

Sec. 6. EFFECTIVE DATE.

Section 1 is effective the day following final enactment. Sections 2 to 5 are effective on June 1, 1998.

Presented to the governor April 10, 1998

Signed by the governor April 20, 1998, 11:15 a.m.

CHAPTER 401—S.F.No. 3353

An act relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; providing for regulation of certain activities and practices; amending Minnesota Statutes 1996, sections 3.737, subdivisions 1, 4, and by adding a subdivision; 18C.141; 35.82, subdivision 2; 41A.09, subdivision 1a; 84.871; 86B.101, subdivision 2; 86B.415, subdivision 1, and by adding a subdivision; 89A.03, subdivision 1; 90.193; 93.002, subdivision 1; 97A.037, subdivision 1; 97A.245; 103C.315, subdivision 4; 103F.155, subdivision 2; 103F.161, subdivision 2; 103G.271, subdivision 6; 115.076, subdivision 1; 116.07, by adding subdivisions; 308A.131, subdivision 1; 308A.705, subdivision 3; Minnesota Statutes 1997 Supplement, sections 17.101, subdivision 5; 41A.09, subdivision 3a; 84.8205; 84.86, subdivision 1; 85.015, subdivision 1c; 115.55, subdivision 5a; 116.07, subdivision 7; 116.18, subdivision 3c; 169.1217, subdivision 1; and 308A.705, subdivision 1; Laws 1997, chapter 216, section 15, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 17; 18C; and 84; repealing Minnesota Statutes 1997 Supplement, section 85.015, subdivision 1c; and Laws 1991, chapter 275, section 3.

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

Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

The sums in the columns headed "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act to be available for the fiscal years indicated for each purpose. The figures "1998" and "1999," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1998, or June 30, 1999, respectively.

SUMMARY BY FUND

	1998	1999
General Fund	\$ 5,294,000	\$ 12,498,000
Natural Resources Fund	-0-	500,000
Total	5,294,000	12,998,000

APPROPRIATIONS
Available for the Year
Ending June 30

	1998	1999
Sec. 2. POLLUTION CONTROL AGENCY	180,000	1,210,000

\$350,000 in fiscal year 1999 is added to the appropriation for county feedlot program

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

grants in Laws 1997, chapter 216, section 2, subdivision 2. In fiscal year 1999 delegated counties shall be eligible to receive a grant of either: \$40 multiplied by the number of live-stock or poultry farms with sales greater than \$10,000, as reported in the 1992 Census of Agriculture, published by the United States Bureau of Census; or \$50 multiplied by the number of feedlots with greater than ten animal units, as determined by a level 2 or level 3 feedlot inventory conducted in accordance with the Feedlot Inventory Guidebook published by the board of water and soil resources, dated June 1991.

\$50,000 in fiscal year 1999 is for the bioaccumulative residues research program at the University of Minnesota–Duluth to analyze fish contaminants, including researching the presence of selenium in fish samples. As a condition of this grant, the University of Minnesota–Duluth must submit a work program and submit semiannual progress reports as provided in Minnesota Statutes, section 116P.05, subdivision 2, paragraph (c). This is a one-time appropriation.

\$180,000 in fiscal year 1998 is for the cost of administering the wastewater infrastructure program. This appropriation is available until June 30, 2002.

\$50,000 in fiscal year 1999 is for a scoping study for a cost-benefit model to analyze the costs of water quality standards. This is a one-time appropriation.

\$375,000 in fiscal year 1999 is for acceleration of research being conducted on deformities and possible causes found in amphibians. The funding must be shared with the departments of agriculture, natural resources, and health and with the appropriate University of Minnesota departments. \$39,000 of the appropriation must be shared with Hamline University for its friends of the frog program. The money must be used for research and monitoring of amphibian deformities, including, but not limited to, a possible groundwater surface water interconnection.

The money may be used as a match for any federal dollars available. This is a one-time appropriation.

\$300,000 in fiscal year 1999 is for expansion of permitting activities under the federal Clean Water Act that affect feedlots in excess of 1,000 animal units.

The availability of the appropriation in Laws 1997, chapter 216, section 15, subdivision 14, paragraph (c), to monitor and research the effects of endocrine disrupting chemicals in surface waters is extended to June 30, 2000.

\$85,000 in fiscal year 1999 is for a grant to Benton county to pay the principal amount due in fiscal year 1999 on bonds issued by the county to pay part of a final order or settlement of a lawsuit for environmental response costs at a mixed municipal solid waste facility. This money and any future money appropriated for this purpose must be apportioned by Benton county among the local units of government that were parties to the final order or settlement in the same proportion that the local units of government agreed to as their share of the liability. This is a one-time appropriation.

Sec. 3. ZOOLOGICAL BOARD

1,500,000

-0-

\$1,500,000 is for zoo operations. This is a one-time supplemental appropriation. By September 1, 1998, the board shall report to the governor, the chair of the senate environment and agriculture budget division, and the chair of the house environment, natural resources and agriculture finance committee on recommendations to internally manage the effects of lowered attendance projections and methods for improving attendance forecasting.

Sec. 4. NATURAL RESOURCES

2,974,000

7,717,000

Summary by Fund

General Fund

2,974,000

7,267,000

Natural Resources Fund

-0-

450,000

\$1,504,000 in fiscal year 1999 is for flood-related activities in the division of waters.

\$200,000 of this appropriation is for alternative flood control measures beneficial to the environment, such as culvert downsizing on man-made waterways and wetland restoration. \$10,000 of this appropriation is for a grant to the Marine-on-St. Croix watershed management organization for engineering analysis of flooding problems along Twin lake. Notwithstanding Minnesota Statutes, section 103F.161, subdivision 2, paragraph (c), this appropriation may be combined with a flood hazard mitigation grant previously awarded to the watershed management organization. \$75,000 of this appropriation is for a grant under Minnesota Statutes, section 103F.161, to Swift county for improvements at Lake Oliver. \$30,000 of this appropriation is for a grant under Minnesota Statutes, section 103F.161, to the Chisago Lake improvement district for improvements to the outlet project. The portion of this appropriation to be included in the department's base is \$1,189,000 for each fiscal year.

\$150,000 in fiscal year 1999 is for transfer to the Minnesota forest resources council for implementation of the Sustainable Forest Resources Act pursuant to Minnesota Statutes, chapter 89A. This a one-time appropriation.

\$476,000 in fiscal year 1998 is for sealing inactive wells on state-owned land. The commissioner shall determine project priorities as appropriate based upon need. This appropriation is available until June 30, 2002.

\$430,000 in fiscal year 1999 is for operations at Fort Snelling park and for statewide resource protection. The portion of this appropriation to be included in the department's base is \$200,000 in each fiscal year.

\$250,000 in fiscal year 1999 is for population and habitat objectives of the nongame wildlife management program.

\$180,000 in fiscal year 1998 and \$120,000 in fiscal year 1999 are for increased public involvement in white pine management planning and to accelerate white pine manage-

ment on state forest lands. Any amount of this appropriation not used in fiscal year 1998 is available in fiscal year 1999.

\$370,000 in fiscal year 1998 and \$230,000 in fiscal year 1999 are for improvement of camper safety and security in state forest campgrounds and to make repairs to selected state forest campgrounds.

\$450,000 in fiscal year 1999 is from the water recreation account in the natural resources fund for enforcement of personal watercraft laws. At least one-half of the conservation officers hired pursuant to this item must be from the protected classes. \$225,000 of this appropriation is for grants to counties where there is significant use of personal watercraft on waters in and bordering the counties. The grants must be used for personal watercraft safety education and law enforcement, pursuant to Minnesota Statutes, section 86B.415, subdivision 7a.

\$250,000 in fiscal year 1999 is for operational costs related to wildlife management at the area level.

\$470,000 in fiscal year 1998 and \$250,000 in fiscal year 1999 are for the interpretation, management, and monitoring of scientific and natural areas.

\$340,000 in fiscal year 1999 is for technical assistance and grants to assist local government units and organizations in the metropolitan area to acquire and develop natural areas and greenways.

\$300,000 in fiscal year 1999 is for state trail maintenance and amenities.

\$250,000 in fiscal year 1999 is for a grant to the city of North St. Paul for improvements including trail connections, lighting, and landscaping related to the trail bridge over Highway 36 in North St. Paul. This is a one-time appropriation.

