

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

Section 1. Minnesota Statutes 1982, section 156A.02, is amended by adding a subdivision to read:

Subd. 7. For the purposes of sections 156A.02 to 156A.12 "vertical heat exchanger" means any earth-coupled heating or cooling device consisting of a sealed piping system installed vertically in the ground for the purpose of transferring heat to or from the surrounding earth.

**Sec. 2. [156A.11] VERTICAL HEAT EXCHANGER: LICENSING AND REGULATION.**

Subdivision 1. No contractor shall drill or construct any excavation used for the purpose of installing a vertical heat exchanger unless the contractor possesses a valid water well contractor's license.

Subd. 2. Vertical heat exchangers must be constructed, maintained, and abandoned in accordance with the provisions of chapter 156A and the rules adopted under it.

Subd. 3. No contractor shall install a vertical heat exchanger without first obtaining a permit from the commissioner of health. Application for the permit must be made on forms provided by the commissioner and must be accompanied by a \$50 fee. As a condition of the permit, the owner of the property on which the vertical heat exchanger is to be installed shall agree to allow inspection by the commissioner, or his agent, during regular working hours of department of health inspectors.

Approved April 17, 1984

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**CHAPTER 392 — S.F.No. 1396**

*An act relating to local government; requiring the county board of adjustment to take the town board's recommendation into consideration when making certain decisions; amending Minnesota Statutes 1982, section 394.27, subdivision 5.*

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

Section 1. Minnesota Statutes 1982, section 394.27, subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing any ordinance adopted pursuant to the provision of

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

sections 394.21 to 394.37, order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls. Such appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county, or state. In exercising its powers under this subdivision, the board of adjustment shall take into consideration the town board's recommendation when the board of adjustment's decision directly affects land within the town.

Approved April 17, 1984

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**CHAPTER 393 — S.F.No. 1139**

*An act relating to local government; requiring notice of and hearings on increases in certain license fees; proposing new law coded in Minnesota Statutes, chapter 471.*

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

**Section 1. [471.707] LICENSE FEES; NOTICE.**

A home rule charter or statutory city or a town may increase the fee for a license to own or operate a vending machine or to dispense goods or services therefrom only after notice and hearing on the matter. Mailed notice of the proposed change shall be sent to the persons already licensed at least 30 days before the hearing. This section supersedes any inconsistent provision of other law or charter.

**Sec. 2. EFFECTIVE DATE.**

This act is effective July 1, 1984.

Approved April 17, 1984

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**CHAPTER 394 — S.F.No. 868**

*An act relating to natural resources; designating the morel as the official state mushroom; proposing new law coded in Minnesota Statutes, chapter 1.*

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

**Section 1. [1.149] STATE MUSHROOM.**

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