

CHAPTER 446A

PUBLIC FACILITIES AUTHORITY

446A.01 Minnesota public facilities authority act.
 446A.04 Powers; duties.
 446A.072 Wastewater infrastructure funding program.

446A.085 Transportation revolving loan fund.
 446A.21 Repealed.

446A.01 MINNESOTA PUBLIC FACILITIES AUTHORITY ACT.

This chapter may be cited as the "Minnesota Public Facilities Authority Act."

History: 1999 c 86 art 1 s 69

446A.04 POWERS; DUTIES.

[For text of subs 1 to 6, see M.S.1998]

Subd. 7. **In general.** The authority has all the powers necessary and convenient to carry out its duties under this chapter.

History: 1999 c 86 art 1 s 70

446A.072 WASTEWATER INFRASTRUCTURE FUNDING PROGRAM.

[For text of subs 1 to 3, see M.S.1998]

Subd. 4. **Funding level.** (a) The authority shall provide supplemental assistance for essential project component costs as certified by the commissioner of the pollution control agency under section 116.182, subdivision 4.

(b) Except as provided in paragraph (c), a municipality may not receive more than \$4,000,000 under this section unless specifically approved by law. If a project would be eligible for more than \$4,000,000 under paragraph (e), the authority shall include a description of the project and the financing plan in its report on needs in subdivision 11.

(c) A sanitary district or multijurisdictional wastewater treatment district may receive an additional \$1,000,000 for each municipality participating up to a maximum grant of \$8,000,000, unless a higher amount is specifically approved by law. If a project would be eligible for more than \$8,000,000 under paragraph (e), the authority shall include a description of the project and the financing plan in its report on needs in subdivision 11.

(d) The authority shall provide supplemental assistance for up to one-half of the eligible grant funding level determined by the United States Department of Agriculture Rural Development funding for projects listed on the agency's project priority list, in priority order. For municipalities that are not eligible for United States Department of Agriculture Rural Development funding for wastewater, the authority shall provide supplemental assistance for: (1) essential project component costs calculated by first determining the amount needed to reduce a municipality's annual residential sewer costs to 1.4 percent of the municipality's median household income or \$25 per month per household, whichever is greater, and then multiplying that amount by 80 percent to determine the actual award amount to supplement loans under section 446A.07; and (2) up to 50 percent of the incremental costs specifically identified by the agency as being attributable to more stringent wastewater standards required to protect outstanding resource value waters or outstanding international resource value waters.

(e) Notwithstanding paragraph (b), in the event that a municipality's monthly residential sewer service charges average above \$50, the authority will provide 90 percent of the grant amount needed to reduce the average monthly sewer service charge to \$50, provided the project is ranked in the top 50 percentile of the agency's intended use plan.

(f) The authority shall provide supplemental assistance to a municipality that would not otherwise qualify for supplemental assistance if:

(1) the municipality voluntarily accepts a sewer connection from another governmental unit to serve residential, industrial, or commercial developments that were completed before March 1, 1996, or are on lots whose plats were recorded before that date; and

(2) fees charged by the municipality for the connection must take into account state and federal grants used by the municipality for the construction of the treatment plant.

The amount of supplemental assistance under this paragraph must be sufficient to reduce debt service payments under section 446A.07 to an extent equivalent to a zero percent loan in an amount up to the other governmental unit's project costs necessary for connection. Eligibility for supplemental assistance under this paragraph ends three years after the agency certifies that the connection has met the operational performance standards established by the agency.

[For text of subs 5 to 13, see M.S.1998]

History: 1999 c 223 art 2 s 48

NOTE: The amendment to subdivision 4 by Laws 1999, chapter 223, article 2, section 48, is effective March 1, 2000. Laws 1999, chapter 223, article 2, section 81.

446A.085 TRANSPORTATION REVOLVING LOAN FUND.

[For text of subs 1 and 2, see M.S.1998]

Subd. 3. **Establishment of fund.** A transportation revolving loan fund is established to make loans for the purposes described in subdivision 2. A highway account is established in the fund for highway projects. A transit account is established in the fund for transit capital projects. The transportation revolving loan fund shall receive federal money under the act and money from any source. Money received under this section must be paid to the state treasurer and credited to the transportation revolving loan fund. Money in the fund is annually appropriated to the commissioner and does not lapse. The fund must be credited with investment income, and with repayments of principal and interest, except for servicing fees assessed under sections 446A.04, subdivision 5, and 446A.11, subdivision 8.

[For text of subs 4 and 5, see M.S.1998]

Subd. 6. **Transportation committee.** The transportation committee may authorize the making of loans to borrowers by the authority for transportation purposes authorized by the act, without further action by the authority. The authority may not make loans for transportation purposes without the approval of the transportation committee. Each project must be certified by the commissioner of transportation before its consideration by the transportation committee.

[For text of subs 7 to 14, see M.S.1998]

History: 1999 c 230 s 34,35

446A.21 [Repealed, 1999 c 231 s 207]