

that analyzes or evaluates the potential hazards of airborne particulates, fugitive emissions, or dust from the construction or operation of a metal materials shredding project in preparing the environmental assessment worksheet. The agency and the expert shall prepare, as part of the report, a risk assessment of the types of metals permitted to be shredded as compared to the types of materials that are likely to be processed at the facility. In performing the risk assessment, the agency and the expert must consider any actual experience at similar facilities. The report must be included as part of the environmental assessment worksheet.

(h) If the pollution control agency determines that under the rules of the environmental quality board an environmental impact statement should be prepared, the pollution control agency shall be the responsible governmental unit for preparation of the environmental impact statement.

Sec. 3. APPROPRIATION.

\$75,000 is appropriated in fiscal year 1995 from the general fund to the commissioner of the pollution control agency to hire the consultant required under section 2, and to prepare the environmental assessment worksheet required by section 2. The proposer will bear all other costs associated with the preparation of the environmental assessment worksheet.

Presented to the governor May 6, 1994

Signed by the governor May 10, 1994, 4:40 p.m.

CHAPTER 640—H.F.No. 3230

An act relating to transportation; imposing surcharge for violation of state highway work zone speed limit; allowing commissioner of transportation to transfer money from state airports fund to hangar construction revolving account; allowing metropolitan council to make loans for major river crossing projects; requiring studies; appropriating money; amending Minnesota Statutes 1992, sections 169.14, subdivision 5d; 360.305, subdivision 4; and 473.167, subdivision 2.

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

Section 1. Minnesota Statutes 1992, section 169.14, subdivision 5d, is amended to read:

Subd. 5d. **SPEED ZONING IN WORK ZONES; SURCHARGE.** (a) The commissioner, on trunk highways and temporary trunk highways, and local authorities, on streets and highways under their jurisdiction, may authorize the use of reduced maximum speed limits in highway work zones. The commissioner or local authority is not required to conduct an engineering and traffic investigation before authorizing a reduced speed limit in a highway work zone.

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(b) The minimum highway work zone speed limit is 20 miles per hour. The work zone speed limit must not reduce the established speed limit on the affected street or highway by more than 15 miles per hour, except that the highway work zone speed limit shall not exceed 40 miles per hour. Highway work zone speed limits are effective on erection of appropriate regulatory speed limit signs designating the beginning and end of the affected work zone. The signs must be removed or covered when they are not required. A speed greater than the posted highway work zone speed limit is unlawful.

(c) For purposes of this subdivision, "highway work zone" means a segment of highway or street where a road authority or its agent is constructing, reconstructing, or maintaining the physical structure of the roadway, its shoulders, or features adjacent to the roadway, including underground and overhead utilities and highway appurtenances.

(d) Notwithstanding section 609.0331 or 609.101 or other law to the contrary, a person who violates a speed limit established under paragraph (b) while on a trunk highway, or who violates any other provision of this section or section 169.141 while in a highway work zone on a trunk highway, is assessed an additional surcharge equal to the amount of the fine imposed for the speed violation, but not less than \$25. The surcharge must be deposited in the state treasury and credited to the general fund.

Sec. 2. Minnesota Statutes 1992, section 360.305, subdivision 4, is amended to read:

Subd. 4. (1) Except as otherwise provided in this subdivision, the commissioner of transportation shall require as a condition of assistance by the state that the political subdivision, municipality, or public corporation make a substantial contribution to the cost of the construction, improvement, maintenance, or operation, these costs are referred to as project costs, in connection with which the assistance of the state is sought.

(2) For any airport, whether key, intermediate or landing strip, where only state and local funds are to be used, the contribution shall be not less than one-fifth of the sum of:

- (a) the project costs,
- (b) acquisition costs of the land and clear zones, "acquisition costs."

Where federal, state and local funds are to be used, the contribution shall not be less than one-tenth of the sum.

(3) The commissioner may pay the total cost of radio and navigational aids.

(4) Notwithstanding clause (2), the commissioner may pay all of the project costs of a new landing strip, but not an intermediate airport or key airport, or may pay an amount equal to the federal funds granted and used for a new landing strip plus all of the remaining project costs; but the total amount paid by the

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commissioner for the project costs of a new landing strip, unless specifically authorized by an act appropriating funds for the new landing strip, shall not exceed \$200,000.

