

(b) To provide the money appropriated from the bond proceeds fund in this act, the commissioner of finance on request of the governor shall sell and issue bonds of the state in an amount up to \$12,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI.

Subd. 2. EXISTING BONDING AUTHORITY. Existing funds previously appropriated from the bond proceeds fund for the waterbank program under Minnesota Statutes, section 105.392 are transferred and appropriated to the board of water and soil resources for easements under article 3, section 1.

Sec. 3. EFFECTIVE DATE.

This article is effective July 1, 1991.

Presented to the governor May 31, 1991

Signed by the governor June 4, 1991, 8:31 p.m.

CHAPTER 355—H.F.No. 783

An act relating to health; lowering the fee for licensed lawn service applicators; authorizing a surcharge on sanitizers and disinfectants; abolishing surcharges on pesticides that are less than \$10; changing certain reimbursement figures and deadlines of the agricultural chemical response compensation board; continuing integrated pest management and ground-water research; appropriating money; amending Minnesota Statutes 1990, sections 18E.03, subdivisions 4 and 5; 18E.04, subdivisions 4 and 5; 18E.05, subdivision 3; 103I.005, subdivisions 2, 22, and by adding a subdivision; 103I.101, subdivisions 2, 4, 5, and 6; 103I.105; 103I.111, subdivisions 2a, 2b, 3, and by adding a subdivision; 103I.205, subdivisions 1, 3, 4, 7, 8, and 9; 103I.208, subdivision 2; 103I.231; 103I.235; 103I.301, subdivision 1, and by adding a subdivision; 103I.311, subdivision 3; 103I.331, subdivision 2; 103I.525, subdivisions 1, 4, 8, and 9; 103I.531, subdivisions 5, 8, and 9; 103I.535, subdivisions 8 and 9; 103I.541, subdivisions 4 and 5; 103I.545, subdivision 2; 103I.621, subdivision 3; 103I.701, subdivisions 1 and 4; 103I.705, subdivisions 2, 3, 4, and 5; and 103I.711, subdivision 1; repealing Minnesota Statutes 1990, section 103I.005, subdivision 18.

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

Section 1. Minnesota Statutes 1990, section 18E.03, subdivision 4, is amended to read:

Subd. 4. **FEE THROUGH 1990.** (a) The response and reimbursement fee consists of the surcharge fees in this subdivision and shall be collected until March 1, 1991.

(b) The commissioner shall impose a surcharge on pesticides registered under chapter 18B to be collected as a surcharge on the registration application

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fee under section 18B.26, subdivision 3, that is equal to 0.1 percent of sales of the pesticide in the state and sales of pesticides for use in the state during the period April 1, 1990, through December 31, 1990; ~~except the surcharge may not be imposed on pesticides that are sanitizers or disinfectants as determined by the commissioner.~~ The registrant shall determine when and which pesticides are sold or used in this state. The registrant shall secure sufficient sales information of pesticides distributed into this state from distributors and dealers, regardless of distributor location, to make a determination. Sales of pesticides in this state and sales of pesticides for use in this state by out-of-state distributors are not exempt and must be included in the registrant's annual report, as required under section 18B.26, subdivision 3, paragraph (c), and fees shall be paid by the registrant based upon those reported sales. Sales of pesticides in the state for use outside of the state are exempt from the surcharge in this paragraph if the registrant properly documents the sale location and the distributors.

(c) The commissioner shall impose a ten cents per ton surcharge on the inspection fee under section 18C.425, subdivision 6, for fertilizers, soil amendments, and plant amendments.

(d) The commissioner shall impose a surcharge on the license application of persons licensed under chapters 18B and 18C consisting of:

(1) a \$150 surcharge for each site where pesticides are stored or distributed, to be imposed as a surcharge on pesticide dealer application fees under section 18B.31, subdivision 5;

(2) a \$150 surcharge for each site where a fertilizer, plant amendment, or soil amendment is distributed, to be imposed on persons licensed under sections 18C.415 and 18C.425;

(3) a \$50 surcharge to be imposed on a structural pest control applicator license application under section 18B.32, subdivision 6, for business license applications only;

(4) a \$20 surcharge to be imposed on commercial applicator license application fees under section 18B.33, subdivision 7;

(5) a \$20 surcharge to be imposed on noncommercial applicator license application fees under section 18B.34, subdivision 5, except a surcharge may not be imposed on a noncommercial applicator that is a state agency, political subdivision of the state, the federal government, or an agency of the federal government; and

(6) a ~~\$50~~ \$25 surcharge for licensed lawn service applicators under chapter 18B or 18C, to be imposed on license application fees.

(e) If a person has more than one license for a site, only one surcharge may be imposed to cover all the licenses for the site.

(f) A \$1,000 fee shall be imposed on each site where pesticides are stored and sold for use outside of the state unless:

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(1) the distributor properly documents that it has less than \$2,000,000 per year in wholesale value of pesticides stored and transferred through the site; or

(2) the registrant pays the surcharge under paragraph (b) and the registration fee under section 18B.26, subdivision 3, for all of the pesticides stored at the site and sold for use outside of the state.

(g) Paragraphs (c) to (f) apply to sales, licenses issued, applications received for licenses, and inspection fees imposed on or after July 1, 1990.

Sec. 2. Minnesota Statutes 1990, section 18E.03, subdivision 5, is amended to read:

Subd. 5. **FEE AFTER 1990.** (a) The response and reimbursement fee for calendar years after calendar year 1990 consists of the surcharges in this subdivision and shall be collected by the commissioner. The amount of the response and reimbursement fee shall be determined and imposed annually as required under subdivision 3. The amount of the surcharges shall be proportionate to the surcharges in subdivision 4.

(b) The commissioner shall impose a surcharge on pesticides registered under chapter 18B to be collected as a surcharge on the registration application fee under section 18B.26, subdivision 3, as a percent of gross sales of the pesticide in the state and sales of the pesticide for use in the state during the previous calendar year; ~~except the surcharge may not be imposed on pesticides that are sanitizers or disinfectants as determined by the commissioner.~~ No surcharge is required if the surcharge amount based upon percent of annual gross sales is less than \$10. The registrant shall determine when and which pesticides are sold or used in this state. The registrant shall secure sufficient sales information of pesticides distributed into this state from distributors and dealers, regardless of distributor location, to make a determination. Sales of pesticides in this state and sales of pesticides for use in this state by out-of-state distributors are not exempt and must be included in the registrant's annual report, as required under section 18B.26, subdivision 3, paragraph (c), and fees shall be paid by the registrant based upon those reported sales. Sales of pesticides in the state for use outside of the state are exempt from the surcharge in this paragraph if the registrant properly documents the sale locations and the distributors.

