

qualifying facility shall be paid the utility's full avoided capacity and energy costs as negotiated by the parties or set by the commission.

(c) For all qualifying facilities having 30 kilowatt capacity or more, the utility shall, at the qualifying facility's or the utility's request, provide wheeling or exchange agreements wherever practicable to sell the qualifying facility's output to any other Minnesota utility having generation expansion anticipated or planned for the ensuing ten years. The commission shall establish the methods and procedures to insure that except for reasonable wheeling charges and line losses, the qualifying facility receives the full avoided energy and capacity costs of the utility ultimately receiving the output.

Subd. 5. DISPUTES. In the event of disputes between an electric utility and a qualifying facility, either party may request a determination of the issue by the commission. In any such determination, the burden of proof shall be on the utility.

Subd. 6. RULES. The commission shall promulgate rules to implement the provisions of this section.

Subd. 7. REPORTS. On January 1, 1983, the commission shall submit a report to the legislature. The report shall describe:

(a) The location, type and output of cogenerators and small power producers in the state;

(b) Whether cogeneration and small power production has resulted in any major impacts on the utility system; and

(c) The effectiveness of the provisions of this section and the commission's rules in encouraging cogeneration and small power production.

Subd. 8. CUSTOMER, INTERCONNECTION AND WHEELING CHARGES. Nothing contained in this section shall be construed to excuse the qualifying facility from any obligation for costs of interconnection and wheeling in excess of those normally incurred by the utility for customers with similar load characteristics who are not cogenerators or small power producers, or from any fixed charges normally assessed such non-generating customers.

**Sec. 2. EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 19, 1981

## CHAPTER 238 — H.F.No. 615

*An act relating to corrections; providing for the transfer of convicted offenders under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 243.*

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

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

Section 1. [243.515] **TRANSFER UNDER TREATY.**

Whenever a treaty is in force between the United States and a foreign country providing for the transfer or exchange of convicted offenders to the country of which they are citizens or nationals, the governor may, on behalf of the state and subject to the terms of the treaty, authorize the commissioner of corrections to consent to the transfer or exchange of offenders and take any other action necessary to implement the participation of this state in the treaty.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day after final enactment.

Approved May 19, 1981

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CHAPTER 239 — H.F.No. 696

*An act relating to the city of East Grand Forks; permitting the city to acquire and develop certain land for industrial purposes.*

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

Section 1. **EAST GRAND FORKS, CITY OF; LAND ACQUISITION AND DEVELOPMENT.**

To promote industry and alleviate substantial unemployment, the city of East Grand Forks may acquire by purchase, gift or devise, and develop, on terms the city council may in its sole discretion from time to time determine, all necessary right, title and interest in all land situated within or without the corporate limits of the city determined to be necessary or desirable for development as an industrial park.

Sec. 2. **FINANCING OF ACQUISITION AND DEVELOPMENT.**

The city may pay costs of acquisition and development of the land, including surveying, engineering, legal and administrative costs, described in section 1 out of funds as may from time to time be available and appropriated by the city council for the purposes, including but not limited to the proceeds of general or special obligation bonds issued in compliance with Minnesota Statutes, Chapter 475 or any other applicable law, including but not limited to Minnesota Statutes, Chapters 429, 462, 472 and 474, and Sections 115.46, 273.71 to 273.78, 444.075 and 459.14. Costs of acquisition and development of the land may include provision for street and sidewalk improvements and other utility services, including water, sanitary sewers, storm sewers or other drainage

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