:

- (1) that the rate meets the terms and conditions in subdivision 4, unless the commission determines that waiver of one or more terms and conditions would be in the public interest;
- (2) that the consumer can obtain its energy requirements from an energy supplier not rate-regulated by the commission under section 216B.16;
- (3) that the customer is not likely to take service from the electric utility seeking to offer the competitive rate if the customer was charged the electric utility's standard tariffed rate; and
- (4) that after consideration of environmental and socioeconomic impacts it is in the best interest of all other customers to offer the competitive rate to the customer subject to effective competition.

If the commission approves the competitive rate, it becomes effective as agreed to by the electric utility and the customer. If the competitive rate is modified by the commission, the commission shall issue an order modifying the competitive rate subject to the approval of the electric utility and the customer. Each party has ten days in which to reject the proposed modification. If no party rejects the proposed modification, the commissioner's order becomes final. If either party rejects the commission's proposed modification, the electric utility, on its behalf or on the behalf of the customer, may submit to the commission a modified version of the commission's proposal. The commission shall accept or reject the modified version within 30 days. If the commission rejects the competitive rate, it shall issue an order indicating the reasons for the rejection.

Presented to the governor May 12, 1993

Signed by the governor May 14, 1993, 10:07 p.m.

CHAPTER 191—S.F.No. 639

An act relating to the environment; providing for the disposal of ash from incinerators operated by the Western Lake Superior Sanitary District; amending Minnesota Statutes 1992, section 458D.07, subdivision 3.

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

Section 1. Minnesota Statutes 1992, section 458D.07, subdivision 3, is amended to read:

Subd. 3. **SOLID WASTE DISPOSAL METHOD.** (a) Except as provided in paragraph (b), the board shall treat and dispose of solid waste by ~~and fill~~

New language is indicated by underline, deletions by ~~strikeout~~.