(c) The commissioner shall impose a fee per ton surcharge on the inspection fee under section 18C.425, subdivision 6, for fertilizers, soil amendments, and plant amendments.

(d) The commissioner shall impose a surcharge on the application fee of persons licensed under chapters 18B and 18C consisting of:

(1) a surcharge for each site where pesticides are stored or distributed, to be imposed as a surcharge on pesticide dealer application fees under section 18B.31, subdivision 5;

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(2) a surcharge for each site where a fertilizer, plant amendment, or soil amendment is distributed, to be imposed on persons licensed under sections 18C.415 and 18C.425;

(3) a surcharge to be imposed on a structural pest control applicator license application under section 18B.32, subdivision 6, for business license applications only;

(4) a surcharge to be imposed on commercial applicator license application fees under section 18B.33, subdivision 7;

(5) a surcharge to be imposed on noncommercial applicator license application fees under section 18B.34, subdivision 5, except a surcharge may not be imposed on a noncommercial applicator that is a state agency, a political subdivision of the state, the federal government, or an agency of the federal government; and

(6) a surcharge for licensed lawn service applicators under chapter 18B or 18C, to be imposed on license application fees.

(e) If a person has more than one license for a site, only one surcharge may be imposed to cover all the licenses for the site.

(f) A \$1,000 fee shall be imposed on each site where pesticides are stored and sold for use outside of the state unless:

(1) the distributor properly documents that it has less than \$2,000,000 per year in wholesale value of pesticides stored and transferred through the site; or

(2) the registrant pays the surcharge under paragraph (b) and the registration fee under section 18B.26, subdivision 3, for all of the pesticides stored at the site and sold for use outside of the state.

Sec. 3. Minnesota Statutes 1990, section 18E.04, subdivision 4, is amended to read:

Subd. 4. **REIMBURSEMENT PAYMENTS.** (a) The board shall pay a person that is eligible for reimbursement or payment under subdivisions 1, 2, and 3 from the agricultural chemical response and reimbursement account for:

(1) 90 percent of the total reasonable and necessary corrective action costs greater than \$1,000 and less than or equal to \$100,000; and

(2) 100 percent of the total reasonable and necessary corrective action costs ~~equal to or~~ greater than \$100,000 but less than or equal to \$200,000.

(b) A reimbursement or payment may not be made until the board has determined that the costs are reasonable and are for a reimbursement of the costs that were actually incurred.

(c) The board may make periodic payments or reimbursements as corrective action costs are incurred upon receipt of invoices for the corrective action costs.

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(d) Money in the agricultural chemical response and reimbursement account is appropriated to the commissioner to make payments and reimbursements directed by the board under this subdivision.

Sec. 4. Minnesota Statutes 1990, section 18E.04, subdivision 5, is amended to read:

Subd. 5. **REIMBURSEMENT OR PAYMENT DECISIONS.** (a) The board may issue a letter of intent on whether a person is eligible for payment or reimbursement. The letter is not binding on the board.

(b) The board must issue an order granting or denying a request within 30 days following the board meeting at which the board votes to grant or deny a request for reimbursement or for payment under subdivision 1, 2, or 3.

(c) After an initial request is made for reimbursement, notwithstanding subdivisions 1 to 4, the board may deny additional requests for reimbursement.

(d) If a request is denied, the eligible person may appeal the decision as a contested case hearing under chapter 14.

Sec. 5. Minnesota Statutes 1990, section 18E.05, subdivision 3, is amended to read:

Subd. 3. **PROCEDURES.** ~~The board must issue an order granting or denying a request within 30 days of receipt of a completed application unless the applicant and the commissioner agree to a longer time period. receive a completed application at least 30 days before a board meeting in order for a request for reimbursement or payment to be considered at that meeting, unless the applicant and the commissioner agree to a longer time period. The board may waive the 30-day requirement if it determines that undue financial hardship to the applicant will result if action is delayed until the next regular meeting. The board must act upon a completed application request at the next regular board meeting, unless additional information is required from the applicant or the commissioner.~~ If the board denies reimbursement or payment, its decision may be appealed in a contested case proceeding under chapter 14.

Sec. 6. Minnesota Statutes 1990, section 103I.005, subdivision 2, is amended to read:

Subd. 2. **BORING.** "Boring" means a hole or excavation that is not used to extract water and includes exploratory borings ~~and~~ environmental bore holes, vertical heat exchangers, and elevator shafts.

Sec. 7. Minnesota Statutes 1990, section 103I.005, subdivision 22, is amended to read:

Subd. 22. **WELL DISCLOSURE CERTIFICATE.** "Well disclosure certificate" means a certificate containing the requirements of section 103I.235, subdivision 1, paragraph (e).

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Sec. 8. Minnesota Statutes 1990, section 103I.005, is amended by adding a subdivision to read:

Subd. 23a. WELL THAT IS IN USE. A "well that is in use" means a well that operates on a daily, regular, or seasonal basis. A well in use includes a well that operates for the purpose of irrigation, fire protection, or emergency pumping.

Sec. 9. Minnesota Statutes 1990, section 103I.101, subdivision 2, is amended to read:

Subd. 2. **DUTIES.** The commissioner shall:

(1) regulate the drilling, construction, modification, repair, and sealing of wells and borings;

(2) examine and license well contractors, persons modifying or repairing well casings, well screens, or well diameters; constructing, repairing, and sealing unconventional wells such as drive point wells or dug wells; constructing, repairing, and sealing dewatering wells; sealing wells; installing well pumps or pumping equipment; and excavating or drilling holes for the installation of elevator shafts or hydraulic cylinders;

(3) register and examine monitoring well contractors;

(4) license explorers engaged in exploratory boring and examine individuals who supervise or oversee exploratory boring;

(5) after consultation with the commissioner of natural resources and the pollution control agency, establish standards for the design, location, construction, repair, and sealing of wells, elevator shafts, and borings within the state; and

(6) issue permits for wells, groundwater thermal devices, vertical heat exchangers, and excavation for holes to install elevator shafts or hydraulic cylinders.

Sec. 10. Minnesota Statutes 1990, section 103I.101, subdivision 4, is amended to read:

Subd. 4. **INSPECTIONS BY COMMISSIONER.** The commissioner may inspect, collect water samples, and have access, at all reasonable times, to a well or boring site, including wells or borings drilled, sealed, or repaired.

