

Subd. 2a. **TOWN BRIDGES AND CULVERTS; TOWN ROAD ACCOUNT.** An amount equal to 25 percent of the county turnback account must be expended, within counties having two or more towns, on town road bridge structures that are ten feet or more in length and on town road culverts that replace existing town road bridges. In addition, if the present bridge structure is less than ten feet in length but a hydrological survey indicates that the replacement bridge structure or culvert must be ten feet or more in length, then the bridge or culvert is eligible for replacement funds. In addition, if a culvert that replaces a deficient bridge is in a county comprehensive water plan approved by the board of water and soil resources and the department of natural resources, the costs of the culvert and roadway grading other than surfacing are eligible for replacement funds up to the cost of constructing a replacement bridge. The expenditures on bridge structures and culverts may be on a matching basis, and if on a matching basis, not more than 90 percent of the cost of a bridge structure or culvert may be paid from the county turnback account. When bridge approach construction work exceeds \$10,000 in costs, or when the county engineer determines that the cost of the replacement culverts alone will not exceed \$20,000, the town shall be eligible for financial assistance from the town bridge account. Financial assistance shall be ~~limited to 90 percent of the cost of the bridge approach work that is in excess of \$10,000 and shall be~~ requested by resolution of the county board and shall be limited to:

(1) 100 percent of the cost of the bridge approach work that is in excess of \$10,000; or

(2) 100 percent of the cost of the replacement culverts when the cost does not exceed \$20,000 and the town board agrees to be responsible for all the other costs, which may include costs for structural removal, installation, and permitting. The replacement structure design and costs shall be approved and certified by the county engineer, but need not be subsequently approved by the department of transportation.

An amount equal to 47.5 percent of the county turnback account must be set aside as a town road account and distributed as provided in section 162.081.

Presented to the governor May 11, 1993

Signed by the governor May 14, 1993, 3:56 p.m.

CHAPTER 129—S.F.No. 550

An act relating to agriculture; board of animal health; regulating the imposition and collection of civil penalties; regulating activities relating to restricted species; creating a restricted species task force; providing penalties; appropriating money; amending Minnesota Statutes 1992, section 35.95, subdivisions 1 and 5; proposing coding for new law in Minnesota Statutes, chapter 84.

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

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

Section 1. Minnesota Statutes 1992, section 35.95, subdivision 1, is amended to read:

Subdivision 1. **GENERAL PENALTY.** Except as provided in subdivisions 2 and 5, a person who violates this chapter or a special order, standard, stipulation, agreement, or schedule of compliance of the board is subject to a civil penalty of up to \$10,000 as determined by the ~~court~~ board.

Sec. 2. Minnesota Statutes 1992, section 35.95, subdivision 5, is amended to read:

Subd. 5. **RECOVERY OF PENALTIES BY CIVIL ACTION.** The civil penalties and payments provided for in this section may be recovered by a civil action brought by the county attorney, the board, or the attorney general in the name of the state.

Sec. 3. **[84.9695] RESTRICTED SPECIES.**

Subdivision 1. **DEFINITIONS.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of natural resources.

(c) "Restricted species" means Eurasian wild pigs and their hybrids (Sus scrofa subspecies and Sus scrofa hybrids), excluding domestic hogs (S. scrofa domesticus).

(d) "Release" means an intentional introduction or escape of a species from the control of the owner or responsible party.

Subd. 2. **IMPORTATION; POSSESSION; RELEASE OF RESTRICTED SPECIES.** It is unlawful for a person to import, possess, propagate, transport, or release restricted species, except as provided in subdivision 3.

Subd. 3. **PERMITS.** (a) The commissioner may issue permits for the transportation, possession, purchase, or importation of restricted species for scientific, research, educational, or commercial purposes. A permit issued under this subdivision may be revoked by the commissioner if the conditions of the permit are not met by the permittee or for any unlawful act or omission, including accidental escapes.