\$500,000 in fiscal year 1999 is for further work to develop protected water flow recommendations on Minnesota streams and for

support of river restoration expertise and its application to the Whitewater river and Sandy river. \$300,000 of this amount is a one-time appropriation for stream protection on Brown's creek in Washington county.

\$53,000 in fiscal year 1999 is for minerals cooperative environmental research. \$26,500 is available only as matched by \$1 of nonstate money for each \$1 of state money. This appropriation is added to the appropriation in Laws 1997, chapter 216, section 5, subdivision 2.

\$75,000 in fiscal year 1998 is to repair state forest land in Morrison, Mille Lacs, Kana-
bec, and Crow Wing counties.

\$100,000 in fiscal year 1998 is for development and maintenance of habitat and facilities, and data management system development at Swan lake wildlife management area.

\$1,175,000 in fiscal year 1999 is for wildlife habitat improvement, wildlife population surveys, monitoring, private lands cost-sharing for wildlife habitat and forest stewardship, and project grants to local governments and private organizations to enhance fish, wildlife, and native plant habitats. Of this amount, \$375,000 is for brush land and forest habitat renewal for sharp-tailed grouse and other species of birds dependent on open brush lands in forest areas by providing financial and technical assistance to landowners as well as brush land renewal on public lands; \$300,000 is for wildlife habitat improvements through cost-sharing and technical assistance to private landowners; \$300,000 is for forest stewardship improvements through cost-sharing and technical assistance to private landowners; and \$200,000 is for wildlife population surveys, monitoring, evaluation, and constituent surveys. The portion of this appropriation to be included in the department's base is \$1,075,000 in each fiscal year. The base amounts for each specific item are \$325,000,

\$275,000, \$275,000, and \$200,000, respectively.

\$100,000 in fiscal year 1998 is for engineering and hydraulic studies in conjunction with the proposed development of an urban whitewater trail along the Mississippi river in the lower St. Anthony Falls area below the stone arch bridge in Minneapolis and to examine the economic impact, market use potential, public safety concerns, environmental considerations, and land and water use impacts of the proposed Mississippi Whitewater trail. The commissioner must coordinate and work with affected local, state, and federal governments and interested citizen groups, including, but not limited to, the National Park Service, the United States Army Corps of Engineers, the University of Minnesota, the Minnesota historical society, the metropolitan parks and open space commission, the Minneapolis park board, and the Mississippi Whitewater Park Development Corporation. The commissioner must report to the senate environment and agriculture budget division and the house environment, natural resources, and agriculture finance committee by November 1, 1999, on the findings from the studies required under this item. This appropriation is available until June 30, 1999.

\$100,000 in fiscal year 1998 is for a grant to the township of Linwood in Anoka county to construct a surface water drainage system to control water pollution. This appropriation is available until expended. Expenses incurred by Linwood township related to the proposed project, prior to this appropriation, may be considered as part of the total project cost for purposes of satisfying the requirements of Minnesota Statutes, section 103F.161, subdivision 2, paragraph (c).* **(The preceding text beginning "\$100,000 in fiscal year 1998 is for a grant to the township of Linwood" was vetoed by the governor.)**

\$200,000 in fiscal year 1998 is added to the appropriation in Laws 1997, chapter 216,

section 15, subdivision 4, paragraph (c), clause (4), for the statewide conservation partners program.

\$215,000 in fiscal year 1998 and \$250,000 in fiscal year 1999 are to enhance customer service and data access through the collaborative use of technology, to improve communication with citizens and stakeholders, to provide technical assistance and data delivery to citizens and local government, and for the Minnesota Environmental/Natural Resource Electronic Library (MENREL) to accelerate the development of integrated and indexed environmental and geographic data catalogs, cross-agency search and retrieval, and content-rich libraries of environmental data and information.

\$350,000 in fiscal year 1998 is to serve as the state match to federal money to remove surplus sediment along the east bank of the Mississippi river at Little Falls. The commissioner must coordinate and work with the United States Army Corps of Engineers on this project. This appropriation is available until expended.

\$203,000 in fiscal year 1998 is for a forestry information management system to improve the timber sale program, forest development model, and fire management.

\$35,000 in fiscal year 1998 and \$115,000 in fiscal year 1999 are for expansion of the "Becoming an Outdoors Woman Program," and for a position to coordinate shooting range development on a statewide basis. Of this amount, \$35,000 in fiscal year 1998 is available until June 30, 1999, to match an equal amount of nonstate money for shooting range partnership agreements and is a one-time appropriation.

\$50,000 in fiscal year 1998 is for ecosystem-based management workshops for teams of local officials, natural resource managers, and citizens.

\$200,000 in fiscal year 1999 is for aquatic plant restoration.

\$125,000 in fiscal year 1999 is for local initiatives grants program administration.

\$150,000 in fiscal year 1999 is for long-term monitoring of lake ecosystems.

The appropriations in Laws 1996, chapter 407, section 3, for the Iron Range off-highway vehicle recreation area are available until June 30, 2000.

\$100,000 in fiscal year 1999 is for an enhanced lake classification system to provide comprehensive lake descriptions. This appropriation is added to the base in fiscal year 2000 only.

\$200,000 in fiscal year 1999 is to identify lake watershed boundaries for lakes greater than 100 acres in a geographic information system format. This appropriation is added to the base in fiscal year 2000 only.

\$150,000 in fiscal year 1999 is to develop methodologies to assess the cumulative effects of development on lakes. This appropriation is added to the base in fiscal year 2000 only.

\$100,000 in fiscal year 1999 is for a grant to the Upper Swede Hollow Association for improvements in and around Swede Hollow Park. The appropriation must be used for plantings, improvements to railway trestles, trail repair, reconstruction of the pond outlet, and other trail improvements. This is a one-time appropriation.

\$50,000 in fiscal year 1998 and \$50,000 in fiscal year 1999 are for an agreement with the University of Minnesota College of Architecture and Landscape Architecture to develop environmental brownfields mitigation strategies. This is a one-time appropriation.

The appropriation in Laws 1997, chapter 216, section 5, subdivision 4, for grants to local community forest ecosystem health programs is available until June 30, 2000.

\$25,000 in fiscal year 1999 is for promotion and enhanced public awareness of the RIM critical habitat license plate program.

Sec. 5. BOARD OF WATER AND
SOIL RESOURCES

300,000

1,100,000

\$200,000 in fiscal year 1998 is for a grant to the Faribault county soil and water conservation district for the quad-lakes restoration project in Faribault and Blue Earth counties and is available until expended.

\$1,000,000 in fiscal year 1999 is for grants to soil and water conservation districts for cost-sharing contracts for water quality management on feedlots. Priority must be given to feedlot operators who have received a notice of violation and for feedlots in counties that are conducting or have completed a level 2 or level 3 feedlot inventory.

\$100,000 in fiscal year 1998 is for a grant to the University of Minnesota extension service to improve existing Minnesota extension shoreland guidance and other related guidebooks. This is a one-time appropriation, available until expended.

\$100,000 in fiscal year 1999 is for a pilot grant program to soil and water conservation districts for cost-sharing contracts with landowners to establish and maintain plantings of trees, shrubs, and grass strips that are native species of a local ecotype for the primary purpose of controlling snow deposition for the benefit of public transportation. The board, in consultation with the Minnesota Association of Soil and Water Conservation Districts, shall select at least five districts for participation in the pilot program. Up to 20 percent of the appropriation may be used for the technical and administrative expenses of soil and water conservation districts to implement this item. The board shall enter into grant agreements to accomplish the transfer of funds to soil and water conservation districts and to establish guidelines to implement this item. Cost-sharing contracts between soil and water conservation districts and landowners may provide for annual payments to landowners for maintenance. This appropriation is available until spent.

Sec. 6. AGRICULTURE

310,000

2,169,000

\$110,000 in fiscal year 1998 and \$250,000 in fiscal year 1999 are for expansion of efforts to prevent the establishment and spread of gypsy moths in Minnesota.

\$25,000 in fiscal year 1998 and \$325,000 in fiscal year 1999 are for a state meat inspection program.

\$75,000 in fiscal year 1999 is for additional matching funds for the WIC coupon program.

\$25,000 in fiscal year 1999 is for additional livestock depredation payments pursuant to Minnesota Statutes, section 3.737.

\$50,000 in fiscal year 1999 is added to the appropriation in Laws 1997, chapter 216, section 7, subdivision 4, for beaver damage control grants. This is a one-time appropriation.

Any unencumbered balance from the appropriation in Laws 1997, chapter 216, section 7, subdivision 4, for beaver damage control grants for the first year of the biennium is available for the second year of the biennium.