Sec. 11. Minnesota Statutes 1990, section 103I.101, subdivision 5, is amended to read:

Subd. 5. **COMMISSIONER TO ADOPT RULES.** The commissioner shall adopt rules including:

(1) issuance of licenses for:

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- (i) qualified well contractors, persons modifying or repairing well casings, well screens, or well diameters;
 - (ii) persons constructing, repairing, and sealing unconventional wells such as drive points or dug wells;
 - (iii) persons constructing, repairing, and sealing dewatering wells;
 - (iv) persons sealing wells; and
 - (v) persons installing well pumps or pumping equipment and excavating holes for installing elevator shafts or hydraulic cylinders;
- (2) issuance of registration for monitoring well contractors;
 - (3) establishment of conditions for examination and review of applications for license and registration;
 - (4) establishment of conditions for revocation and suspension of license and registration;
 - (5) establishment of minimum standards for design, location, construction, repair, and sealing of wells to implement the purpose and intent of this chapter;
 - (6) establishment of a system for reporting on wells and borings drilled and sealed;
 - (7) modification of fees prescribed in this chapter, according to the procedures for setting fees in section 16A.128;
 - (8) establishment of standards for the construction, maintenance, sealing, and water quality monitoring of wells in areas of known or suspected contamination, for which the commissioner may adopt emergency rules;
 - (9) establishment of wellhead protection measures for wells serving public water supplies;
 - (10) establishment of procedures to coordinate collection of well data with other state and local governmental agencies; ~~and~~
 - (11) establishment of criteria and procedures for submission of well logs, formation samples or well cuttings, water samples, or other special information required for and water resource mapping; and
 - (12) establishment of minimum standards for design, location, construction, maintenance, repair, sealing, safety, and resource conservation related to borings, including exploratory borings as defined in section 103I.005, subdivision 9.

Until the commissioner adopts rules under this chapter to replace rules relating to wells and borings that were adopted under chapter 156A, the rules adopted under chapter 156A shall remain in effect.

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Sec. 12. Minnesota Statutes 1990, section 103I.101, subdivision 6, is amended to read:

Subd. 6. **FEES FOR VARIANCES.** The commissioner shall charge a non-refundable application fee of \$100 to cover the administrative cost of processing a request for a variance or modification of rules ~~under Minnesota Rules, chapter 4725, for wells and borings adopted by the commissioner under this chapter.~~

Sec. 13. Minnesota Statutes 1990, section 103I.105, is amended to read:

103I.105 ADVISORY COUNCIL ON WELLS AND BORINGS.

(a) The advisory council on wells and borings is established as an advisory council to the commissioner. The advisory council shall consist of ~~45~~ 17 voting members. Of the ~~45~~ 17 voting members:

(1) one member must be from the department of health, appointed by the commissioner of health;

(2) one member must be from the department of natural resources, appointed by the commissioner of natural resources;

(3) one member must be a member of the Minnesota geological survey of the University of Minnesota, appointed by the director;

(4) one member must be a licensed exploratory borer;

(5) one member must be a licensed elevator shaft contractor;

(6) two members must be members of the public who are not connected with the business of exploratory boring or the well drilling industry;

(7) one member must be from the pollution control agency, appointed by the commissioner of the pollution control agency;

(8) one member must be from the department of transportation, appointed by the commissioner of transportation;

(9) one member from the board of water and soil resources appointed by its chair;

(10) one member must be a monitoring well contractor; and

(9) (11) six members must be residents of this state appointed by the commissioner, who are actively engaged in the well drilling industry, with not more than two from the seven-county metropolitan area and at least four from other areas of the state who represent different geographical regions.

(b) An appointee of the well drilling industry may not serve more than two consecutive terms.

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(c) The appointees to the advisory council from the well drilling industry must:

(1) have been residents of this state for at least three years before appointment; and

(2) have at least five years' experience in the well drilling business.

(d) The terms of the appointed members and the compensation and removal of all members are governed by section 15.059, except section 15.059, subdivision 5, relating to expiration of the advisory council does not apply.

Sec. 14. Minnesota Statutes 1990, section 103I.111, subdivision 2a, is amended to read:

Subd. 2a. **FEES.** A board of health under a delegation agreement with the commissioner may charge permit and notification fees, including a fee for well sealing, in excess of the fees specified in section 103I.208 if the fees do not exceed the total direct and indirect costs to administer the delegated duties.

Sec. 15. Minnesota Statutes 1990, section 103I.111, subdivision 2b, is amended to read:

Subd. 2b. **ORDINANCE AUTHORITY.** A political subdivision may adopt ordinances to enforce and administer powers and duties delegated under this section. The ordinances may not ~~conflict~~ be inconsistent with or be less restrictive than standards in state law or rule. Ordinances adopted by the governing body of a statutory or home rule charter city or town may not ~~conflict~~ be inconsistent with or be less restrictive than ordinances adopted by the county board. The commissioner shall review ordinances proposed under a delegation agreement. The commissioner shall approve ordinances if the commissioner determines the ordinances are not inconsistent with and not less restrictive than the provisions of this chapter.

Sec. 16. Minnesota Statutes 1990, section 103I.111, is amended by adding a subdivision to read:

Subd. 2c. PERMITS. A board of health under a delegation agreement with the commissioner may require permits in lieu of the notifications required under sections 103I.205 and 103I.301.

Sec. 17. Minnesota Statutes 1990, section 103I.111, subdivision 3, is amended to read:

Subd. 3. **PREEMPTION UNLESS DELEGATION.** Notwithstanding any other law, a political subdivision may not regulate the ~~permitting~~, construction, repair, or sealing of wells or elevator shafts unless the commissioner delegates authority under subdivisions 1 and 2.

Sec. 18. Minnesota Statutes 1990, section 103I.205, subdivision 1, is amended to read:

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

Subdivision 1. **NOTIFICATION REQUIRED.** (a) Except as provided in paragraphs (d) and (e), a person may not construct a well until a notification of the proposed well on a form prescribed by the commissioner is filed with the commissioner with the filing fee in section 103I.208. If after filing the well notification an attempt to construct a well is unsuccessful, a new notification is not required unless the information relating to the successful well has substantially changed.

(b) The property owner, the property owner's agent, or the well contractor where a well is to be located must file the well notification with the commissioner.

