

contract to recover any additional amounts due under the contract. Responsibility for insuring the property during the term of the contract must be on the seller. Before finalizing the purchase agreement, the board shall obtain the advisory recommendations of the chairs of the senate finance and house appropriations committees.

#### Sec. 12. CONSUMER INFORMATION SYSTEM.

The public post-secondary state governing boards, and private post-secondary colleges and occupational and technical institutions that enroll recipients of state grants, shall develop a consumer information system for occupational programs. The system must be based on student placement and must include all subbaccalaureate occupational programs and all programs that lead to an occupation requiring certification, licensure, or testing for entry. The first phase of the system must include all subbaccalaureate occupational programs. The higher education coordinating board must coordinate the development of the system and must report on it to the chairs of the house appropriations and the senate finance committees by February 15, 1991.

#### Sec. 13. REPORT TO LEGISLATURE.

The state board for community colleges shall report in the 1991 biennial budget document, recommendations for the appropriate administrative structure for a community college campus at Cambridge. In making its recommendations, the board shall review the combined administrative structure for the community colleges located in the Arrowhead and Clearwater regions of the state. The center at Cambridge will be designated as a community college if the legislature enacts an appropriation specifically for this purpose.

#### Sec. 14. EFFECTIVE DATE.

Sections 3 to 5, and 8 to 12 are effective the day following final enactment.

Presented to the governor April 28, 1990

Signed by the governor May 4, 1990, 2:14 p.m.

### CHAPTER 592—S.F.No. 1807

*An act relating to Hennepin county; increasing and extending certain capital improvement bonding authority for Hennepin county; requiring a planning process; amending Minnesota Statutes 1989 Supplement, section 373.40, subdivision 4; Minnesota Statutes Second 1989 Supplement, section 373.40, subdivision 6; Laws 1989, chapter 245, section 1.*

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

New language is indicated by underline, deletions by ~~strikeout~~.

Section 1. Minnesota Statutes 1989 Supplement, section 373.40, subdivision 4, is amended to read:

Subd. 4. **LIMITATIONS ON AMOUNT.** A county, other than ~~Hennepin or Ramsey~~, may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 0.05367 percent of taxable market value of property in the county. Ramsey county may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 0.06455 percent of taxable market value of property in the county. ~~Hennepin county may not issue bonds under this section if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section together with the bonds proposed to be issued, will equal or exceed 0.02684 percent of taxable market value of the property in the county.~~ Calculation of the limit must be made using the taxable market value for the taxes payable year in which the obligations are issued and sold. This section does not limit the authority to issue bonds under any other special or general law.

Sec. 2. Minnesota Statutes Second 1989 Supplement, section 373.40, subdivision 6, is amended to read:

Subd. 6. **BUILDING FUND LEVY.** (a) If a county other than ~~Hennepin or Ramsey~~ has an approved capital improvement plan, the county board may annually levy 0.05367 percent of taxable market value, less the amount levied to pay principal and interest on bonds issued under this section. ~~If the Hennepin county board has an approved capital improvement plan, the county board may annually levy 0.02684 percent of taxable market value, less the amount levied to pay principal and interest on bonds issued under this section.~~ If the Ramsey county board has an approved capital improvement plan, the county board may annually levy 0.06455 percent of taxable market value, less the amount levied to pay principal and interest on bonds issued under this section. The proceeds of this levy must be deposited in the county building fund under section 373.25 and may only be expended for capital improvements as provided in the approved capital improvement plan.

(b) The maximum amount of the levy, when added to the unexpended balance in the building fund, must not exceed the projected cost of the remaining improvements in the capital improvement plan. A levy made under this section is not subject to any other levy limitation, nor may the levy be included in the computation of any other levy limitation.