\$100,000 in fiscal year 1998 is added to the appropriation in Laws 1997, chapter 216, section 7, subdivision 4, to accomplish reform of the federal milk market order system and for legal actions opposing the Northeast Dairy Compact. This appropriation is available until June 30, 1999.

\$500,000 in fiscal year 1999 is added to the appropriation for dairy diagnostic teams in Laws 1997, chapter 216, section 7, subdivision 2, and is added to the department's base.

\$267,000 in fiscal year 1999 is for a pilot program to expand the concept of the Minnesota grown program. The program is to assist low-income families in accessing nutritious and affordable food and to promote economic development by creating new markets and food distribution systems. \$17,000 of this appropriation is for costs of administration.

\$87,000 of this appropriation is for payment to the Sustainable Resources Center for the purposes of this appropriation. \$163,000 of this appropriation is for food coupons. The coupons shall be distributed and administered according to this section, subject to the approval of the commissioner of agriculture. The portion of this appropriation to be included in the department's base for fiscal year 2001 is \$200,000, which may only be used for food coupons.

The Sustainable Resources Center, in conjunction with the Minnesota Food Association, and subject to the approval of the commissioner of agriculture, shall select up to two urban and up to two rural communities as locations for activities that will serve as models for sustainable community food systems. These activities shall include but are not limited to:

- (1) conducting food system assessments in each community to identify assets and needs;
- (2) supporting the creation of producer distribution networks to establish direct links to low-income consumers; and
- (3) working with food processing plants in the selected community to develop the support services needed to make entry-level jobs accessible to low-income people.

During each fiscal year beginning in fiscal year 1999, the commissioner of agriculture, within the funds available, shall provide coupons to the Sustainable Resources Center for distribution to participating eligible individuals. The coupons must be issued in two allocations each fiscal year. Eligible individuals may receive up to \$100 in coupons per year, subject to the limitation that additional eligible individuals who reside in the same household may receive up to \$20 in coupons per year, up to a maximum of \$200 per household per year. Eligible individuals include individuals who are residents of the communities in the pilot project and are eligible for the Minnesota grown coupons under this section. Eligible individuals include:

(1) individuals who are in a state-verified income program; and

(2) individuals who are selected by the Sustainable Resources Center based on guidelines targeting specific populations within the pilot communities.

The amount of the Minnesota grown coupons must be excluded as income under the AFDC, refugee cash assistance, general assistance, MFIP, MFIP-R, MFIP-S, food stamp programs, state housing subsidy programs, low-income energy assistance programs, and other programs that do not count food stamps as income.

The coupons must be clearly labeled as redeemable only for products licensed to use the Minnesota grown logo or labeling statement under Minnesota Statutes, section 17.102. Coupons may be redeemed by farmers, custom meat processors, community-supported agriculture farms, and other entities approved by the commissioner of agriculture. The person accepting the coupon is responsible for its redemption only on products licensed to use the Minnesota grown logo or labeling statement. The commissioner must receive and reimburse all valid coupons redeemed pursuant to this section.

The commissioner may establish criteria for vendor eligibility and may enforce the Minnesota grown coupon program according to Minnesota Statutes, sections 17.982 to 17.984.

\$160,000 in fiscal year 1999 is for value-added agricultural product processing and marketing grants under Minnesota Statutes, section 17.101, subdivision 5. This appropriation and the appropriation in Laws 1997, chapter 216, section 7, subdivision 3, for grants under Minnesota Statutes, section 17.101, subdivision 5, are available until June 30, 2001.

\$125,000 in fiscal year 1999 is for a grant to the Market Champ, Inc. board. This is a one-time appropriation.* (The preceding text

**beginning “\$125,000 in fiscal year 1999”
was vetoed by the governor.)**

\$25,000 in fiscal year 1999 is for the Passing on the Farm Center established in Minnesota Statutes, section 17.985. This is a one-time appropriation.

\$200,000 in fiscal year 1999 is to expand the shared savings loan program under Minnesota Statutes, section 17.115, to include a program of revolving loans for demonstration projects of farm manure digester technology. Notwithstanding the limitations of Minnesota Statutes, section 17.115, subdivision 2, paragraphs (b) and (c), loans under this program are no-interest loans in principal amounts not to exceed \$200,000 and may be made to any resident of this state. Loans for one or more projects must be made only after the commissioner seeks applications. Loans under this program may be used as a match for federal loans or grants. Money repaid from loans must be returned to the revolving fund for future projects. This is a one-time appropriation.

\$50,000 in fiscal year 1998 is for a grant to the University of Minnesota for investigation, screening, and a survey of existing research into the design and development of low-cost alternatives to pasteurization that provide comparable bacteria count reduction in fruit juice. The commissioner must report to the chair of the house environment, natural resources, and agriculture finance committee and the chair of the senate environment and agriculture budget division by January 15, 1999, regarding the results of the research and with a recommendation for further action.

\$25,000 in fiscal year 1998 is for a grant to the University of Minnesota to study factors associated with farms that experience varying levels of livestock depredation caused by timber wolves. The university shall make recommendations to the commissioner to assist in the development of best management practices to prevent timber wolf depredation

on livestock farms. This appropriation is available until June 30, 1999.

\$60,000 in fiscal year 1999 is for payment of attorney general and other costs of assisting local government units in the process of adoption, review, or modification of ordinances relating to animal feedlots. This appropriation is available until June 30, 1999.* (The preceding text beginning "\$60,000 in fiscal year 1999" was vetoed by the governor.)

\$107,000 in fiscal year 1999 is for development of the program under Minnesota Statutes, section 18C.430. This is a one-time appropriation.

As a condition of receiving state funds, the ethanol production plant in St. Paul must provide year-round public access to the well that was publicly accessible when the plant was a brewery.

Sec. 7. UNIVERSITY OF MINNESOTA

-0-

292,000

For alternative and sustainable hog production facilities and programs. \$125,000 of this appropriation is for a grant to the Minnesota Institute for Sustainable Agriculture to extend funding for the Alternative Swine Production Systems Task Force and coordinator. \$30,000 of this appropriation is for a grant to the Minnesota Institute for Sustainable Agriculture for alternative and sustainable hog production programs and program support, including on-farm systems research. \$137,000 of this appropriation is to establish a faculty position in agricultural and community sociology at the University of Minnesota-Morris, focusing on the sustainability of agricultural systems and rural communities. The position shall be defined by the Alternative Swine Production Systems Task Force. This is a one-time appropriation.

Sec. 8. BOARD OF ANIMAL HEALTH

30,000

160,000

\$30,000 in fiscal year 1998 and \$160,000 in fiscal year 1999 is for expansion of the pro-

gram for the control of paratuberculosis ("Johne's disease") in domestic bovine herds. These appropriations are in addition to the appropriations for the same purposes in Laws 1997, chapter 216, section 8.

Sec. 9. ADMINISTRATION	-0-	350,000
	Summary by Fund	
General Fund	-0-	300,000
Natural Resources Fund	-0-	50,000

\$50,000 is from the water recreation account in the natural resources fund for a study by a qualified consultant to determine the actual percentage of all gasoline received in and produced or brought into the state, except gasoline used for aviation purposes, that is being used as fuel for watercraft in this state. The study must include a determination of the amount of gasoline consumed by vehicles in the course of transporting watercraft on the highways of this state. The commissioner shall consult with the commissioners of revenue, transportation, and natural resources in preparing the request for proposals for the study and in selecting the consultant to perform the study. The commissioner shall report to the chairs of the senate and house environment and natural resources committees, the senate environment and agriculture budget division, the house environment, natural resources, and agriculture finance committee, the senate transportation committee, and the house transportation and transit committee on the results of the study by February 1, 1999. This is a one-time appropriation.

\$300,000 is for modifications of department of natural resources business systems to address year 2000 changes. This appropriation is added to the appropriation for technology management in Laws 1997, chapter 202, article 1, section 12, subdivision 7. This is a one-time appropriation.

Sec. 10. ETHANOL DEVELOPMENT FUND TRANSFER

As cash flow in the ethanol development fund under Minnesota Statutes, section

41B.044, permits, but no later than June 30, 1999, the commissioner of finance, in consultation with the commissioner of agriculture, shall transfer \$400,000 from the unencumbered balance in the fund to the general fund. This transfer is in addition to the transfer required by Laws 1997, chapter 216, section 17.