(5) Notwithstanding clause (2), the commissioner may pay all the project costs for research and development projects, including, but not limited to noise abatement; provided that in no event shall the sums expended under this clause exceed five percent of the amount appropriated for construction grants.

(6) To receive aid under this section for acquisition costs the municipality must enter into an agreement with the commissioner giving assurance that the airport will be operated and maintained in a safe, serviceable manner for aeronautical purposes only for the use and benefit of the public for a period of 20 years after the date that the state funds are received by the municipality. The agreement may contain other conditions as the commissioner deems reasonable.

(7) The commissioner shall establish a hangar construction revolving account which shall be used for the purpose of financing the construction of hangar buildings to be constructed by municipalities owning airports. All municipalities owning airports are authorized to enter into contracts for the construction of hangars, and contracts with the commissioner for the financing of hangar construction for an amount and period of time as may be determined by the commissioner and municipality. All receipts from the financing contracts shall be deposited in the hangar construction revolving account and are reappropriated for the purpose of financing construction of hangar buildings. The commissioner may pay from the hangar construction revolving account 80 percent of the cost of financing construction of hangar buildings. For purposes of this clause, the "construction" of hangars shall include their design. The commissioner shall transfer up to \$4,100,000 from the state airports fund to the hangar construction revolving account.

(8) The commissioner may pay a portion of the purchase price of any airport maintenance and safety equipment and of the actual airport snow removal costs incurred by any municipality. The portion to be paid by the state shall not exceed two-thirds of the cost of the purchase price or snow removal. To receive aid a municipality must enter into an agreement of the type referred to in clause (6).

(9) This subdivision shall apply only to project costs or acquisition costs of municipally owned airports which are incurred after June 1, 1971.

Sec. 3. Minnesota Statutes 1992, section 473.167, subdivision 2, is amended to read:

Subd. 2. **LOANS FOR ACQUISITION.** The council may make loans to counties, towns, and statutory and home rule charter cities within the metropolitan area for the purchase of property within the right-of-way of a state trunk highway shown on an official map adopted pursuant to section 394.361 or 462.359 or for the purchase of property within the proposed right-of-way of a

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principal or intermediate arterial highway designated by the council as a part of the metropolitan highway system plan and approved by the council pursuant to subdivision 1. The loans shall be made by the council, from the fund established pursuant to this subdivision, for purchases approved by the council. The loans shall bear no interest. The council shall make loans only: (1) to accelerate the acquisition of primarily undeveloped property when there is a reasonable probability that the property will increase in value before highway construction, and to update an expired environmental impact statement on a project for which the right-of-way is being purchased; ~~or~~ (2) to avert the imminent conversion or the granting of approvals which would allow the conversion of property to uses which would jeopardize its availability for highway construction; ~~or~~ (3) to advance planning and environmental activities on highest priority major metropolitan river crossing projects, under the transportation development guide chapter/policy plan. The council shall not make loans for the purchase of property at a price which exceeds the fair market value of the property or which includes the costs of relocating or moving persons or property. A private property owner may elect to receive the purchase price either in a lump sum or in not more than four annual installments without interest on the deferred installments. If the purchase agreement provides for installment payments, the council shall make the loan in installments corresponding to those in the purchase agreement. The recipient of an acquisition loan shall convey the property for the construction of the highway at the same price which the recipient paid for the property. The price may include the costs of preparing environmental documents that were required for the acquisition and that were paid for with money that the recipient received from the loan fund. Upon notification by the council that the plan to construct the highway has been abandoned or the anticipated location of the highway changed, the recipient shall sell the property at market value in accordance with the procedures required for the disposition of the property. All rents and other money received because of the recipient's ownership of the property and all proceeds from the conveyance or sale of the property shall be paid to the council. If a recipient is not permitted to include in the conveyance price the cost of preparing environmental documents that were required for the acquisition, then the recipient is not required to repay the council an amount equal to 40 percent of the money received from the loan fund and spent in preparing the environmental documents. The proceeds of the tax authorized by subdivision 3, all money paid to the council by recipients of loans, and all interest on the proceeds and payments shall be maintained as a separate fund. For administration of the loan program, the council may expend from the fund each year an amount no greater than three percent of the amount of the authorized levy for that year.

Sec. 4. ELECTRIC VEHICLE TECHNOLOGY STUDY; APPROPRIATION.