(c) The well notification under this subdivision preempts local permits and notifications, and counties or home rule charter or statutory cities may not require a permit or notification for wells unless the commissioner has delegated the permitting or notification authority under section 103I.111.

(d) A person who is an individual that constructs a drive point well on property owned or leased by the individual for farming or agricultural purposes or as the individual's place of abode must notify the commissioner of the installation and location of the well. The person must complete the notification form prescribed by the commissioner and mail it to the commissioner by ten days after the well is completed. A fee may not be charged for the notification. A person who sells drive point wells at retail must provide buyers with notification forms and informational materials including requirements regarding wells, their location, construction, and disclosure. The commissioner must provide the notification forms and informational materials to the sellers.

(e) A person may not construct a monitoring well or dewatering well until a permit ~~for the monitoring well~~ is issued by the commissioner for the construction. If after obtaining a permit an attempt to construct a well is unsuccessful, a new permit is not required as long as the initial permit is modified to indicate the location of the successful well.

Sec. 19. Minnesota Statutes 1990, section 103I.205, subdivision 3, is amended to read:

Subd. 3. **MAINTENANCE PERMIT.** (a) Except as provided under paragraph (b), a well that is not in use ~~and is inoperable~~ must be sealed or have a maintenance permit.

(b) If a monitoring well or a dewatering well is not sealed by 14 months after completion of construction, the owner of the property on which the well is located must obtain and annually renew a maintenance permit from the commissioner.

Sec. 20. Minnesota Statutes 1990, section 103I.205, subdivision 4, is amended to read:

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Subd. 4. **LICENSE REQUIRED.** (a) Except as provided in paragraph (b), (c), or (d), ~~or (e)~~; a person may not drill, construct, ~~or~~ repair, or seal a well unless the person has a well contractor's license in possession.

(b) A person may construct a monitoring well if the person:

(1) is a professional engineer registered under sections 326.02 to 326.15 in the branches of civil or geological engineering; ~~or hydrologists~~;

(2) is a hydrologist or hydrogeologists hydrogeologist certified by the American Institute of Hydrology; ~~any~~;

(3) is a professional engineer registered with the board of architecture, engineering, land surveying, or landscape architecture; ~~or~~;

(4) is a geologist certified by the American Institute of Professional Geologists; ~~and registers~~; or

(5) meets the qualifications established by the commissioner in rule.

A person must register with the commissioner as a monitoring well contractor on forms provided by the commissioner.

(c) A person may do the following work with a limited well contractor's license in possession. A separate license is required for each of the five activities:

(1) installing or repairing well screens or pitless units or pitless adaptors and well casings from the pitless adaptor or pitless unit to the upper termination of the well casing;

(2) constructing, repairing, and sealing drive point wells or dug wells;

(3) installing well pumps or pumping equipment;

(4) sealing wells; or

(5) constructing, repairing, or sealing dewatering wells.

(d) Notwithstanding other provisions of this chapter requiring a license or registration, a license or registration is not required for a person who complies with the other provisions of this chapter if the person is:

(1) an individual who constructs a well on land that is owned or leased by the individual and is used by the individual for farming or agricultural purposes or as the individual's place of abode; or

(2) an individual who performs labor or services for a well contractor licensed or registered under the provisions of this chapter in connection with the construction, sealing, or repair of a well or sealing a well boring at the direction and at under the personal supervision of a well contractor licensed or registered under the provisions of this chapter.

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Sec. 21. Minnesota Statutes 1990, section 103I.205, subdivision 7, is amended to read:

Subd. 7. **WELL IDENTIFICATION LABEL REQUIRED.** After a well has been constructed, the person constructing the well must attach a label to the well showing the unique well number; ~~the depth of the well; the name of the person who constructed the well; and the date the well was constructed.~~

Sec. 22. Minnesota Statutes 1990, section 103I.205, subdivision 8, is amended to read:

Subd. 8. **MONITORING WELLS ON PROPERTY OF ANOTHER.** A person may not construct or have constructed a ~~monitoring~~ well for the person's own use on the property of another until the owner of the property on which the well is to be located and the intended well owner user sign a written agreement that identifies which party will be responsible for obtaining maintenance all permits or filing notification, paying applicable fees and for sealing the ~~monitoring~~ well. If the property owner refuses to sign the agreement, the intended well owner user may, in lieu of a written agreement, state in writing to the commissioner that the well owner user will be responsible for obtaining maintenance permits, filing notification, paying applicable fees, and sealing the well. Nothing in this subdivision eliminates the responsibilities of the property owner under this chapter, or allows a person to construct a well on the property of another without consent or other legal authority.

Sec. 23. Minnesota Statutes 1990, section 103I.205, subdivision 9, is amended to read:

Subd. 9. **REPORT OF WORK.** ~~(a)~~ Within 30 days after completion or sealing of a well or boring, the person doing the work must submit a verified report to the commissioner ~~on forms provided by the commissioner~~ containing the information specified by rules adopted under this chapter.

~~(b)~~ The report must contain:

~~(1)~~ the name and address of the owner of the well and the actual location of the well;

~~(2)~~ a log of the materials and water encountered in connection with drilling the well; and pumping tests relating to the well; and

~~(3)~~ other information the commissioner may require concerning the drilling or sealing of the well.

~~(e)~~ Within 30 days after receiving the report, the commissioner shall send a copy of the report to the commissioner of natural resources, to the local soil and water conservation district where the well is located, and to the director of the Minnesota geological survey.

Sec. 24. Minnesota Statutes 1990, section 103I.208, subdivision 2, is amended to read:

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Subd. 2. **PERMIT FEE.** The permit fee to be paid by a property owner is:

(1) for a well that is ~~inoperable or disconnected from a power supply~~ not in use under a maintenance permit, \$50 annually;

(2) for construction of a monitoring well, \$50;

(3) ~~annually~~ for a monitoring well that is unsealed under a maintenance permit, \$50 annually;

(4) for monitoring wells used as a leak detection device at a single motor fuel retail outlet or petroleum bulk storage site excluding tank farms, the construction permit fee is \$50 per site regardless of the number of wells constructed on the site, and the annual fee for a maintenance permit for unsealed monitoring wells is \$50 per site regardless of the number of monitoring wells located on site;

(5) for a groundwater thermal exchange device, in addition to the notification fee for wells, \$50;

(6) for a vertical heat exchanger, in addition to the permit fee for wells, \$50;

(7) for construction of the dewatering well, \$50 for each well except a dewatering project comprising more than ten wells shall be issued a single permit for the wells recorded on the permit for \$500; and

(8) ~~annually~~ for a dewatering well that is unsealed under a maintenance permit, \$25 annually for each well, except a dewatering project comprising more than ten wells shall be issued a single permit for \$250 annually for wells recorded on the permit ~~for \$250~~.

