

nal processing or manufacture. This section shall not be construed to mean that the owner or operator of any such truck cannot carry on his usual accommodation services for his patrons on regular return trips, such as butter, cream, cheese, and other dairy supplies.

Sec. 3. Notwithstanding any law to the contrary, a refuse compactor vehicle taxed and licensed as an urban truck pursuant to section 168.013 may operate within the towns of Oak Grove and Burns in Anoka county. This section expires January 1, 1977.

Sec. 4. There is appropriated from the highway user tax distribution fund to the commissioner of public safety, the sum of \$290,000 for the manufacture of graphic design license plates. This appropriation is in addition to the appropriation pursuant to Laws 1975, Chapter 204, Section 31, and shall be available until June 30, 1977.

Sec. 5. Minnesota Statutes 1974, Section 168.12, is amended by adding a subdivision to read:

Subd. 5. ADDITIONAL FEE. In addition to any fee otherwise authorized or any tax otherwise imposed upon any motor vehicle, the payment of which is required as a condition to the issuance of any number license plate or plates, the commissioner of public safety may impose a fee of up to 25 cents but not to exceed the actual cost of manufacture and distribution of any graphic design license plate or plates upon the issuance of said plate or plates, provided that these plates shall only be issued for vehicles registered pursuant to section 168.017 and recreational vehicles registered pursuant to section 168.013, subdivision 1g.

Sec. 6. REPEALER. Minnesota Statutes 1974, Section 169.831, is repealed.

Sec. 7. This act is effective the day following final enactment.

Approved April 20, 1976.

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CHAPTER 344—H.F.No.2492

[Coded]

*An act relating to environmental protection; limiting the sale and use of organic compounds known as polychlorinated biphenyls; permitting exemptions; requiring labels; providing penalties; providing for the assessment of the cost of preparing an environmental impact statement; amending Minnesota Statutes 1974, Chapter 116D, by adding a section.*

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

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Section 1. **[116.36] POLYCHLORINATED BIPHENYLS; PROHIBITED USE; DEFINITIONS.** Subdivision 1. For the purposes of this section the following terms shall have the meanings given:

Subd. 2. "Agency" means the Minnesota pollution control agency.

Subd. 3. "Director" means the director of the pollution control agency.

Subd. 4. "PCB" means the class of organic compounds known as polychlorinated biphenyls and includes any of several compounds produced by replacing one or more hydrogen atoms on the biphenyl molecule with chlorine. PCB does not include chlorinated biphenyl compounds that have functional groups attached other than chlorine.

Subd. 5. "Person" has the meaning specified in Minnesota Statutes, Section 115.01, Subdivision 10.

Sec. 2. **[116.37] PROHIBITED USE OF PCB.** Subdivision 1. CERTIFICATE OF EXEMPTION. Beginning January 1, 1978, no person shall use, possess, sell, purchase or manufacture PCB or any product containing PCB unless the use, possession, sale, purchase or manufacture of PCB or products containing PCB is exempted by the agency. If the agency finds after there is opportunity for a public hearing on an application presented by any person, that no substitutes or feasible alternatives are reasonably available for PCB or a product containing PCB or class of products containing PCB, it shall grant a certificate of exemption which shall clearly set out the permitted use, possession, sale or purchase of PCB or a PCB product containing PCB. If the agency grants a certificate of exemption, it shall be valid for all subsequent uses of PCB or products containing PCB if the subsequent uses are consistent with the terms and conditions of the certificate of exemption. In granting certificates of exemption the agency shall at all times consider the public health and safety threatened by the use of PCB. In the consideration of certificates of exemption for the use or replacement of existing electrical transformers and capacitors the agency shall review, but not be limited to, considerations of the safety of proven alternatives, replacement costs and rules controlling the final disposal of PCB.

Subd. 2. EXCLUSION. In no event shall the certificate of exemption requirement or the labeling requirement of this section apply to any individual person who purchases or otherwise acquires a product containing PCB intended for consumer use in the home, provided that the use has previously been exempted by the agency and that the use is consistent with the terms and conditions of the certificate of exemption. Wastepaper, pulp, or other wood fiber materials purchased for use within this state in the manufacture of recycled paper products are exempt from the requirements of this section.