(a) The commissioner of transportation shall study, evaluate, and test road powered electric vehicle (RPEV) technology under the Saints Road Project in St. Cloud, Minnesota, in coordination with the St. Cloud Area Metropolitan Transit Commission. The commissioner shall make findings and recommendations to

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the transportation committees of the Minnesota senate and house of representatives specifically discussing: RPEV enhancement to and cost comparisons for electric trolley bus applications, particularly regarding light rail transit; RPEV application as an intermodal system at the Minneapolis-St. Paul airport to replace the diesel truck passenger carrier operating between the terminal and car rental agencies; snow and ice removal testing and evaluation; and safety testing of the RPEV technology under consideration at the Saints Road Project.

(b) \$200,000 is appropriated from the trunk highway fund for fiscal year 1995 to the commissioner of transportation to study electric vehicle technology and to pay for the costs, not to exceed ten percent of this appropriation, of the office of transit of the department of transportation to oversee the project. The commissioner shall disburse money from this appropriation on a two-for-one matching basis, seeking federal funding as well as local matching money.

Sec. 5. HIGH-SPEED RAIL CORRIDOR STUDY; APPROPRIATION.

(a) The commissioner of transportation shall initiate a phase-II feasibility study of high-speed rail service in Minnesota, Wisconsin, and Illinois along the southern corridor identified in the tri-state study of high-speed rail service. The commissioner shall seek federal matching funds and contributions from nonpublic sources to finance the study. The commissioner may enter into agreements with the states of Wisconsin and Illinois to cooperate in financing and performing the study.

(b) The study outline must be agreed upon by the participating states and federal government and must include:

- (1) collection of original and comprehensive origin-destination data;
- (2) a comprehensive assessment of alternative technologies;
- (3) engineering and environmental analysis, including route evaluations within the corridor, crossings, infrastructure needs, intermodal connections, and potential station locations;
- (4) comprehensive financial and economic analysis;
- (5) analysis of potential public-private partnerships; and
- (6) an implementation plan and program for design and construction of a high-speed rail system.

(c) \$630,000 is appropriated from the general fund to the commissioner of transportation for the purposes of the phase-II high-speed rail study under this section. This appropriation is contingent upon the state of Wisconsin paying \$500,000 and receipt of federal matching money for the study.

Sec. 6. APPROPRIATION; JOB SKILLS PARTNERSHIP.

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\$250,000 is appropriated to the Minnesota job skills partnership board for the purpose of funding the development and implementation of a program by the city of St. Paul which connects the economic development activities of the St. Paul Port Authority with the city of St. Paul's employment and job development programs. This employment connection program shall be administered by the port authority consistent with and subject to the program requirements of the Minnesota job skills partnership program. The appropriation is available until expended.* (Section 6 was vetoed by the governor.)

Sec. 7. APPROPRIATION; STATE ROAD CONSTRUCTION.

\$15,000,000 is appropriated from the trunk highway fund to the commissioner of transportation for state road construction in fiscal year 1995 and is added to the appropriation in Laws 1993, chapter 266, section 2, subdivision 7, clause (a).

Sec. 8. APPROPRIATION; STATE ROAD OPERATIONS.

\$5,500,000 is appropriated for fiscal year 1995 from the trunk highway fund to the commissioner of transportation for state road operations and is added to the appropriation in Laws 1993, chapter 266, section 2, subdivision 9.* (Section 8 was vetoed by the governor.)

Sec. 9. APPROPRIATION; WORK ZONE SAFETY.

\$25,000 is appropriated in fiscal year 1995 from the general fund to the commissioner of transportation for highway work zone safety management and public education efforts to increase public awareness of highway work zone safety.

Sec. 10. EFFECTIVE DATE.

Sections 1 and 9 are effective July 1, 1994.

Presented to the governor May 6, 1994

Signed by the governor May 10, 1994, 5:45 p.m.

CHAPTER 641—S.F.No. 1706

An act relating to public utilities; providing legislative authorization of the construction of a facility for the temporary dry cask storage of spent nuclear fuel at Prairie Island nuclear generating plant; providing conditions for any future expansion of storage capacity; approving the continued operation of pool storage at Monticello and Prairie Island nuclear generating plants; requiring development of wind power; regulating nuclear power plants; requiring increased conservation investments; providing low-income discounted electric rates; regulating certain advertising expenses related to nuclear power; creating a legislative electric energy

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