Sec. 25. Minnesota Statutes 1990, section 103I.231, is amended to read:

103I.231 COMMISSIONER MAY ORDER REPAIRS.

(a) The commissioner may order ~~the a~~ a ~~property owner of a well~~ property owner to take remedial measures, including making repairs, reconstructing, or sealing ~~the a well or boring~~ the well or boring according to ~~rules of the commissioner provisions of this chapter~~ rules of the commissioner provisions of this chapter. The order may be issued if the commissioner determines, based on inspection of the water or the well or boring site or an analysis of water from the well or boring, that the well or boring:

(1) is contaminated or may contribute to the spread of contamination;

(2) is required to be sealed under this chapter and has not been sealed according to ~~the rules of the commissioner provisions of this chapter~~ the rules of the commissioner provisions of this chapter;

(3) is in a state of disrepair so that its continued existence endangers the quality of the groundwater;

(4) is a health or safety hazard; or

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(5) is located in a place or constructed in a manner that its continued use or existence endangers the quality of the groundwater.

(b) The order of the commissioner may be enforced in an action to seek compliance brought by the commissioner in the district court of the county where the well is located.

Sec. 26. Minnesota Statutes 1990, section 103I.235, is amended to read:

103I.235 SALE OF PROPERTY WHERE WELLS ARE LOCATED.

Subdivision 1. **DISCLOSURE OF WELLS TO BUYER.** (a) Before signing an agreement to sell or transfer real property, the seller must disclose in writing to the buyer information about the status and location of all known wells on the property, by delivering to the buyer either a statement by the seller that the seller does not know of any wells on the property, or a disclosure statement indicating the legal description and county, and a map drawn from available information showing the location of each well to the extent practicable. In the disclosure statement, the seller must indicate, for each well, whether the well is in use, not in use, or sealed.

(b) At the time of closing of the sale, the disclosure statement information, name and mailing address of the buyer, and the quartile, section, township, and range in which each well is located must be provided on a well disclosure certificate signed by the seller or a person authorized to act on behalf of the seller.

(c) A well certificate need not be provided if ~~the closing occurs before November 1, 1990; or~~ the seller does not know of any wells on the property and the deed or other instrument of conveyance contains the statement: "The Seller certifies that the Seller does not know of any wells on the described real property."

(d) If a deed is given pursuant to a contract for deed, the well disclosure certificate required by this subdivision shall be signed by the buyer or a person authorized to act on behalf of the buyer. If the buyer knows of no wells on the property, a well disclosure certificate is not required if the following statement appears on the deed followed by the signature of the grantee or, if there is more than one grantee, the signature of at least one of the grantees: "The Grantee certifies that the Grantee does not know of any wells on the described real property." The statement and signature of the grantee may be on the front or back of the deed or on an attached sheet and an acknowledgment of the statement by the grantee is not required for the deed to be recordable.

(e) This subdivision does not apply to the sale, exchange, or transfer of real property:

(1) that consists solely of a sale or transfer of severed mineral interests; or

(2) that consists of an individual condominium unit as described in chapters 515 and 515A.

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

(f) For an area owned in common under chapter 515 or 515A the association or other responsible person must report to the commissioner by July 1, 1992, the location and status of all wells in the common area. The association or other responsible person must notify the commissioner within 30 days of any change in the reported status of wells.

(g) For real property sold by the state under section 92.67, the lessee at the time of the sale is responsible for compliance with this subdivision.

(e) (h) If the seller fails to provide a required well disclosure certificate, the buyer, or a person authorized to act on behalf of the buyer, may sign a well disclosure certificate based on the information provided on the disclosure statement required by this section or based on other available information.

(d) (i) A county recorder or registrar of titles may not record a deed or other instrument of conveyance dated after October 31, 1990, for which a certificate of value is required under section 272.115, or any deed or other instrument of conveyance dated after October 31, 1990, from a governmental body exempt from the payment of state deed tax, unless the deed or other instrument of conveyance either contains the statement "The Seller certifies that the Seller does not know of any wells on the described real property," made in accordance with paragraph (c) or (d) of this subdivision or is accompanied by the well disclosure certificate containing all the information required by paragraph (b) or (d) of this subdivision. The county recorder or registrar of titles shall note on each deed or other instrument of conveyance accompanied by a well disclosure certificate that the well disclosure certificate was received. The notation must include the statement "No wells on property" if the disclosure certificate states there are no wells on the property. The well disclosure certificate shall not be filed or recorded in the records maintained by the county recorder or registrar of titles. After noting "No wells on property" on the deed or other instrument of conveyance, the county recorder or registrar of titles shall destroy or return to the buyer the well disclosure certificate. The county recorder or registrar of titles shall collect from the buyer or the person seeking to record a deed, a fee of \$10 for receipt of a completed well disclosure certificate for filing. By the tenth day of each month, the county recorder or registrar of titles shall transmit the well disclosure certificate to the commissioner of health within 15 days after receiving the well certificate. By the tenth day after the end of each calendar quarter, the county recorder or registrar of titles shall transmit to the commissioner of health \$7.50 of the fee for each well disclosure certificate received during the quarter. The commissioner shall maintain the well disclosure certificate for at least six years. The commissioner may store the certificate as an electronic image. A copy of that image shall be as valid as the original.

(j) No new well disclosure certificate is required on property unless the status or numbers of wells on the property has changed from the last previously filed well disclosure certificate.

New language is indicated by underline, deletions by strikeout.

(e) (k) The commissioner in consultation with county recorders shall prescribe the form for a well disclosure certificate and provide well disclosure certificate forms to county recorders and registrars of titles and other interested persons.

~~(f)~~ (l) Failure to comply with a requirement of this subdivision does not impair:

(1) the validity of a deed or other instrument of conveyance as between the parties to the deed or instrument or as to any other person who otherwise would be bound by the deed or instrument; or

(2) the record, as notice, of any deed or other instrument of conveyance accepted for filing or recording contrary to the provisions of this subdivision.

Subd. 2. LIABILITY FOR FAILURE TO DISCLOSE. Unless the buyer and seller agree to the contrary, in writing, before the closing of the sale, a seller who fails to disclose the existence or known status of a well at the time of sale and knew or had reason to know of the existence or known status of the well, is liable to the buyer for costs relating to sealing of the well and reasonable attorney fees for collection of costs from the seller, if the action is commenced within six years after the date the buyer closed the purchase of the real property where the well is located.