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Subd. 3. LABELS REQUIRED. Beginning July 1, 1977, no person in this state shall add PCB in the manufacture of any new item, product or material, nor shall any person in this state sell any new item, product or material to which PCB has been added unless the PCB or products containing PCB are conspicuously labeled to disclose the presence of PCB and the concentrations of PCB.

Subd. 4. RULES. The agency shall promulgate rules by January 1, 1977, governing the granting of certificates of exemption and the requirements of labels specified in subdivision 3. The rules governing the requirement of labels specified in subdivision 3 may require other information relating to the public health and environmental effects of PCB and shall apply to persons holding certificates of exemption.

Subd. 5. PENALTIES. Violations of this act shall be subject to the provisions of Minnesota Statutes, Section 115.071.

Sec. 3. Minnesota Statutes 1974, Chapter 116D, is amended by adding a section to read:

[116D.045] COST OF PREPARATION OF ENVIRONMENTAL IMPACT STATEMENTS. Subdivision 1. The board shall, no later than January 1, 1977, by rule adopt procedures to assess the proposer of a specific action, when the proposer is a private person, for reasonable costs of preparing and distributing an environmental impact statement on that action required pursuant to section 116D.04. Such costs shall be determined by the responsible agency pursuant to the rules promulgated by the board in accordance with subdivision 5 and shall be assessed for projects for which an environmental impact statement preparation notice has been issued after February 15, 1977.

Subd. 2. In the event of a disagreement between the proposer of the action and the responsible agency over the cost of an environmental impact statement, the responsible agency shall consult with the board, which may modify the cost or determine that the cost assessed by the responsible agency is reasonable.

Subd. 3. The proposer shall pay the assessed cost to the board. All money received pursuant to this subdivision shall be deposited in the general fund.

Subd. 4. No agency or governmental subdivision shall commence with the preparation of an environmental impact statement until at least one-half of the assessed cost of the environmental impact statement is paid pursuant to subdivision 3. Other laws notwithstanding, no state agency may issue any permits for the construction or operation of a project for which an environmental impact statement is prepared until the assessed cost for the environmental impact statement has been paid in full.

Subd. 5. For actions proposed by a private person there shall be

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no assessment for preparation and distribution of an environmental impact statement for an action which has a total value less than one million dollars. For actions which are greater than one million dollars but less than ten million dollars, the assessment to the proposer as determined by the agency shall not exceed .3 percent of the total value except that the total value shall not include the first one million dollars of value. For actions the value of which exceed ten million dollars but are less than 50 million dollars, an additional charge may be made to the proposer by the agency which will not exceed .2 percent of each one million dollars of value over ten million dollars. For actions which are greater than 50 million dollars in total value, an additional charge may be made to the proposer by the agency which will not exceed .1 percent of each one million dollars of value over 50 million dollars. The proposer shall pay the assessed cost to the board when a state agency is designated the responsible agency. All money received by the board pursuant to this subdivision shall be deposited in the general fund. The proposer shall pay the assessed cost to the designated lead agency when such agency is a local unit of government.

Sec. 4. This act is effective the day following final enactment.

Approved April 19, 1976.

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#### CHAPTER 345—H.F.No.2546

*An act relating to taxation; providing for certain limitations on real property valuation; amending Minnesota Statutes, 1975 Supplement, Sections 273.11, Subdivision 2 and 273.17, Subdivision 1; repealing Minnesota Statutes 1974, Section 273.11, Subdivision 4.*

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 273.11, Subdivision 2, is amended to read:

Subd. 2. **TAXATION; REAL PROPERTY VALUATION.** (a) The assessor after determining the value of any property shall compare the value with that determined in the preceding assessment. The amount of the increase entered in the current assessment shall not exceed ten percent of the value in the preceding assessment or one-fourth of the total amount of the increase in valuation whichever is greater; the excess shall be entered in a subsequent year or years. However, no increase shall be greater than ten percent of the preceding valuation or one-fourth of the total amount of increase in valuation, whichever is greater, notwithstanding the provisions of section 273.17.

(b) In the case of property described in section 273.13, subdivisions 6, 7, 7b, 10, 12, 17, 17b and 19, plus all agricultural property and

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