Sec. 11. Minnesota Statutes 1996, section 3.737, subdivision 1, is amended to read:

Subdivision 1. **COMPENSATION REQUIRED.** (a) Notwithstanding section 3.736, subdivision 3, paragraph (e), or any other law, a livestock owner shall be compensated by the commissioner of agriculture for livestock that is destroyed by a timber wolf or is so crippled so by a timber wolf that it must be destroyed by an animal classified as endangered under the federal Endangered Species Act of 1973. The owner is entitled to the fair market value of the destroyed livestock, not to exceed \$400 \$750 per animal destroyed, as determined by the commissioner, upon recommendation of the county a university extension agent for the owner's county and a conservation officer.

(b) Either the agent or the conservation officer must make a personal inspection of the site. The agent or the conservation officer must take into account factors in addition to a visual identification of a carcass when making a recommendation to the commissioner. The commissioner, upon recommendation of the agent and conservation officer, shall determine whether the livestock was destroyed by an animal described in this subdivision a timber wolf and any deficiencies in the owner's adoption of the best management practices developed in subdivision 5. The commissioner may authorize payment of claims only if the agent and the conservation officer have recommended payment. The owner shall file a claim on forms provided by the commissioner and available at the county university extension agent's office.

Sec. 12. Minnesota Statutes 1996, section 3.737, subdivision 4, is amended to read:

Subd. 4. **PAYMENT, DENIAL OF COMPENSATION.** (a) If the commissioner finds that the livestock owner has shown that the loss of the livestock was likely caused more probably than not by an animal classified as an endangered species a timber wolf, the commissioner shall pay compensation as provided in this section and in the rules of the department.

(b) For a timber wolf depredation claim submitted by a livestock owner after September 1, 1999, the commissioner shall, based on the report from the university extension agent and conservation officer, evaluate the claim for conformance with the best management practices developed by the commissioner in subdivision 5. The commissioner must provide to the livestock owner an itemized list of any deficiencies in the livestock owner's adoption of best management practices that were noted in the university extension agent's or conservation officer's report.

(c) If the commissioner denies compensation claimed by an owner under this section, the commissioner shall issue a written decision based upon the available evidence. It shall include specification of the facts upon which the decision is based and the conclusions on the material issues of the claim. A copy of the decision shall be mailed to the owner.

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

(d) A decision to deny compensation claimed under this section is not subject to the contested case review procedures of chapter 14, but may be reviewed upon a trial de novo in a court in the county where the loss occurred. The decision of the court may be appealed as in other civil cases. Review in court may be obtained by filing a petition for review with the administrator of the court within 60 days following receipt of a decision under this section. Upon the filing of a petition, the administrator shall mail a copy to the commissioner and set a time for hearing within 90 days of the filing.

Sec. 13. Minnesota Statutes 1996, section 3.737, is amended by adding a subdivision to read:

Subd. 5. TIMBER WOLF BEST MANAGEMENT PRACTICES. By September 1, 1999, the commissioner must develop best management practices to prevent timber wolf depredation on livestock farms. The commissioner shall periodically update the best management practices when new practices are found by the commissioner to prevent timber wolf depredation on livestock farms. The commissioner must provide an updated copy of the best management practices for timber wolf depredation to all livestock owners who are still engaged in livestock farming and have previously submitted livestock claims under this section.

Sec. 14. Minnesota Statutes 1997 Supplement, section 17.101, subdivision 5, is amended to read:

Subd. 5. VALUE-ADDED AGRICULTURAL LIVESTOCK PRODUCT PROCESSING AND MARKETING GRANT PROGRAM. (a) For purposes of this section,:

(1) "livestock or dairy agricultural commodity" means a material produced for use in or as food, feed, seed, or fiber and includes crops for fiber, food, oilseeds, seeds, livestock, livestock products, dairy, dairy products, poultry, poultry products, and other products or by-products of the farm produced for the same or similar use, except ethanol; and

(2) "agricultural product processing facility" means land, buildings, structures, fixtures, and improvements located or to be located in Minnesota and used or operated primarily for the processing or production of marketable products from agricultural livestock or dairy commodities produced in Minnesota.

(b) The commissioner shall establish and implement a value-added agricultural livestock and dairy product processing and marketing grant program to help farmers finance new cooperatives that organize for the purposes of operating livestock and dairy agricultural product processing facilities and for marketing activities related to the sale and distribution of processed livestock and dairy agricultural products.

(c) To be eligible for this program a grantee must:

(1) be a cooperative organized under chapter 308A;

(2) certify that all of the control and equity in the cooperative is from farmers as defined in section 500.24, subdivision 2, who are actively engaged in livestock or dairy agricultural commodity production;

(3) be operated primarily for the processing of livestock or dairy agricultural commodities produced in Minnesota;

New language is indicated by underline, deletions by strikeout.

(4) receive livestock or dairy agricultural commodities produced primarily by shareholders or members of the cooperative; and

(5) have no direct or indirect involvement in the production of livestock and dairy agricultural commodities.

(d) The commissioner may receive applications from and make grants up to \$50,000 for feasibility, marketing analysis, and predesign of facilities to eligible cooperatives. The commissioner shall give priority to applicants who use the grants for planning costs related to an application for financial assistance from the United States Department of Agriculture, Rural Business – Cooperative Service.

Sec. 15. [17.987] MARKET CHAMP, INC.; ACCESS TO QUALITY GENETICS BY FAMILY FARMERS.

Subdivision 1. ESTABLISHMENT; PURPOSE. Market Champ, Inc. is established as a nonprofit public corporation under chapter 317A and is subject to the provisions of that chapter. The corporation is neither a state agency nor an entity within the University of Minnesota. The purpose of the corporation is to transfer high quality swine genetic material from the University of Minnesota to the family farmers of the state in order to enhance the state's economic growth and the competitiveness of family farmers. Market Champ, Inc. shall assist Minnesota swine producers in understanding genetic technologies and developing improved animal genetic lines.

Subd. 2. DUTIES. Market Champ, Inc. shall:

(1) encourage family farmers to use the highest quality swine genetics;

(2) facilitate the transfer of the latest swine genetic research and technology information and materials from the University of Minnesota and other sources to family farmers;

(3) assist family farmers to market the swine they produce;

(4) develop a system for tracking family farmers' products through the processing, meat packing, and marketing system to determine the market value of the genetic technology;

(5) provide genetic testing, counseling, and assistance in genetic decisions to identify new market developments and capture value-added opportunities;

(6) provide centralized testing services with regional technology transfer specialists;

(7) secure access to new genetic tests and services for all Minnesota producers through licensing agreements; and

(8) assist family farmers who do not otherwise have access to high quality genetic technologies.

Subd. 3. BOARD OF DIRECTORS. (a) Market Champ, Inc. shall be governed by a board of directors consisting of 11 voting members, appointed by the governor.

(b) The members of the board shall be:

(1) two representatives of small family farmers with under 250 sows;

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- (2) one representative of purebred swine producers;
- (3) one member of the Minnesota Pork Producers Association;
- (4) one representative of the pork industry;
- (5) one member of the meat packing industry;
- (6) one member representing the University of Minnesota;
- (7) one member representing Minnesota state colleges and universities;
- (8) the commissioner of agriculture;
- (9) the chair of the senate committee on agriculture and rural development, or the chair's designee; and
- (10) the chair of the house committee on agriculture, or the chair's designee.

Members listed in clauses (1) to (5) must be recommended by the president of the University of Minnesota or a designee of the president, in consultation with the chairs of the senate and house of representatives committees with jurisdiction over agricultural policy and finance issues.

(c) Meetings of the board are subject to section 471.705.

(d) Members of the board shall be compensated and reimbursed in the same manner as members of advisory councils under section 15.059, subdivision 3.

Subd. 4. **BYLAWS.** Bylaws of Market Champ, Inc. must provide for the qualification and removal of directors and for filling vacancies on the board in a manner not inconsistent with this section.

Subd. 5. **ARTICLES OF INCORPORATION.** The articles of incorporation of Market Champ, Inc. must be filed with the secretary of state under chapter 317A and must be consistent with this section.

Subd. 6. **AUDIT.** Market Champ, Inc. shall contract with the legislative auditor to perform audits and must report the results to the legislature.

Subd. 7. **REPORT.** The board of directors of Market Champ, Inc. shall submit an annual report on the activities of Market Champ, Inc. by January 15 of each year to the appropriations, finance, and agriculture committees of the legislature and to the governor. The report must include a description of the corporation's activities for the past year, a list of all contracts entered into by the corporation, and a financial report of revenues and expenditures of the corporation.