Sec. 27. Minnesota Statutes 1990, section 103I.301, subdivision 1, is amended to read:

Subdivision 1. **WELLS.** (a) A well property owner must have a well sealed if:

(1) the well is contaminated;

(2) the well was attempted to be sealed but was not sealed according to the provisions of this chapter; or

(3) the well is located, constructed, or maintained in a manner that its continued use or existence endangers groundwater quality or is a safety or health hazard.

(b) A well that is ~~inoperable~~ not in use must be sealed unless the well property owner has a maintenance permit for the well.

(c) The well property owner must have a well contractor or limited well sealing contractor seal a well consistent with provisions of this chapter.

Sec. 28. Minnesota Statutes 1990, section 103I.301, is amended by adding a subdivision to read:

Subd. 6. NOTIFICATION REQUIRED. A person may not seal a well until a notification of the proposed sealing is filed as prescribed by the commissioner.

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

Sec. 29. Minnesota Statutes 1990, section 103I.311, subdivision 3, is amended to read:

Subd. 3. **PROHIBITION ON STATE LAND PURCHASED WITHOUT WELL IDENTIFICATION.** The state may not purchase or sell ~~real property or an~~ a fee interest in real property without identifying the location of all wells on the property, whether in use, not in use, or sealed, and making provisions to have the wells not in use properly sealed at the cost of the seller as part of the contract. For real property sold by the state under section 92.67, the lessee at the time of the sale is responsible for compliance under this subdivision. The deed or other instrument of conveyance evidencing the sale may not be recorded with the county recorder or registrar of titles unless this subdivision is complied with. Failure to comply with a requirement of this subdivision does not impair:

(1) the validity of a deed or other instrument of conveyance as between the parties to the deed or instrument or as to any other person who otherwise would be bound by the deed or instrument; or

(2) the record, as notice, of any deed or other instrument of conveyance accepted for filing or recording contrary to the provisions of this subdivision.

Sec. 30. Minnesota Statutes 1990, section 103I.331, subdivision 2, is amended to read:

Subd. 2. **CRITERIA FOR SELECTING COUNTIES FOR WELL SEALING.** (a) The board of water and soil resources, in selecting counties for participation, shall consult with the commissioners of natural resources, the pollution control agency, and health, and the director of the Minnesota geological survey, and must consider appropriate criteria including the following:

(1) diversity of well construction;

(2) diversity of geologic conditions;

(3) current use of affected aquifers;

(4) diversity of land use; and

(5) aquifer susceptibility to contamination by unsealed wells.

(b) After July 1, 1991, only well sealings that are a part of, or responsive to, the following are eligible for assistance:

(1) the priority actions identified in an approved comprehensive local water plan, as defined in section 103B.3363, subdivision 3; are eligible for assistance; or

(2) a plan that is undergoing local review and comment as described in section 103B.255, subdivision 8.

Sec. 31. Minnesota Statutes 1990, section 103I.525, subdivision 1, is amended to read:

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

Subdivision 1. **APPLICATION.** (a) A person must file an application and application fee with the commissioner to apply for a well contractor's license.

(b) The application must state the applicant's qualifications for the license, the equipment the applicant will use in the contracting, and other information required by the commissioner. The application must be on forms prescribed by the commissioner.

(c) A person may apply as an individual if the person:

(1) is not the licensed well contractor representing a firm, sole proprietorship, partnership, association, corporation, or other entity including the United States government, any interstate body, the state and agency, department or political subdivision of the state; and

(2) meets the well contractor license requirements under provisions of this chapter and Minnesota Rules, chapter 4725.

Sec. 32. Minnesota Statutes 1990, section 103I.525, subdivision 4, is amended to read:

Subd. 4. **ISSUANCE OF LICENSE.** If an applicant meets the experience requirements established by rule, passes the examination as determined by the commissioner, submits the bond under subdivision 5, and pays the license fee under subdivision 6, the commissioner shall issue a well contractor's license.

Sec. 33. Minnesota Statutes 1990, section 103I.525, subdivision 8, is amended to read:

Subd. 8. **RENEWAL.** (a) A licensee must file an application and a renewal application fee to renew the license by the date stated in the license.

(b) The renewal application fee shall be set by the commissioner under section 16A.128.

(c) The renewal application must include information that the applicant has met continuing education requirements established by the commissioner by rule.

(d) At the time of the renewal, the commissioner must have on file all properly completed well reports, well sealing reports, reports of excavations to construct elevator shafts, well permits, and well notifications for work conducted by the licensee since the last license renewal.

Sec. 34. Minnesota Statutes 1990, section 103I.525, subdivision 9, is amended to read:

Subd. 9. **INCOMPLETE OR LATE RENEWAL APPLICATION.** If a licensee ~~submits a fails to submit all information required for renewal in subdivision 8 or submits the application and information~~ submits a fails to submit all information required for renewal in subdivision 8 or submits the application and information after the required renewal date:

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

(1) the licensee must include an additional late fee set by the commissioner under section 16A.128; and

(2) the licensee may not conduct activities authorized by the well contractor's license until the renewal application, renewal application fee, ~~and~~ late fee, and all other information required in subdivision 8 are submitted.

Sec. 35. Minnesota Statutes 1990, section 103I.531, subdivision 5, is amended to read:

Subd. 5. **BOND.** (a) As a condition of being issued a limited well contractor's license for constructing, repairing, and sealing drive point wells or dug wells, sealing wells, or constructing, repairing, and sealing dewatering wells, the applicant must submit a corporate surety bond for \$10,000 approved by the commissioner. As a condition of being issued a limited well contractor's license for installing or repairing well screens or pitless units or pitless adaptors and well casings from the pitless adaptor or pitless unit to the upper termination of the well casing, or installing well pumps or pumping equipment, the applicant must submit a corporate surety bond for \$2,000 approved by the commissioner. ~~The bond~~ bonds required in this paragraph must be conditioned to pay the state on unlawful performance of work regulated by this chapter in this state. ~~The bond is~~ bonds are in lieu of other license bonds required by a political subdivision of the state.

(b) From proceeds of ~~the bond~~ a bond required in paragraph (a), the commissioner may compensate persons injured or suffering financial loss because of a failure of the applicant to properly perform work or duties.

