

# MINNESOTA STATUTES 1975 SUPPLEMENT

## MINNESOTA ENERGY AGENCY 116H.02

bers shall be as provided in section 15.059.

Subd. 2. The duties and functions of the committee shall be as follows:

(a) To hold meetings throughout the state as it deems necessary for the purpose of gathering information on public and private opinions concerning the adequacy of the state's environmental quality policies and the extent to which these policies are being implemented;

(b) To meet with the environmental quality council at least four times a year at approximately three month intervals, to give advice and counsel to the council on the basis of the information gathered pursuant to (a).

[1975 c 204 s 73; 1975 c 315 s 24]

### CHAPTER 116D. STATE ENVIRONMENTAL POLICY

Sec.  
116D.04 Environmental impact statements.

#### 116D.04 Environmental impact statements.

[For text of subs 1 and 2, see M.S.1974]

Subd. 3. Upon the filing with the council of a petition of not less than 500 persons requesting an environmental impact statement on a particular action, the council shall review those petitions deemed by the council to involve potential for significant environmental effects or to concern an action of more than local significance and, where there is material evidence of the need for an environmental review, require the preparation of an environmental impact statement in accordance with provisions of this section.

[1975 c 204 s 74]

[For text of subs 4 to 9, see M.S.1974]

### CHAPTER 116H. MINNESOTA ENERGY AGENCY

Sec.  
116H.02 Definitions.  
116H.10 Forecasts, statistics and information.

Sec.  
116H.12 Energy conservation.  
116H.13 Certificate of need.

#### 116H.02 Definitions.

[For text of subs 1 to 4, see M.S.1974]

Subd. 5. "Large energy facility" means any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more, any high voltage transmission line with a capacity of 200 kilovolts or more and having more than 100 miles of its length in Minnesota, any facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline greater than six inches in diameter and having more than 50 miles of its length in Minnesota used for the transportation of crude petroleum or petroleum fuels or oil or derivatives thereof, any pipeline for transporting natural or synthetic gas at pressures in excess of 200 pounds per square inch and having more than 50 miles of its length in Minnesota, any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, any underground gas storage facility requiring a permit pursuant to section 84.57, any facility designed or

# MINNESOTA STATUTES 1975 SUPPLEMENT

## 116H.02 MINNESOTA ENERGY AGENCY

capable of serving as a depot for coal transported into this state for use within the state or transhipment from the state and any petroleum refinery, and any facility intended to convert coal into any other combustible fuel and having the capacity to process in excess of 25 tons per hour.

[1975 c 170 s 1]

[For text of subs 6 to 9, see M.S.1974]

## 116H.10 Forecasts, statistics and information.

[For text of subd 1, see M.S.1974]

Subd. 2. In addition to supplying such current statistical and short range forecasting information as the director may require, each utility, coal supplier, petroleum supplier and large energy facility in the state shall prepare and transmit to the director by July 1, 1975, and every year thereafter, a report specifying in five, ten, and 15-year forecasts the projected demand for energy within their respective service areas and the facilities necessary to meet the demand.

The report shall be in a form specified by the director and contain all information deemed relevant by the director.

[1975 c 170 s 2]

[For text of subs 3 to 5, see M.S.1974]

## 116H.12 Energy conservation.

[For text of subs 1 to 3, see M.S.1974]

Subd. 4. In recognition of the compelling need for energy conservation in order to safeguard the public health, safety and welfare, it is necessary to provide building design and construction standards consistent with the most efficient use of energy. Therefore, the commissioner of administration, in consultation with the director, shall, no later than August 1, 1975, and pursuant to chapter 15, promulgate building design and construction standards regarding heat loss control, illumination and climate control. Such standards shall apply to all new buildings and remodeling affecting heat loss control, illumination and climate control. Such standards shall be economically feasible in that the resultant savings in energy procurement shall exceed the cost of the energy conserving requirements amortized over the life of the building. The standards shall become part of the state building code and be effective six months after promulgation.

[1975 c 65 s 1]

[For text of subs 5 to 9, see M.S.1974]

## 116H.13 Certificate of need.

Subdivision 1. The director shall, pursuant to chapter 15 and sections 116H.01 to 116H.15, promulgate assessment of need criteria to be used in the determination of need for large energy facilities pursuant to this section. The assessment of need criteria for electric generation facilities and electric transmission lines shall be promulgated no later than September 15, 1975. The as-

# MINNESOTA STATUTES 1975 SUPPLEMENT

## EMINENT DOMAIN 117.232

assessment of need criteria for all other large energy facilities shall be promulgated no later than July 1, 1976.

Subd. 2. On and after the effective date of the assessment of need criteria adopted pursuant to subdivision 1, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the director pursuant to sections 116H.01 to 116H.15 and consistent with the criteria for assessment of need.

[1975 c 170 s 3,4]

[For text of subds 3 to 8, see M.S.1974]

### CHAPTER 117. EMINENT DOMAIN

Sec.  
117.042 Possession.

Sec.  
117.205 Final certificate.  
117.232 Direct purchase.

#### 117.042 Possession.

Whenever the petitioner shall require title and possession of all or part of the owner's property prior to the filing of an award by the court appointed commissioners, the petitioner shall, at least 90 days prior to the date on which possession is to be taken, notify the owner of the intent to possess by notice served by registered mail and before taking title and possession shall pay to the owner or deposit with the court an amount equal to petitioner's approved appraisal of value. If it is deemed necessary to deposit the above amount with the court the petitioner may apply to the court for an order transferring title and possession of the property or properties involved from the owner to the petitioner. In all other cases, petitioner has the right to the title and possession after the filing of the award by the court appointed commissioners as follows:

(a) if appeal is waived by the parties upon payment of the award;

(b) if appeal is not waived by the parties upon payment or deposit of three-fourths of the award.

Nothing in this section shall limit rights granted in section 117.155.

[1975 c 218 s 1]

#### 117.205 Final certificate.

Upon completion of the proceedings the attorney for the petitioner shall make a certificate describing the land taken and the purpose or purposes for which taken, and reciting the fact of final payment of all awards or judgments in relation thereto, which certificate shall be filed with the clerk and a certified copy thereof filed for record with the register of deeds; which record shall be notice to all parties of the title of the petitioner to the lands therein described.

[1975 c 175 s 1]

#### 117.232 Direct purchase.

Subdivision 1. When acquisition of private property is accomplished by the state department of highways by direct purchase the owner shall be entitled to reimbursement for appraisal fees, not to exceed a total of \$300. When acquisition of private property is accomplished by any other acquiring authority, the owner is entitled to reimbursement for appraisal fees, not to exceed \$300, if the owner is otherwise entitled to reimbursement under sections 117.50 to 117.56. The purchaser in all instances shall inform the owner of his right, if any, to reimbursement for appraisal fees reasonably incurred, in an amount not to exceed \$300, together with relocation costs, moving costs and any other related expenses to which an owner is entitled by sections 117.50 to 117.56. This subdivision does not apply to acquisition for utility purposes made by a public service corporation organized pursuant to section 300.03 or electric