Subd. 8. **EXPIRATION.** The board of directors of Market Champ, Inc. expires on June 30, 2003.

Sec. 16. Minnesota Statutes 1996, section 18C.141, is amended to read:

18C.141 SOIL AND MANURE TESTING LABORATORY CERTIFICATION.

Subdivision 1. **PROGRAM ESTABLISHMENT.** The commissioner shall establish a program to certify the accuracy of analyses from soil and manure testing laborato-

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ries and promote standardization of soil and manure testing procedures and analytical results.

Subd. 2. **CHECK SAMPLE SYSTEM.** (a) The commissioner shall institute a system of check samples that requires a laboratory to be certified to analyze at least ~~four~~ two multiple soil or manure check samples during the calendar year. The samples must be supplied by the commissioner or by a person under contract with the commissioner to prepare and distribute the samples.

(b) Within 30 days after the laboratory receives check samples, the laboratory shall report to the commissioner the results of the analyses for all requested elements or compounds or for the elements or compounds the laboratory makes an analytical determination of as a service to others.

(c) The commissioner shall compile analytical data submitted by laboratories and provide laboratories submitting samples with a copy of the data without laboratory names or code numbers.

(d) The commissioner may conduct check samples on laboratories that are not certified.

Subd. 3. **ANALYSES REPORTING STANDARDS.** (a) The results obtained from soil, manure, or plant analysis must be reported in accordance with standard reporting units established by the commissioner by rule. The standard reporting units must conform as far as practical to uniform standards that are adopted on a regional or national basis.

(b) If a certified laboratory offers a recommendation, the University of Minnesota recommendation or that of another land grant college in a contiguous state must be offered in addition to other recommendations, and the source of the recommendation must be identified on the recommendation form. If relative levels such as low, medium, or high are presented to classify the analytical results, the corresponding relative levels based on the analysis as designated by the University of Minnesota or the land grant college in a contiguous state must also be presented.

Subd. 4. **REVOCATION OF CERTIFICATION.** If the commissioner determines that analysis being performed by a laboratory is inaccurate as evidenced by check sample results, the commissioner may deny, suspend, or revoke certification.

Subd. 5. **CERTIFICATION FEES.** (a) A laboratory applying for certification shall pay an application fee of \$100 and a certification fee of \$100 before the certification is issued.

(b) Certification is valid for one year and the renewal fee is \$100. The commissioner shall charge an additional application fee of \$100 if a certified laboratory allows certification to lapse before applying for renewed certification.

(c) The commissioner shall notify a certified lab that its certification lapses within 30 to 60 days of the date when the certification lapses.

Subd. 6. **RULES.** The commissioner shall adopt rules for the establishment of minimum standards for laboratories, equipment, procedures, and personnel used in soil and manure analysis and rules necessary to administer and enforce this section. The commis-

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sioner shall consult with representatives of the fertilizer industry, representatives of the laboratories doing business in this state, and with the University of Minnesota college of agriculture before proposing rules.

Sec. 17. [18C.430] COMMERCIAL ANIMAL WASTE TECHNICIAN.

Subdivision 1. REQUIREMENT. (a) Except as provided in paragraph (c), after March 1, 2000, a person may not manage or apply animal wastes for hire without a valid commercial animal waste technician license. This section does not apply to a person managing or applying animal waste on land managed by the person's employer.

(b) A person managing or applying animal wastes for hire must have a valid license identification card when managing or applying animal wastes for hire and must display it upon demand by an authorized representative of the commissioner or a law enforcement officer. The commissioner shall prescribe the information required on the license identification card.

(c) A person who is not a licensed commercial animal waste technician who has had at least two hours of training or experience in animal waste management may manage or apply animal waste for hire under the supervision of a commercial animal waste technician.

Subd. 2. RESPONSIBILITY. A person required to be licensed under this section who performs animal waste management or application for hire or who employs a person to perform animal waste management or application for compensation is responsible for proper management or application of the animal wastes.

Subd. 3. LICENSE. A commercial animal waste technician license:

(1) is valid for three years and expires on December 31 of the third year for which it is issued, unless suspended or revoked before that date;

(2) is not transferable to another person; and

(3) must be prominently displayed to the public in the commercial animal waste technician's place of business.

Subd. 4. APPLICATION. (a) A person must apply to the commissioner for a commercial animal waste technician license on forms and in the manner required by the commissioner and must include the application fee. The commissioner shall prescribe and administer an examination or equivalent measure to determine if the applicant is eligible for the commercial animal waste technician license.

(b) The commissioner of agriculture, in cooperation with the Minnesota extension service and appropriate educational institutions, shall establish and implement a program for training and licensing commercial animal waste technicians.

Subd. 5. RENEWAL APPLICATION. A person must apply to the commissioner of agriculture to renew a commercial animal waste technician license and must include the application fee. The commissioner may renew a commercial animal waste technician license, subject to reexamination, attendance at workshops approved by the commissioner, or other requirements imposed by the commissioner to provide the animal waste technician with information regarding changing technology and to help ensure a continuing level of competence and ability to manage and apply animal wastes properly. The appli-

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cant may renew a commercial animal waste technician license within 12 months after expiration of the license without having to meet initial testing requirements. The commissioner may require additional demonstration of animal waste technician qualification if a person has had a license suspended or revoked or has had a history of violations of this section.

Subd. 6. FINANCIAL RESPONSIBILITY. (a) A commercial animal waste technician license may not be issued unless the applicant furnishes proof of financial responsibility. The financial responsibility may be demonstrated by (1) proof of net assets equal to or greater than \$50,000, or (2) a performance bond or insurance of the kind and in an amount determined by the commissioner of agriculture.

(b) The bond or insurance must cover a period of time at least equal to the term of the applicant's license. The commissioner shall immediately suspend the license of a person who fails to maintain the required bond or insurance.

(c) An employee of a licensed person is not required to maintain an insurance policy or bond during the time the employer is maintaining the required insurance or bond.

(d) Applications for reinstatement of a license suspended under paragraph (b) must be accompanied by proof of satisfaction of judgments previously rendered.

Subd. 7. APPLICATION FEE. A person initially applying for or renewing a commercial animal waste technician license must pay a nonrefundable application fee of \$50 and a fee of \$10 for each additional identification card requested.

Sec. 18. Minnesota Statutes 1996, section 35.82, subdivision 2, is amended to read:

Subd. 2. DISPOSITION OF CARCASSES. (a) Except as provided in subdivision 1b and paragraph (d), every person owning or controlling any domestic animal that has died or been killed otherwise than by being slaughtered for human or animal consumption, shall as soon as reasonably possible bury the carcass at least three feet deep at a depth adequate to prevent scavenging by other animals in the ground or thoroughly burn it or dispose of it by another method approved by the board as being effective for the protection of public health and the control of livestock diseases. The board, through its executive secretary, may issue permits to owners of rendering plants located in Minnesota which are operated and conducted as required by law, to transport carcasses of domestic animals and fowl that have died, or have been killed otherwise than by being slaughtered for human or animal consumption, over the public highways to their plants for rendering purposes in accordance with the rules adopted by the board relative to transportation, rendering, and other provisions the board considers necessary to prevent the spread of disease. The board may issue permits to owners of rendering plants located in an adjacent state with which a reciprocal agreement is in effect under subdivision 3.

(b) Carcasses collected by rendering plants under permit may be used for pet food or mink food if the owner or operator meets the requirements of subdivision 1b.

(c) An authorized employee or agent of the board may enter private or public property and inspect the carcass of any domestic animal that has died or has been killed other than by being slaughtered for human or animal consumption. Failure to dispose of the carcass of any domestic animal within the period specified by this subdivision is a public nuisance. The board may petition the district court of the county in which a carcass is located for a writ requiring the abatement of the public nuisance. A civil action com-

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menced under this paragraph does not preclude a criminal prosecution under this section. No person may sell, offer to sell, give away, or convey along a public road or on land the person does not own, the carcass of a domestic animal when the animal died or was killed other than by being slaughtered for human or animal consumption unless it is done with a special permit pursuant to this section. The carcass or parts of a domestic animal that has died or has been killed other than by being slaughtered for human or animal consumption may be transported along a public road for a medical or scientific purpose if the carcass is enclosed in a leakproof container to prevent spillage or the dripping of liquid waste. The board may adopt rules relative to the transportation of the carcass of any domestic animal for a medical or scientific purpose. A carcass on a public thoroughfare may be transported for burial or other disposition in accordance with this section.