Sec. 36. Minnesota Statutes 1990, section 103I.531, subdivision 8, is amended to read:

Subd. 8. **RENEWAL.** (a) A person must file an application and a renewal application fee to renew the limited well contractor's license by the date stated in the license.

(b) The renewal application fee shall be set by the commissioner under section 16A.128.

(c) The renewal application must include information that the applicant has met continuing education requirements established by the commissioner by rule.

(d) At the time of the renewal, the commissioner must have on file all properly completed well sealing reports, well permits, and well notifications for work conducted by the licensee since the last license renewal.

Sec. 37. Minnesota Statutes 1990, section 103I.531, subdivision 9, is amended to read:

Subd. 9. **INCOMPLETE OR LATE RENEWAL APPLICATION.** If a licensee ~~submits a~~ fails to submit all information required for renewal in subdivi-

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vision 8 or submits the application and information after the required renewal date:

(1) the licensee must include an additional late fee set by the commissioner under section 16A.128; and

(2) the licensee may not conduct activities authorized by the limited well contractor's license until the renewal application, renewal application fee, and late fee, and all other information required in subdivision 8 are submitted.

Sec. 38. Minnesota Statutes 1990, section 103I.535, subdivision 8, is amended to read:

Subd. 8. **RENEWAL.** (a) A person must file an application and a renewal application fee to renew the license by the date stated in the license.

(b) The renewal application fee shall be set by the commissioner under section 16A.128.

(c) The renewal application must include information that the applicant has met continuing education requirements established by the commissioner by rule.

(d) At the time of renewal, the commissioner must have on file all reports and permits for elevator shaft work conducted by the licensee since the last license renewal.

Sec. 39. Minnesota Statutes 1990, section 103I.535, subdivision 9, is amended to read:

Subd. 9. **INCOMPLETE OR LATE RENEWAL APPLICATION.** If a licensee ~~submits a~~ fails to submit all information required for renewal in subdivision 8 or submits the application and information after the required renewal date:

(1) the licensee must include an additional late fee set by the commissioner under section 16A.128; and

(2) the licensee may not conduct activities authorized by the elevator shaft contractor's license until the renewal application, renewal application fee, and late fee, and all other information required in subdivision 8 are submitted.

Sec. 40. Minnesota Statutes 1990, section 103I.541, subdivision 4, is amended to read:

Subd. 4. **RENEWAL.** (a) A person must file an application and a renewal application fee to renew the registration by the date stated in the registration.

(b) The renewal application fee shall be set by the commissioner under section 16A.128.

(c) The renewal application must include information that the applicant has met continuing education requirements established by the commissioner by rule.

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

(d) At the time of the renewal, the commissioner must have on file all well reports, well sealing reports, well permits, and notifications for work conducted by the registered person since the last registration renewal.

Sec. 41. Minnesota Statutes 1990, section 103I.541, subdivision 5, is amended to read:

Subd. 5. **INCOMPLETE OR LATE RENEWAL APPLICATION.** If a registered person submits a renewal application after the required renewal date:

(1) the registered person must include an additional late fee set by the commissioner under section 16A.128; and

(2) the registered person may not conduct activities authorized by the monitoring well contractor's registration until the renewal application, renewal application fee, and late fee, and all other information required in subdivision 4 are submitted.

Sec. 42. Minnesota Statutes 1990, section 103I.545, subdivision 2, is amended to read:

Subd. 2. **PUMP HOIST.** (a) A person may not use a machine such as a pump hoist for an activity requiring a license or registration under this chapter to repair wells or borings, seal wells or borings, or install pumps unless the machine is registered with the commissioner.

(b) A person must apply for the registration on forms prescribed by the commissioner and submit a \$50 registration fee.

(c) A registration is valid for one year.

Sec. 43. Minnesota Statutes 1990, section 103I.621, subdivision 3, is amended to read:

Subd. 3. **CONSTRUCTION REQUIREMENTS.** (a) Withdrawal and reinjection for the groundwater thermal exchange device must be accomplished by a closed system in which the waters drawn for thermal exchange do not have contact or commingle with water from other sources or with polluting material or substances. The closed system must be constructed to allow an opening for inspection by the commissioner.

(b) Wells that are part of a groundwater thermal exchange system may not serve another function, except water may be supplied to the domestic water system if:

(1) the supply is taken from the thermal exchange system ahead of the heat exchange unit; and

(2) the water discharges to a break tank through an air gap that is at least twice the effective diameter of the water inlet to the tank domestic water system is protected by an airgap or backflow prevention device as described in rules relating to plumbing enforced by the commissioner.

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

(c) A groundwater thermal exchange system may be used for domestic water heating only if the water heating device is an integral part of the heat exchange unit that is used for space heating and cooling.

Sec. 44. Minnesota Statutes 1990, section 103I.701, subdivision 1, is amended to read:

Subdivision 1. **DENIAL OF LICENSE OR, REGISTRATION, OR RENEWAL.** (a) The commissioner may deny an application for ~~renewal of~~ a license or registration if the applicant has violated a provision of this chapter.

(b) The commissioner may refuse renewal for failure to submit a well report, or well sealing report, or failure to report an excavation to construct an elevator shaft, or failure to obtain a well permit before construction is a violation of this chapter and the commissioner may refuse renewal, failure to file a notification, or failure to obtain continuing education credit.

Sec. 45. Minnesota Statutes 1990, section 103I.701, subdivision 4, is amended to read:

Subd. 4. **CORRECTIVE ORDERS.** (a) The commissioner may issue corrective orders for persons to comply with the provisions of this chapter. The corrective order must state the deficiencies that constitute the violation, the specific statute or rule violated, and the time period in which the deficiencies must be corrected.

(b) If the person believes that the information contained in the order is in error, the person may ask the commissioner to reconsider those parts of the order that the person alleges to be in error. The person shall submit the request in writing to the commissioner within seven days after receipt of the order. The request must specify which parts of the order are alleged to be in error and provide documentation to support the allegation of the error. The commissioner shall respond to requests within 15 calendar days after receipt of the request.

(c) A request for reconsideration does not stay the corrective order; however, after reviewing the request for reconsideration, the commissioner may provide additional time to comply with the order. The commissioner's disposition of a request for reconsideration is final.

(d) If a deficiency specified in a corrective order has not been corrected within the specified time period, the commissioner shall issue a notice of non-compliance which identifies each uncorrected deficiency and assesses the administrative penalty for the deficiency authorized in section 103I.705.

