

Subd. 3. TERMS; COMPENSATION; REMOVAL. The terms, compensation, and removal of committee members are governed by section 15.059.

Sec. 8. REPEALER.

Minnesota Statutes 1996, section 299J.06, is repealed.

Sec. 9. EFFECTIVE DATE.

Sections 7 and 8 are effective June 30, 1998.

Presented to the governor March 30, 1998

Signed by the governor April 2, 1998, 11:05 a.m.

CHAPTER 349—S.F.No. 2302

An act relating to local government; clarifying the conduct of certain county elections; amending Minnesota Statutes 1996, section 375A.12, subdivision 4.

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

Section 1. Minnesota Statutes 1996, section 375A.12, subdivision 4, is amended to read:

Subd. 4. **CONDUCT OF ELECTION.** When a referendum is required to be held, the county auditor shall conduct the referendum following the procedures provided in chapter 372, as nearly as possible section 375.20, as far as practicable, and not inconsistent with sections 375A.01 to 375A.10. The referendum may be held at any primary, general or special election held not less than 30 days before the first day on which candidates may file for county office.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor March 30, 1998

Signed by the governor April 2, 1998, 11:08 a.m.

CHAPTER 350—H.F.No. 3070

An act relating to energy; transferring proceeds of certain energy conservation accounts to commissioner of children, families, and learning; replacing public utility capital structure approval with security issuance approval; providing for variance for decorative gas lamp; amending Minnesota Statutes 1996, sections 216B.241, subdivision 2a; 216B.49, subdivisions 3 and 4; 216C.19, subdivision 6; and 239.785, subdivision 6; repealing Minnesota Statutes 1996, section 216B.49, subdivision 2.

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

Section 1. Minnesota Statutes 1996, section 216B.241, subdivision 2a, is amended to read:

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

Subd. 2a. **ENERGY AND CONSERVATION ACCOUNT.** The commissioner shall deposit money contributed under subdivisions 1a and 1b in the energy and conservation account in the general fund. Money in the account is appropriated to the department for programs designed to meet the energy conservation needs of low-income persons and to make energy conservation improvements in areas not adequately served under subdivision 2. Interest on money in the account accrues to the account. Using information collected under section 216C.02, subdivision 1, paragraph (b), the commissioner shall, to the extent possible, allocate enough money to programs for low-income persons to assure that their needs are being adequately addressed. The commissioner shall request the commissioner of finance to transfer money from the account to the commissioner of economic security children, families, and learning for an energy conservation program for low-income persons. In establishing programs, the commissioner shall consult political subdivisions and nonprofit and community organizations, especially organizations engaged in providing energy and weatherization assistance to low-income persons. At least one program must address the need for energy conservation improvements in areas in which a high percentage of residents use fuel oil or propane to fuel their source of home heating. The commissioner may contract with a political subdivision, a nonprofit or community organization, a public utility, a municipality, or a cooperative electric association to implement its programs.

Sec. 2. Minnesota Statutes 1996, section 216B.49, subdivision 3, is amended to read:

Subd. 3. **COMMISSION APPROVAL REQUIRED.** It shall be unlawful for any public utility organized under the laws of this state to offer or sell any security or, if organized under the laws of any other state or foreign country, to subject property in this state to an encumbrance for the purpose of securing the payment of any indebtedness unless the capital structure security issuance of the public utility shall first be approved by the commission. Approval by the commission shall be by formal written order.

Sec. 3. Minnesota Statutes 1996, section 216B.49, subdivision 4, is amended to read:

Subd. 4. **CONSIDERATIONS FOR APPROVAL FOR PUBLIC FINANCING.** Upon the application of a public utility for approval of its capital structure security issuance and prior to the issuance of any security or the encumbrance of any property for the purpose of securing the payment of any indebtedness, the commission may make such inquiry or investigation, hold such hearings, and examine such witnesses, books, papers, documents, or contracts, as in its discretion it may deem necessary. Prior to approval the commission shall ascertain that the amount of securities of each class which any public utility may issue shall bear a reasonable proportion to each other and to the value of the property, due consideration being given to the nature of the business of the public utility, its credit and prospects, the possibility that the value of the property may change from time to time, the effect which the issue shall have upon the management and operation of the public utility, and other considerations which the commission as a matter of fact shall find to be relevant. If the commission shall find that the proposed capital structure security issuance is reasonable and proper and in the public interest and will not be detrimental to the interests of the consumers and patrons affected thereby, the commission shall by written order grant its permission for the proposed public financing.

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

Sec. 4. Minnesota Statutes 1996, section 216C.19, subdivision 6, is amended to read:

Subd. 6. **VARIANCE FOR DECORATIVE GAS LAMP.** Beginning April 20, 1977, no person shall use a decorative gas lamp in Minnesota except as provided in this subdivision and in subdivision subdivisions 5 and 7. The commissioner shall, at the request of a homeowner who is 65 years old or older, grant a permanent variance allowing the homeowner who received a variance in 1977 to operate a decorative gas lamp or lamps at the homeowner's principal place of residence. The variance shall be valid for the life of the recipient but shall be renewed every four years. The commissioner may shall not issue a variance after August 1, 1992, except variances issued before that date may be renewed under this subdivision to any other person to use a decorative gas lamp or lamps.

Sec. 5. Minnesota Statutes 1996, section 239.785, subdivision 6, is amended to read:

Subd. 6. **LIQUEFIED PETROLEUM GAS ACCOUNT.** A liquefied petroleum gas account in the special revenue fund is established in the state treasury. Fees and penalties collected under this section must be deposited in the state treasury and credited to the liquefied petroleum gas account. Money in that account, including interest earned, is appropriated to the commissioner of ~~economic security children, families, and learning~~ for programs to improve the energy efficiency of residential liquefied petroleum gas heating equipment in low-income households, and, when necessary, to provide weatherization services to the homes.

Sec. 6. REPEALER.

Minnesota Statutes 1996, section 216B.49, subdivision 2, is repealed.

Presented to the governor March 30, 1998

Signed by the governor April 2, 1998, 11:02 a.m.

CHAPTER 351—H.F.No. 3068

An act relating to state employment; modifying salary provisions for certain officials; setting conditions for advancing employees within a compensation plan or to exceed the salary of an agency head; providing an early retirement incentive for certain employees of the bureau of criminal apprehension; ratifying certain labor agreements; ratifying certain plans and proposals; amending Minnesota Statutes 1997 Supplement, sections 15A.0815, subdivision 3; 43A.17, subdivision 3; and 298.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Section 1. Minnesota Statutes 1997 Supplement, section 15A.0815, subdivision 3, is amended to read:

Subd. 3. **GROUP II SALARY LIMITS.** The salaries for positions in this subdivision may not exceed 75 percent of the salary of the governor:

Ombudsman for corrections;

New language is indicated by underline, deletions by strikeout.