No person who owns or controls diseased animals shall negligently or willfully permit them to escape from that control or to run at large.

(d) A sheep producer may compost sheep carcasses owned by the producer on the producer's land without a permit and is exempt from compost facility specifications contained in rules of the board.

(e) The board shall develop best management practices for dead animal disposal and the pollution control agency feedlot program shall distribute them to livestock producers in the state.

Sec. 19. Minnesota Statutes 1996, section 41A.09, subdivision 1a, is amended to read:

Subd. 1a. **ETHANOL PRODUCTION GOAL.** It is a goal of the state that ethanol production plants in the state attain a total annual production level of 220,000,000 ~~240,000,000~~ gallons.

Sec. 20. Minnesota Statutes 1997 Supplement, section 41A.09, subdivision 3a, is amended to read:

Subd. 3a. **PAYMENTS.** (a) The commissioner of agriculture shall make cash payments to producers of ethanol, anhydrous alcohol, and wet alcohol located in the state. These payments shall apply only to ethanol, anhydrous alcohol, and wet alcohol fermented in the state and produced at plants that have begun production by June 30, 2000. For the purpose of this subdivision, an entity that holds a controlling interest in more than one ethanol plant is considered a single producer. The amount of the payment for each producer's annual production is:

(1) except as provided in paragraph (b), for each gallon of ethanol or anhydrous alcohol produced on or before June 30, 2000, or ten years after the start of production, whichever is later, 20 cents per gallon; and

(2) for each gallon produced of wet alcohol on or before June 30, 2000, or ten years after the start of production, whichever is later, a payment in cents per gallon calculated by the formula "alcohol purity in percent divided by five," and rounded to the nearest cent per gallon, but not less than 11 cents per gallon.

The producer payments for anhydrous alcohol and wet alcohol under this section may be paid to either the original producer of anhydrous alcohol or wet alcohol or the secondary processor, at the option of the original producer, but not to both.

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(b) If the level of production at an ethanol plant increases due to an increase in the production capacity of the plant and the increased production begins by June 30, 2000, the payment under paragraph (a), clause (1), applies to the additional increment of production until ten years after the increased production began. Once a plant's production capacity reaches 15,000,000 gallons per year, no additional increment will qualify for the payment.

(c) The commissioner shall make payments to producers of ethanol or wet alcohol in the amount of 1.5 cents for each kilowatt hour of electricity generated using closed-loop biomass in a cogeneration facility at an ethanol plant located in the state. Payments under this paragraph shall be made only for electricity generated at cogeneration facilities that begin operation by June 30, 2000. The payments apply to electricity generated on or before the date ten years after the producer first qualifies for payment under this paragraph. Total payments under this paragraph in any fiscal year may not exceed \$750,000. For the purposes of this paragraph:

(1) "closed-loop biomass" means any organic material from a plant that is planted for the purpose of being used to generate electricity or for multiple purposes that include being used to generate electricity; and

(2) "cogeneration" means the combined generation of:

(i) electrical or mechanical power; and

(ii) steam or forms of useful energy, such as heat, that are used for industrial, commercial, heating, or cooling purposes.

(d) Except for new production capacity approved under paragraph (i), clause (1), the total payments under paragraphs (a) and (b) to all producers may not exceed \$34,000,000 in a fiscal year. Total payments under paragraphs (a) and (b) to a producer in a fiscal year may not exceed \$3,000,000.

(e) By the last day of October, January, April, and July, each producer shall file a claim for payment for ethanol, anhydrous alcohol, and wet alcohol production during the preceding three calendar months. A producer with more than one plant shall file a separate claim for each plant. A producer shall file a separate claim for the original production capacity of each plant and for each additional increment of production that qualifies under paragraph (b). A producer that files a claim under this subdivision shall include a statement of the producer's total ethanol, anhydrous alcohol, and wet alcohol production in Minnesota during the quarter covered by the claim, including anhydrous alcohol and wet alcohol produced or received from an outside source. A producer shall file a separate claim for any amount claimed under paragraph (c). For each claim and statement of total ethanol, anhydrous alcohol, and wet alcohol production filed under this subdivision, the volume of ethanol, anhydrous alcohol, and wet alcohol production or amounts of electricity generated using closed-loop biomass must be examined by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants.

(f) Payments shall be made November 15, February 15, May 15, and August 15. A separate payment shall be made for each claim filed. The total quarterly payment to a producer under this paragraph, excluding amounts paid under paragraph (c), may not exceed \$750,000. Except for new production capacity approved under paragraph (i), clause (1),

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if the total amount for which all other producers are eligible in a quarter under paragraphs (a) and (b) exceeds \$8,500,000, the commissioner shall make payments for production capacity that is subject to this restriction in the order in which the portion of production capacity covered by each claim went into production. ~~If the total amount of ethanol or wet alcohol production reported for a quarter under paragraph (e) equals or exceeds 55,000,000 gallons:~~

(1) ~~payments under this subdivision do not apply to the amount produced in excess of 55,000,000 gallons;~~

(2) ~~the commissioner shall make payments to producers in the order in which the portion of production capacity covered by each claim began production; and~~

(3) ~~only those producers that receive payments for the quarter, or received payments under paragraph (a) or (b) in an earlier quarter, will be eligible for future ethanol or wet alcohol production payments under this subdivision.~~

(g) If the total amount for which all producers are eligible in a quarter under paragraph (c) exceeds the amount available for payments, the commissioner shall make payments in the order in which the plants covered by the claims began generating electricity using closed-loop biomass.

(h) After July 1, 1997, new production capacity is only eligible for payment under this subdivision if the commissioner receives:

(1) an application for approval of the new production capacity;

(2) an appropriate letter of long-term financial commitment for construction of the new production capacity; and

(3) copies of all necessary permits for construction of the new production capacity.

The commissioner may approve the additional new production capacity based on the order in which the applications are received. ~~The commissioner shall not approve production capacity in excess of the limitations in paragraph (f).~~

(i) After the effective date of this section, the commissioner may only approve: (1) up to 12,000,000 gallons of new production capacity at one plant that has not previously received approval or payment for any production capacity; or (2) new production capacity at existing plants are not eligible for new capacity beyond not to exceed planned expansions reported to the commissioner by February 1997. The commissioner may not approve any new production capacity after July 1, 1998.

(j) For the purposes of this subdivision "new production capacity" means annual ethanol production capacity that was not allowed under a permit issued by the pollution control agency prior to July 1, 1997, or for which construction did not begin prior to July 1, 1997.

Sec. 21. Minnesota Statutes 1997 Supplement, section 84.8205, is amended to read:

84.8205 SNOWMOBILE STATE TRAIL PERMIT STICKER.

Subdivision 1. STICKER REQUIRED; FEE. A person may not operate a snowmobile that is not registered in this state may not be operated on a state or grant-in-aid snowmobile trail unless a snowmobile state trail sticker is affixed to the snowmobile op-

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erator has in possession a snowmobile state trail permit. The commissioner of natural resources shall issue a permit sticker upon application and payment of a \$15 fee. The permit sticker is valid from November 1 through April 30. Fees collected under this section shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund.

Subd. 2. PLACEMENT OF STICKER. The state trail sticker shall be permanently affixed to the forward half of the snowmobile directly above or below the headlight of the snowmobile.

Subd. 3. LICENSE AGENTS. County auditors are appointed agents of the commissioner for the sale of snowmobile state trail stickers. The commissioner may appoint other state agencies as agents for the sale of the stickers. A county auditor may appoint subagents within the county or within adjacent counties to sell stickers. Upon appointment of a subagent, the auditor shall notify the commissioner of the name and address of the subagent. The auditor may revoke the appointment of a subagent, and the commissioner may revoke the appointment of a state agency at any time. The commissioner may require an auditor to revoke a subagent's appointment. The auditor shall furnish stickers on consignment to any subagent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the stickers to be consigned to that subagent. A surety bond is not required for a state agency appointed by the commissioner. The county auditor shall be responsible for all stickers issued to and user fees received by agents except in a county where the county auditor does not retain fees paid for license purposes. In these counties, the responsibilities imposed by this section upon the county auditor are imposed upon the county. The commissioner may promulgate additional rules governing the accounting and procedures for handling state trail stickers as provided in section 97A.485, subdivision 11.