(c) This subdivision and the exercise of levy authority under it does not supersede or preempt the authority to levy under section 373.25 or any other law.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 3. Laws 1989, chapter 245, section 1, is amended to read:

**Section 1. HENNEPIN COUNTY; PUBLIC SAFETY BUILDING BONDS.**

Hennepin county may issue and sell general obligation bonds of the county in an amount not exceeding \$20,000,000 to finance land acquisition planning, design, site preparation, and other preliminary work for the construction of a public safety building and related facilities. The obligations shall be issued in accordance with Minnesota Statutes, chapter 475, except that their issuance is not subject to approval by the electors under section 475.58. The obligations issued under this section and the property taxes levied to pay the obligations ~~shall not~~ must be included in the calculation of Hennepin county's bond and building fund levy limitation under Minnesota Statutes, section 373.40.

**Sec. 4. HENNEPIN COUNTY; PUBLIC SAFETY FACILITY PLANNING PROCESS.**

Hennepin county may not issue and sell obligations to finance the acquisition and construction of a public safety building and related facilities until the board of county commissioners of Hennepin county has entered into a planning process which must include:

(1) comparative analysis of alternative sites, including but not limited to: site preparation factors, proximity to the county courthouse, potential construction or legal delays for each site, and integration into the long-range physical plan for the city of Minneapolis;

(2) programmatic plans relating to physical structure, construction, and operational costs; and

(3) continued use of the current jail facilities for correctional purposes for a period of at least ten years.

The planning process must include at least one public hearing. The board of county commissioners and the city council must cooperate in the analysis and planning process described in clause (1). The planning process must be completed by September 1, 1990. If the city refuses to cooperate by engaging in a good faith effort to analyze the public costs and benefits of alternative sites for both the county and city, the county may proceed to issue and sell the bonds notwithstanding this subdivision.

**Sec. 5. HENNEPIN COUNTY; PUBLIC SAFETY FACILITY BONDS.**

Notwithstanding Minnesota Statutes, section 373.40, subdivision 7, Hennepin county may issue bonds under Minnesota Statutes, section 373.40, until July 1, 1995, to finance the acquisition and construction of a public safety building and related facilities.

**Sec. 6. EFFECTIVE DATE.**

New language is indicated by underline, deletions by ~~strikeout~~.

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor April 28, 1990

Signed by the governor May 3, 1990, 5:42 p.m.

### CHAPTER 593—S.F.No. 2158

*An act relating to utilities; regulating flexible gas utility rates; repealing sunset provisions relating to flexible gas utility rates; appropriating money; amending Minnesota Statutes 1988, section 216B.163; and Laws 1987, chapter 371, section 4.*

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

Section 1. Minnesota Statutes 1988, section 216B.163, is amended to read:

#### 216B.163 FLEXIBLE TARIFFS.

Subdivision 1. **DEFINITIONS.** (a) For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(b) "Effective competition" means that a customer of a gas utility who either receives interruptible service or whose daily requirement exceeds 50,000 cubic feet maintains or plans on acquiring the capability to switch to the same, equivalent or substitutable energy supplies or service, except indigenous biomass energy supplies composed of wood products, grain, biowaste, and cellulosic materials, at comparable prices from a supplier not regulated by the commission.

(c) "Flexible tariff" means a rate schedule under which a gas utility may set or change the price for its service to an individual customer or group of customers without prior approval of the commission within a range of prices determined by the commission to be just and reasonable.

Subd. 2. **FLEXIBLE TARIFFS PERMITTED.** Notwithstanding ~~any other provision of this chapter~~ section 216B.03, 216B.05, 216B.06, 216B.07, or 216B.16, the commission is ~~authorized to~~ may approve a flexible tariff for any class of customers of a gas utility when provision of service, including the sale or transportation of gas, to any customers within the class is subject to effective competition. Upon application of a gas utility, the commission shall find that effective competition exists for a class of customers taking interruptible service at a level exceeding 199,000 cubic feet per day. A gas utility may ~~only~~ only apply a flexible tariff only to a customer that is subject to effective competition and a gas utility may not apply a flexible tariff or otherwise reduce its rates to compete with indigenous biomass energy supplies; ~~or with customers of district heating facilities as of June 1, 1987.~~ Customers of a gas utility whose only alternative source of energy is gas from a supplier not regulated by the commission and who must use the gas utility's system to transport the gas are not subject to effective

New language is indicated by underline, deletions by ~~strikeout~~.