

Before January 1, 1998, on a day when no other election is being held within the school district, a school district election may be held using combined polling places that were established before August 1, 1994.

Sec. 12. **EFFECTIVE DATE.**

Sections 1 to 4, 6, 7, and 9 to 11 are effective the day following final enactment. Section 5 is effective January 1, 1998. Section 8 is effective January 1, 1996.

Presented to the governor March 1, 1995

Signed by the governor March 2, 1995, 11:04 a.m.

CHAPTER 9—H.F.No. 164

An act relating to utilities; regulating area development rate plans; amending Minnesota Statutes 1994, section 216B.161; and Laws 1990, chapter 370, section 7.

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

Section 1. Minnesota Statutes 1994, section 216B.161, is amended to read:

216B.161 AREA DEVELOPMENT RATE PLAN.

Subdivision 1. **DEFINITIONS.** (a) For purposes of this section, the following terms have the meanings given them in this subdivision.

(b) "Area development rate" means a rate schedule established by a utility that provides customers within an area development zone service under a base utility rate schedule, except that ~~monthly demand~~ charges may be reduced from the base rate as agreed upon by the utility and the customer consistent with this section.

(c) "Area development zone" means a contiguous or noncontiguous area designated by an authority or municipality for development or redevelopment and within which one of the following conditions exists:

(1) obsolete buildings not suitable for improvement or conversion or other identified hazards to the health, safety, and general well-being of the community;

(2) buildings in need of substantial rehabilitation or in substandard condition; or

(3) low values and damaged investments.

(d) "Authority" means a rural development financing authority established under sections 469.142 to 469.150; a housing and redevelopment authority

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

established under sections 469.001 to 469.047; a port authority established under sections 469.048 to 469.068; an economic development authority established under sections 469.090 to 469.108; a redevelopment agency as defined in sections 469.152 to 469.165; the iron range resources and rehabilitation board established under section 298.22; a municipality that is administering a development district created under sections 469.124 to 469.134 or any special law; a municipality that undertakes a project under sections 469.152 to 469.165, except a town located outside the metropolitan area as defined in section 473.121, subdivision 2, or with a population of 5,000 persons or less; or a municipality that exercises the powers of a port authority under any general or special law.

(e) "Municipality" means a city, however organized, and, with respect to a project undertaken under sections 469.152 to 469.165, "municipality" has the meaning given in sections 469.152 to 469.165, and, with respect to a project undertaken under sections 469.142 to 469.151 or a county or multicounty project undertaken under sections 469.004 to 469.008, also includes any county.

Subd. 2. PILOT AREA DEVELOPMENT RATE PLAN PROGRAM. The commission shall order at least one public utility to establish a pilot program that offers an may allow gas or electric public utilities to offer area development rate rates. The program must be designed to assist industrial revitalization projects located within the service area of the participating utility.

Subd. 3. TERMS AND CONDITIONS OF THE RATE. An area development rate offered under this section must:

- (1) be offered for a period of more than two years but no more than five years specified length of time to be determined by the commission;
- (2) be offered as a supplement to other development incentives offered by the authority or municipality in which the rate is available;
- (3) be available only to new or expanding manufacturing or wholesale trade customers;
- (4) be designed to recover at least the incremental cost of providing service to the participating customers;
- (5) be offered in a fixed number of area development zones; and
- (6) include a provision that the utility provide participating customers with an energy audit and inform those customers of all existing energy conservation programs available from the utility.

Recovery of costs under clause (4) may be made only from the class of customers to which the rate is offered and not must be from residential customers. A utility within a general rate case, may seek recovery of the difference in revenue collected under the area development plan rate and what would have been collected under the standard tariff.

Subd. 4. **EVALUATION.** The commission shall evaluate the impact and effectiveness of the area development plan or plans established under this section. The evaluation must include analysis of information submitted by the utility regarding the plan. Within 60 days after the expiration of a plan, the commission shall determine whether the area development rates should be continued, modified, or eliminated. The commission shall submit its findings to the legislature by January 1, 1995.

Sec. 2. Laws 1990, chapter 370, section 7, is amended to read:

Sec. 7. **REPEALER.**

Sections 2 and 3 are Section 3 is repealed July 1, 1995.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor March 9, 1995

Signed by the governor March 10, 1995, 2:31 p.m.

CHAPTER 10—H.F.No. 37

An act relating to local government; allowing either the town of Glen or the town of Kimberly in Aitkin county to have an alternate annual meeting day.

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

Section 1. **ALTERNATE ANNUAL MEETING DAY.**

Notwithstanding Minnesota Statutes, section 365.51, in any year, either the town of Glen or the town of Kimberly, both in Aitkin county, may hold its annual town meeting on either the day before or the day after the day otherwise provided by law for annual town meetings. The two town boards shall meet jointly to determine how to carry out this act. The decision of the joint meeting shall be described in a resolution passed by a majority of each town's board.

Presented to the governor March 16, 1995

Signed by the governor March 17, 1995, 11:00 a.m.

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