Any resident desiring to sell snowmobile state trail stickers may either purchase for cash or obtain on consignment stickers from a county auditor in groups of not less than ten individual stickers. In selling stickers, the resident shall be deemed a subagent of the county auditor and the commissioner, and shall observe all rules promulgated by the commissioner for accounting and handling of licenses and stickers pursuant to section 97A.485, subdivision 11.

The county auditor shall promptly deposit all money received from the sale of the stickers with the county treasurer and shall promptly transmit any reports required by the commissioner, plus 96 percent of the price paid by each stickerholder, exclusive of the issuing fee, for each sticker sold or consigned by the auditor and subsequently sold to a stickerholder during the accounting period. The county auditor shall retain as a commission four percent of all sticker fees, excluding the issuing fee for stickers consigned to subagents and the issuing fee on stickers sold by the auditor to stickerholders.

Unsold stickers in the hands of any subagent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner. Any stickers not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the subagent possessing the same or to whom they are charged shall be accountable.

Subd. 4. DISTRIBUTION OF STICKERS. The commissioner shall provide stickers to all agents authorized to issue stickers by the commissioner.

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Subd. 5. AGENT'S FEE. The fee for a sticker shall be increased by the amount of an issuing fee of \$1 per sticker. The issuing fee may be retained by the seller of the sticker.

Sec. 22. Minnesota Statutes 1997 Supplement, section 84.86, subdivision 1, is amended to read:

Subdivision 1. With a view of achieving maximum use of snowmobiles consistent with protection of the environment the commissioner of natural resources shall adopt rules in the manner provided by chapter 14, for the following purposes:

(1) Registration of snowmobiles and display of registration numbers.

(2) Use of snowmobiles insofar as game and fish resources are affected.

(3) Use of snowmobiles on public lands and waters, or on grant-in-aid trails, including, but not limited to, the use of specified metal traction devices and nonmetal traction devices.

(4) Uniform signs to be used by the state, counties, and cities, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles.

(5) Specifications relating to snowmobile mufflers.

(6) A comprehensive snowmobile information and safety education and training program, including but not limited to the preparation and dissemination of snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course. For the purpose of administering such program and to defray a portion of the expenses of training and certifying snowmobile operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the youth and young adult training and a fee established under chapter 16A from each person who receives the adult training. The commissioner shall deposit the fee in the snowmobile trails and enforcement account and the amount thereof is appropriated annually to the commissioner of natural resources for the administration of such programs. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this clause. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of snowmobile operators.

(7) The operator of any snowmobile involved in an accident resulting in injury requiring medical attention or hospitalization to or death of any person or total damage to an extent of \$500 or more, shall forward a written report of the accident to the commissioner on such form as the commissioner shall prescribe. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days.

Sec. 23. Minnesota Statutes 1996, section 84.871, is amended to read:

84.871 MUFFLERS EQUIPMENT REQUIREMENTS.

Subdivision 1. **MUFFLERS.** Except as provided in this section, every snowmobile shall be equipped at all times with a muffler in good working order which blends the exhaust noise into the overall snowmobile noise and is in constant operation to prevent ex-

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cessive or unusual noise. The exhaust system shall not emit or produce a sharp popping or crackling sound. This section does not apply to organized races or similar competitive events held on (1) private lands, with the permission of the owner, lessee, or custodian of the land; (2) public lands and water under the jurisdiction of the commissioner of natural resources, with the commissioner's permission; or (3) other public lands, with the consent of the public agency owning the land. No person shall have for sale, sell, or offer for sale on any new snowmobile any muffler that fails to comply with the specifications required by the rules of the commissioner after the effective date of the rules.

Subd. 2. METAL TRACTION DEVICES ON SNOWMOBILE TRACKS. Except as provided in this subdivision, a person may not operate a snowmobile with a track equipped with metal traction devices on public lands, roads, or trails, or public road or trail rights-of-way. Pursuant to section 84.86, the commissioner may adopt rules that: (1) limit the use of nonmetal traction devices; and (2) permit metal traction devices that meet certain specifications.

Sec. 24. [§4.8715] METAL TRACTION DEVICE STICKER.

Subdivision 1. STICKER REQUIRED; FEE. A person may not operate a snowmobile with a track equipped with metal traction devices unless a metal traction device sticker is affixed to the snowmobile. The commissioner shall issue a metal traction device sticker upon application and payment of a \$50 fee. The sticker is valid for one year following June 30 in the year it is issued. Fees collected under this section shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund. Money deposited under this section must be used for repair of paved public trails except that any money not necessary for this purpose may be used for the grant-in-aid snowmobile trail system.

Subd. 2. PLACEMENT OF STICKER. The metal traction device sticker must be permanently affixed to the forward half of the snowmobile directly above or below the headlight of the snowmobile.

Subd. 3. LICENSE AGENTS. The commissioner shall sell metal traction device stickers through the process established under section 84.8205.

Subd. 4. REPEALER. This section is repealed on July 1, 1999.

Sec. 25. Minnesota Statutes 1997 Supplement, section 85.015, subdivision 1c, is amended to read:

Subd. 1c. METAL TRACTION DEVICES; PROHIBITION ON PAVED TRAILS. A person may not use a snowmobile with metal traction devices on any paved state public trail, except as otherwise provided by a local government with jurisdiction over a trail.

Sec. 26. [§5.0156] MISSISSIPPI WHITEWATER TRAIL.

Subdivision 1. CREATION. An urban whitewater trail is created along the Mississippi river in the lower St. Anthony falls area below the stone arch bridge in Minneapolis. The trail must be primarily developed for whitewater rafters, canoers, and kayakers.

Subd. 2. COMMISSIONER'S DUTIES. (a) The commissioner of natural resources must coordinate the creation of the whitewater trail by placing designation signs near and along the river and must publicize the designation.

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(b) In designating the Mississippi whitewater trail, the commissioner must work with other federal, state, and local agencies and private businesses and organizations interested in the trail.

Subd. 3. **GIFTS; DONATIONS.** The commissioner of natural resources is authorized to accept, on behalf of a nonprofit corporation, donations of land or easements in land for the whitewater trail and may seek and accept money for the trail from other public and private sources.

Sec. 27. Minnesota Statutes 1996, section 86B.101, subdivision 2, is amended to read:

Subd. 2. **YOUTH WATERCRAFT SAFETY COURSE.** (a) The commissioner shall establish an educational course and a testing program for personal watercraft and watercraft operators and for persons age 12 or older but younger than age 18 required to take the watercraft safety course. The commissioner shall prescribe a written test as part of the course. A personal watercraft educational course and testing program that emphasizes safe and legal operation must be required for persons age 13 or older but younger than age 18 operating personal watercraft.

(b) The commissioner shall issue a watercraft operator's permit to a person age 12 or older but younger than age 18 who successfully completes the educational program and the written test.

Sec. 28. Minnesota Statutes 1996, section 86B.415, subdivision 1, is amended to read:

Subdivision 1. **WATERCRAFT 19 FEET OR LESS.** The fee for a watercraft license for watercraft 19 feet or less in length is \$12 except:

(1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered for rent or lease, the fee is \$6;

(2) for a canoe, kayak, sailboat, sailboard, paddle boat, or rowing shell 19 feet in length or less, the fee is \$7;

(3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching boat and water safety, the fee is as provided in subdivision 4; and

(4) for a watercraft owned by a dealer under a dealer's license, the fee is as provided in subdivision 5.

Sec. 29. Minnesota Statutes 1996, section 86B.415, is amended by adding a subdivision to read:

Subd. 7a. **PERSONAL WATERCRAFT SURCHARGE.** A \$50 surcharge is placed on each personal watercraft licensed under subdivisions 1 to 5 for enforcement of personal watercraft laws and for personal watercraft safety education. The surcharge must be deposited in the state treasury and credited to the water recreation account in the natural resources fund. Any grants to counties from revenue collected under this subdivision must be proportional to the use of personal watercraft in each county. Grants made under this subdivision are subject to the applicable administrative, reporting, and auditing requirements in sections 86B.701 and 86B.705.