(b) The commissioner may issue permits for a person to possess and raise a restricted species for commercial purposes if the person was in possession of the restricted species on March 1, 1993. Under the permit, the number of breeding stock of the restricted species in the possession of the person may not increase by more than 25 percent and the person must comply with the certification requirements in subdivision 7.

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(c) A person may possess a restricted species without a permit for a period not to exceed two days for the purpose of slaughtering the restricted species for human consumption.

Subd. 4. NOTICE OF ESCAPE OF RESTRICTED SPECIES. In the event of an escape of a restricted species, the owner must notify within 24 hours a conservation officer and the board of animal health and is responsible for the recovery of the species. The commissioner may capture or destroy the escaped animal at the owner's expense.

Subd. 5. ENFORCEMENT. This section may be enforced under sections 97A.205 and 97A.211.

Subd. 6. PENALTY. A person who violates subdivision 2, 4, or 7 is guilty of a misdemeanor.

Subd. 7. CERTIFICATION AND IDENTIFICATION REQUIREMENTS. (a) A person who possesses restricted species on the effective date of this section must submit certified numbers of restricted species in the person's possession to the board of animal health by June 1, 1993.

(b) Restricted species in the possession of a person must be marked in a permanent fashion to identify ownership. The restricted species must be marked as soon as practicable after birth or purchase.

Subd. 8. CONTAINMENT. The commissioner shall develop criteria for approved containment measures for restricted species with the assistance of producers of restricted species.

Subd. 9. BOND; SECURITY. A person who possesses restricted species must file a bond or deposit with the commissioner security in the form and in the amount determined by the commissioner to pay for the costs and damages caused by an escape of a restricted species.

Subd. 10. FEE. The commissioner shall impose a fee for permits in an amount sufficient to cover the costs of issuing the permits and for facility inspections. The fee may not exceed \$50. Fee receipts must be deposited in the state treasury and credited to the game and fish fund and are appropriated to the commissioner for the purposes of this section.

Sec. 4. RESTRICTED SPECIES TASK FORCE.

Subdivision 1. CREATION. A task force is created to evaluate the feasibility of allowing restricted species in the state. The task force shall consist of the following members: a member of the senate appointed by the subcommittee on committees of the committee on rules and administration, a member of the house of representatives appointed by the speaker of the house of representatives, the commissioner of natural resources or the commissioner's designee, the commissioner of agriculture or the commissioner's designee, a representative of the board of animal health, two representatives of producers of restricted spe-

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cies, a representative of the Minnesota pork producers association, and a representative of the conservation community appointed by the commissioner of natural resources.

Subd. 2. CHAIR. The commissioner of agriculture or the commissioner's designee shall chair the task force and shall make the appointments for the producers of the restricted species and the board of animal health as provided in subdivision 1.

Subd. 3. DUTIES. The task force shall conduct a study of restricted species in the state and make recommendations concerning the following issues:

(1) the economic viability of raising restricted species in the state in a safe manner;

(2) health threats, including the spread of diseases posed by restricted species;

(3) the ecological threat to the state posed by restricted species;

(4) the administrative impact on the departments of agriculture and natural resources if restricted species are permitted in the state;

(5) development of a plan to ban restricted species from the state and recommendations for the amount of compensation that is appropriate to pay producers if a ban is enacted into law;

(6) a determination of the number of restricted species in the state and their location; and

(7) any other factors relative to the costs, benefits, and feasibility of permitting restricted species in the state.

Subd. 4. REPORT. The task force shall submit a written report containing its recommendations and findings to the legislature by January 1, 1994.

Presented to the governor May 11, 1993

Signed by the governor May 13, 1993, 3:02 p.m.

CHAPTER 130—H.F.No. 874

An act relating to traffic regulations; authorizing cities of the second class to establish programs for citizen enforcement of laws governing parking spaces for persons with disabilities; amending Minnesota Statutes 1992, section 169.346, subdivision 4.

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

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