

(e) Any public work or public improvement done by a public body in this state, the cost of which does not exceed \$100,000, provided that plans and specifications for such work or improvement affecting water supply or waste disposal are approved by the appropriate state agency; or

(f) Any building, structure, or work, the total cost of which does not exceed \$100,000.

Sec. 2. Minnesota Statutes 1986, section 326.06, is amended to read:

### 326.06 GENERAL POWERS AND DUTIES OF BOARD.

Each member of the board shall receive a certificate of appointment from the governor, and, before beginning a term of office, shall file with the secretary of state the constitutional oath of office. The board shall adopt and have an official seal, which shall be affixed to all licenses granted; shall make all rules, not inconsistent with law, needed in performing its duties; and shall fix standards for determining the qualifications of applicants for certificates, which shall not exceed the requirements contained in the curriculum of a recognized school of architecture, landscape architecture or engineering. The board shall make rules to define classes of buildings with respect to which persons performing services described in section 326.03, subdivision 2, may be exempted from the provisions of sections 326.02 to 326.15, by a finding of no probable risk to life, health, property or public welfare. ~~These rules shall be promulgated on or before July 1, 1979. Upon the adoption of these rules, section 326.03, subdivision 2, clauses (e) and (f), are superseded and of no effect.~~

Approved March 25, 1987

## CHAPTER 9—S.F.No. 258

*An act relating to utilities; regulating certain intrastate gas pipelines; proposing coding for new law in Minnesota Statutes, chapter 216B.*

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

### Section 1. [216B.045] REGULATION OF INTRASTATE NATURAL GAS PIPELINES.

Subdivision 1. DEFINITION. For the purposes of this section "intrastate pipeline" means a pipeline wholly within the state of Minnesota which transports or delivers natural gas received from another person at a point inside or at the border of the state, which is delivered at a point within the state to another, provided that all the natural gas is consumed within the state. An intrastate pipeline does not include a pipeline owned or operated by a public utility.

Subd. 2. REASONABLE RATE. Every rate and contract relating to the sale or transportation of natural gas through an intrastate pipeline shall be just and reasonable. No owner or operator of an intrastate pipeline shall provide

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

intrastate pipeline services in a manner which unreasonably discriminates among customers receiving like or contemporaneous services.

**Subd. 3. TRANSPORTATION RATES; DISCRIMINATION.** Every owner or operator of an intrastate pipeline shall offer intrastate pipeline transportation services by contract on an open access, nondiscriminatory basis. To the extent the intrastate pipeline has available capacity, the owner or operator of the intrastate pipeline must provide firm and interruptible transportation on behalf of any customer. If physical facilities are needed to establish service to a customer, the customer may provide those facilities or the owner or operator of the intrastate pipeline may provide the facilities for a reasonable and compensatory charge.

**Subd. 4. CONTRACTS; COMMISSION APPROVAL.** No contract establishing the rates, terms, and conditions of service and facilities to be provided by intrastate pipelines is effective until it is filed with and approved by the commission. The commission has the authority to approve the contracts and to regulate the types and quality of services to be provided through intrastate pipelines. The approval of a contract for an intrastate pipeline to provide service to a public utility does not constitute a determination by the commission that the prices actually paid by the public utility under that contract are reasonable or prudent, nor does approval constitute a determination that purchases of gas made or deliveries of gas taken by the public utility under that contract are reasonable or prudent.

**Subd. 5. COMPLAINTS.** Any customer of an intrastate pipeline, any person seeking to become a customer of an intrastate pipeline, the department, or the commission on its own motion, may bring a complaint regarding the rates, contracts, terms, conditions, and types of service provided or proposed to be provided through an intrastate pipeline, including a complaint that a service which can reasonably be demanded is not offered by the owner or operator of the intrastate pipeline. If a complaint involves the question of whether or not an intrastate pipeline has capacity available, the commission shall after hearing make a determination of the available capacity but shall not impair the owner or operator of the intrastate pipeline contractual obligation to provide firm transportation service. If a complaint concerns the use of available capacity by one or more customers of an intrastate pipeline, the commission shall after hearing determine the reasonable use of the available capacity by the customers. The commission shall not require an owner or operator of an intrastate pipeline to expand its available capacity, but may require the owner or operator to maintain a reasonable quality of service. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest. Complaints brought under this subdivision shall be governed by section 216B.17, subdivisions 2 to 7.

**Subd. 6. RECORDS; ASSESSMENT.** Sections 216B.10, subdivisions 1 and 4, 216B.12, 216B.13, and 216B.62, subdivisions 2, 4, and 6 shall apply to owners and operators of intrastate pipelines.

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

Subd. 7. NATURAL GAS EMERGENCY. The commission may declare a natural gas supply emergency if it finds that a severe natural gas shortage endangering the health or safety of the citizens of the state exists or is imminent in the state. If the commission declares that a natural gas supply emergency exists, it may for the duration of the emergency order the suspension of any contract providing for the sale and transportation of natural gas through an intrastate pipeline, and may for the duration of the emergency order an owner or operator of the intrastate pipeline to furnish such transportation services as are required by the public interest. The owner or operator of the intrastate pipeline shall be compensated for its services furnished under an emergency order issued under this section, and the commission shall determine the just and reasonable compensation for the services required to be provided during the emergency.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Approved March 25, 1987

---

**CHAPTER 10—S.F.No. 302**

*An act relating to crimes; repealing the crime of criminal syndicalism; repealing Minnesota Statutes 1986, section 609.405.*

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

**Section 1. REPEALER.**

Minnesota Statutes 1986, section 609.405, is repealed.

Approved March 25, 1987

---

**CHAPTER 11—S.F.No. 402**

*An act relating to courts; setting uniform fees in probate proceedings; amending Minnesota Statutes 1986, section 525.033.*

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

Section 1. Minnesota Statutes 1986, section 525.033, is amended to read:

**525.033 FEES FOR FILING PETITIONS.**

The probate court shall collect a fee as established by section 357.021,

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