

with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

**EFFECTIVE DATE.** This section is effective retroactively from September 10, 2001, and applies to those probationary teachers absent for active military service beginning on September 10, 2001, or later.

Presented to the governor May 2, 2005

Signed by the governor May 5, 2005, 3:17 p.m.

### CHAPTER 37—H.F.No. 1334

*An act relating to natural resources; modifying certain exemptions for an iron nugget production scale demonstration facility; amending Laws 2004, chapter 220, section 1.*

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

Section 1. Laws 2004, chapter 220, section 1, is amended to read:

**Section 1. ENVIRONMENTAL REVIEW; IRON NUGGET PRODUCTION SCALE DEMONSTRATION FACILITY EXEMPTION.**

(a) The first iron nugget production scale demonstration facility that meets all of the criteria in this section shall be exempt from environmental review under Minnesota Statutes, chapter 116D and Minnesota Rules, chapter 4410. The qualifying project must:

- (1) be the first iron nugget production scale demonstration facility in Minnesota;
- (2) involve a single rotary hearth furnace of maximum outside pitch circle diameter, as measured from the midpoint of hearth to the midpoint of hearth, of 60 meters;
- (3) be located outside the area adjacent to the north shore of Lake Superior classified as the lake orientation zone in the Department of Natural Resources report entitled "North Shore Characterization Study"; and
- (4) have complete permit applications submitted to the appropriate state agencies ~~in calendar year 2004~~ by June 30, 2005, for all permits required to construct and operate the facility.

(b) The Department of Natural Resources, the Environmental Quality Board, the Pollution Control Agency, and any other state agency with applicable permit-granting authority shall provide public notice for any necessary permits for the iron nugget production scale demonstration facility within four months of receiving complete applications.

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

(c) If the first iron nugget production scale demonstration facility to qualify for this exemption is proposed at a stationary source that has permitted taconite pellet furnaces, permanent shutdown of those pellet furnaces, prior to start-up of the iron nugget production scale demonstration facility, shall be a requirement in the iron nugget production scale demonstration facility air quality permit. The shutdown of these furnaces shall not be creditable in calculating the "net emissions increase," as defined in Code of Federal Regulations, title 40, section 52.21, for this project.

(d) The Pollution Control Agency shall strive in the permitting process to assure the lowest mercury emissions reasonably possible.

(e) Permit applications must comply with applicable law, except that an iron nugget production scale demonstration facility that meets the criteria in this section is exempt from environmental review under Minnesota Statutes, chapter 116D and Minnesota Rules, chapter 4410, and the company is not required to perform an environmental review before permits are issued for the iron nugget production scale demonstration facility.

(f) The construction and operation of the iron nugget production scale demonstration facility will demonstrate whether the technology is technically and economically feasible at this larger scale. Environmental data from the operation of the iron nugget production scale demonstration facility may be used in the environmental review and permitting of commercial scale facilities built elsewhere in Minnesota.

(g) The exemption does not affect any existing permit requirement that may require environmental review for a commercial scale iron nugget facility at an existing taconite facility located within the area adjacent to the north shore of Lake Superior classified as the lake orientation zone in the Department of Natural Resources report entitled "North Shore Characterization Study."

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Presented to the governor May 2, 2005

Signed by the governor May 5, 2005, 3:20 p.m.

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#### CHAPTER 38—H.F.No. 47

*An act relating to state aid to cities; correcting the calculation of city aid base; amending Minnesota Statutes 2004, section 477A.011, subdivision 36.*

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

Section 1. Minnesota Statutes 2004, section 477A.011, subdivision 36, is amended to read:

Subd. 36. **CITY AID BASE.** (a) Except as otherwise provided in this subdivision, "city aid base" is zero.

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