Sec. 46. Minnesota Statutes 1990, section 103I.705, subdivision 2, is amended to read:

Subd. 2. **SEALING WELLS, BORINGS, AND ELEVATOR SHAFTS.** A well contractor or limited well sealing contractor who seals a well, elevator shaft or boring, a monitoring well contractor who seals a monitoring well or environ-

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

mental borehole, or a well contractor or an elevator shaft contractor who seals a hole that was used for an elevator shaft under a corrective order of the commissioner in a manner that does not comply with rules adopted under this chapter, shall be assessed an administrative penalty of \$500.

Sec. 47. Minnesota Statutes 1990, section 103I.705, subdivision 3, is amended to read:

Subd. 3. ~~CONTAMINATION RELATING TO WELL OR BORING CONSTRUCTION AND LOCATION~~. A well contractor, limited well contractor, elevator shaft contractor, or monitoring well contractor working under a corrective order of the commissioner who fails to comply with the rules adopted under this chapter relating to location of wells ~~in relation to potential sources of contamination or borings~~, grouting, materials, or construction techniques shall be assessed an administrative penalty of \$500.

Sec. 48. Minnesota Statutes 1990, section 103I.705, subdivision 4, is amended to read:

Subd. 4. **WELL CONSTRUCTION AND MACHINERY**. A well contractor, limited well contractor, elevator shaft contractor, or monitoring well contractor working under a corrective order shall be assessed an administrative penalty of \$250 if the contractor fails as required in the order:

(1) to have a plan review approved before a well is constructed; construct a well without if a plan review is required;

(2) to have a permit or to file notification before a well is constructed;

(3) to register a drilling rig machine or pump rig hoist or to display the state decal and the registration number on the machine; or

(4) to comply with the rules ~~in the water well construction code adopted under the provisions of this chapter~~ relating to disinfection of wells and submission of well construction or well sealing logs and water samples.

Sec. 49. Minnesota Statutes 1990, section 103I.705, subdivision 5, is amended to read:

Subd. 5. **FALSE INFORMATION**. A person under a corrective order shall be assessed an administration penalty of \$250 if the person:

(1) fails to disclose or falsifies information about the status and location of wells on property before signing an agreement of sale or transfer of the property; or

(2) fails to disclose or falsifies information on a well disclosure certificate.

Sec. 50. Minnesota Statutes 1990, section 103I.711, subdivision 1, is amended to read:

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

Subdivision 1. **IMPOUNDMENT.** ~~If The commissioner issues an order finding may apply to district court for a warrant authorizing seizure and impoundment of all drilling machines or hoists owned or used by a person. The court shall issue an impoundment order upon the commissioner's showing that a person is constructing, repairing, or sealing wells or borings or installing pumps or pumping equipment or excavating holes for installing elevator shafts or hydraulic cylinders without a license or registration as required under this chapter.~~ A sheriff on receipt of the ~~order~~ warrant must seize and impound ~~equipment of all drilling machines and hoists owned or used by the person.~~ A person from whom equipment is seized under this subdivision may file an action in district court for the purpose of establishing that the equipment was wrongfully seized.

Sec. 51. WATER WELL COMPLIANCE IN CERTAIN CASES.

(a) When substantial alterations or improvements are made to an existing agricultural chemical facility in Steele county, a variance for a water well may not be denied if:

(1) the well existed and was in use by the operators of the agricultural chemical facility prior to the alterations or improvements;

(2) the well is a minimum of 50 feet from facilities where agricultural chemicals are stored or handled; and

(3) the alterations or improvements are installed with safeguards as defined in Minnesota Statutes, section 18B.01, subdivision 26.

(b) Water from the existing well shall be tested semiannually for nitrates, pesticides, and other volatile organic compounds. The testing must be paid for by the owner of the well.

Sec. 52. DEPARTMENT COMPLEMENT.

The complement of the department of health is increased by one full-time equivalent.

Sec. 53. APPROPRIATION.

\$400,000 is appropriated from the general fund to the regents of the University of Minnesota to continue the integrated pest management and research by agricultural experiment stations on the impact of agriculture on groundwater funded by Laws 1989, chapter 326, article 10, section 1, subdivision 9. \$200,000 is for fiscal year 1992 and \$200,000 is for fiscal year 1993. This appropriation is available only if matched by the University of Minnesota in an amount determined by the commissioner of finance to be adequate to maintain these activities at the fiscal year 1991 level. * (This section was vetoed by the governor.)

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

Sec. 54. REPEALER.

Minnesota Statutes 1990, section 103I.005, subdivision 18, is repealed.

Sec. 55. EFFECTIVE DATE.

Section 26, subdivision 1, paragraph (j), takes effect January 1, 1993. Section 51 is effective the day following final enactment and shall expire on June 1, 1994.

Presented to the governor June 3, 1991

Signed by the governor June 4, 1991, 9:52 p.m.

CHAPTER 356—S.F.No. 1535

An act relating to higher education; appropriating money for education and related purposes to the higher education coordinating board, state board of technical colleges, state board for community colleges, state university board, University of Minnesota, higher education board, and the Mayo medical foundation, with certain conditions; creating the higher education board; amending Minnesota Statutes 1990, sections 15A.081, subdivision 7b; 135A.03, subdivision 3, and by adding subdivisions; 135A.05; 136.11, subdivisions 3, 5, and by adding a subdivision; 136.142, subdivision 1; 136A.04, subdivision 1; 136A.101, subdivisions 7, 8, and by adding subdivisions; 136A.121, subdivisions 6, 11, and 16; 136A.125, subdivisions 2, 3, 4, 6, and by adding a subdivision; 136A.132, subdivisions 3, 5, and 6; 136A.1352, subdivision 1; 136A.1353, subdivision 4; 136A.1355, subdivision 1; 136A.233, subdivision 3; 179A.10, subdivision 2; 298.28, subdivisions 4, 7, 10, 11, and by adding a subdivision; 299A.45, subdivision 1; 626.84, subdivision 1; and Laws 1990, chapter 591, article 3, section 10; proposing coding for new law in Minnesota Statutes, chapters 135A; 136; 136A; 136C; 168; 298; and 626; proposing coding for new law as Minnesota Statutes, chapter 136E; repealing Minnesota Statutes, sections 136A.132; 136A.1351; and 626.86.

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

ARTICLE 1

APPROPRIATIONS

Section 1. HIGHER EDUCATION APPROPRIATIONS

The sums in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or other named fund, to the agencies and for the purposes specified in this article. The listing of an amount under the figure "1992" or "1993" in this article indicates that the amount is appropriated to be available

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