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Sec. 30. Minnesota Statutes 1996, section 89A.03, subdivision 1, is amended to read:

Subdivision 1. **MEMBERSHIP.** The Minnesota forest resources council has 13 members appointed by the governor and one member appointed by the Indian affairs council. The council membership appointed by the governor must include one representative from each of the following individuals:

- (1) a representative from an organization representing environmental interests within the state;
- (2) a representative from an organization representing the interests of management of game species;
- (3) a representative from a conservation organization;
- (4) a representative from an association representing forest products industry within the state;
- (5) a commercial logging contractor active in a forest product association;
- (6) a representative from a statewide association representing the resort and tourism industry;
- (7) a faculty or researcher of a Minnesota research or higher educational institution;
- (8) an owner of nonindustrial, private forest land of 40 acres or more;
- (9) an agricultural woodlot owner;
- (10) a representative from the department;
- (11) a county land commissioner who is a member of the Minnesota association of county land commissioners;
- (12) a representative from the United States Forest Service unit with land management responsibility in Minnesota; and
- (13) a representative from a labor organization with membership having an interest in forest resource issues.

Sec. 31. Minnesota Statutes 1996, section 90.193, is amended to read:

90.193 EXTENSION OF TIMBER PERMITS.

The commissioner may, in the case of an exceptional circumstance beyond the control of the timber permit holder which makes it unreasonable, impractical, and not feasible to complete cutting and removal under the permit within the time allowed, grant an extension of one year. A request for the extension must be received by the commissioner before the permit expires. The request must state the reason the extension is necessary and be signed by the permit holder. ~~The value of the timber remaining to be cut will be recalculated using current stumpage rates. Any timber cut during the period of extension or remaining uncut at the expiration of the extension shall be billed for at the stumpage rates determined at the time of extension provided that in no event shall stumpage rates be less than those in effect at the time of the original sale.~~ An interest rate of eight percent will may be charged for the period of extension.

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

Sec. 32. Minnesota Statutes 1996, section 93.002, subdivision 1, is amended to read:

Subdivision 1. **ESTABLISHMENT.** The mineral coordinating committee is established to plan for diversified mineral development. The mineral coordinating committee consists of the director of the minerals division of the department of natural resources, the deputy commissioner of the Minnesota pollution control agency, the director of United Steelworkers of America, district 11, or the director's designee, the commissioner of the iron range resources and rehabilitation board, the director of the Minnesota geological survey, the dean of the University of Minnesota institute of technology, and the director of the natural resources research institute, and three individuals appointed by the governor for a four-year term, one each representing the iron ore and taconite, the nonferrous metallic minerals, and the industrial minerals industries within the state. The director of the minerals division of the department of natural resources shall serve as chair. A member of the committee may designate another person of the member's organization to act in the member's place. The commissioner of natural resources shall provide staff and administrative services necessary for the committee's activities.

The mineral coordinating committee is encouraged to solicit and receive advice from representatives of the United States Bureau of Mines, the United States Geological Survey, and the United States Environmental Protection Agency.

Sec. 33. Minnesota Statutes 1996, section 97A.037, subdivision 1, is amended to read:

Subdivision 1. **INTERFERENCE WITH TAKING WILD ANIMALS PROHIBITED.** A person who has the intent to prevent, or disrupt, or ~~dissuade the taking of another person from taking or preparing to take a wild animal or enjoyment of the out-of-doors~~ may not disturb or interfere with another that person who if that person is lawfully taking a wild animal or preparing to take a wild animal. "Preparing to take a wild animal" includes travel, camping, and other acts that occur on land or water where the affected person has the right or privilege to take lawfully a wild animal.

Sec. 34. Minnesota Statutes 1996, section 97A.245, is amended to read:

97A.245 REWARDS.

The commissioner may pay rewards for information leading to the conviction of a person that has violated a provision of laws relating to wild animals or threatened or endangered species of wildlife. A reward may not exceed \$500, except a reward for information relating to big game or threatened or endangered species of wildlife, may be up to \$1,000 and a reward for information relating to timber wolves may be up to \$2,500. The rewards may only be paid from funds donated to the commissioner for these purposes and may not be paid to salaried conservation officers or peace officers.

Sec. 35. Minnesota Statutes 1996, section 103C.315, subdivision 4, is amended to read:

Subd. 4. **COMPENSATION.** A supervisor shall receive compensation for services as the state board may determine, and may be reimbursed for expenses, including traveling expenses, necessarily incurred in the discharge of duties. A supervisor ~~shall~~ may be reimbursed for the use of the supervisor's own automobile in the performance of official duties at the a rate per mile prescribed for state officers and employees up to the maximum tax-deductible mileage rate permitted under the federal Internal Revenue Code.

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

Sec. 36. Minnesota Statutes 1996, section 103F.155, subdivision 2, is amended to read:

Subd. 2. **COMMISSIONER'S REVIEW.** (a) The commissioner shall review the plan and consult with the state office of civil defense and other appropriate state and federal agencies. Following the review, the commissioner shall accept, require modification, or reject the plan.

(b) If required modifications are not made, or if the plan is rejected, the commissioner shall order the removal of the emergency protection measures and shall not provide grant money under section 103F.161 until the plan is approved or the required modifications are made.

Sec. 37. Minnesota Statutes 1996, section 103F.161, subdivision 2, is amended to read:

Subd. 2. **ACTION ON GRANT APPLICATIONS.** (a) A local government may apply to the commissioner for a grant on forms provided by the commissioner. The commissioner shall confer with the local government requesting the grant and may make a grant up to ~~\$75,000~~ \$150,000 based on the following considerations:

(1) the extent and effectiveness of mitigation measures already implemented by the local government requesting the grant;

(2) the feasibility, practicality, and effectiveness of the proposed mitigation measures and the associated nonflood related benefits and detriments;

(3) the level of grant assistance that should be provided to the local government, based on available facts regarding the nature, extent, and severity of flood problems;

(4) the frequency of occurrence of severe flooding that has resulted in declaration of the area as a flood disaster area by the President of the United States;

(5) the economic, social, and environmental benefits and detriments of the proposed mitigation measures;

(6) whether the floodplain management ordinance or regulation adopted by the local government meets the minimum standards established by the commissioner, the degree of enforcement of the ordinance or regulation, and whether the local government is complying with the ordinance or regulation;

(7) the degree to which the grant request is consistent with local water plans developed under chapters 103B and 103D;

(8) the financial capability of the local government to solve its flood hazard problems without financial assistance; and

(9) the estimated cost and method of financing of the proposed mitigation measures based on local money and federal and state financial assistance.

(b) If the amount of the grant requested is ~~\$75,000~~ \$150,000 or more, the commissioner shall determine, under the considerations in paragraph (a), whether any part of the grant should be awarded. The commissioner must submit an appropriation request to the governor and the legislature for funding consideration before each odd-numbered year, consisting of requests or parts of grant requests of ~~\$75,000~~ \$150,000 or more. The com-

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missioner must prioritize the grant requests, under the considerations in paragraph (a), beginning with the projects the commissioner determines most deserving of financing.

(c) A grant may not exceed one-half the total cost of the proposed mitigation measures.

(d) After July 1, 1991, grants made under this section may be made to local governments whose grant requests are part of, or responsive to, a comprehensive local water plan prepared under chapter 103B or 103D.

Sec. 38. Minnesota Statutes 1996, section 103G.271, subdivision 6, is amended to read:

Subd. 6. **WATER USE PERMIT PROCESSING FEE.** (a) Except as described in paragraphs (b) to (f), a water use permit processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

- (1) 0.05 cents per 1,000 gallons for the first 50,000,000 gallons per year;
- (2) 0.10 cents per 1,000 gallons for amounts greater than 50,000,000 gallons but less than 100,000,000 gallons per year;
- (3) 0.15 cents per 1,000 gallons for amounts greater than 100,000,000 gallons but less than 150,000,000 gallons per year; and
- (4) 0.20 cents per 1,000 gallons for amounts greater than 150,000,000 gallons but less than 200,000,000 gallons per year;
- (5) 0.25 cents per 1,000 gallons for amounts greater than 200,000,000 gallons but less than 250,000,000 gallons per year;
- (6) 0.30 cents per 1,000 gallons for amounts greater than 250,000,000 gallons but less than 300,000,000 gallons per year;
- (7) 0.35 cents per 1,000 gallons for amounts greater than 300,000,000 gallons but less than 350,000,000 gallons per year;
- (8) 0.40 cents per 1,000 gallons for amounts greater than 350,000,000 gallons but less than 400,000,000 gallons per year; and
- (9) 0.45 cents per 1,000 gallons for amounts greater than 400,000,000 gallons per year.

(b) For once-through cooling systems, a water use processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

- (1) for nonprofit corporations and school districts:
 - (i) 5.0 cents per 1,000 gallons until December 31, 1994;
 - (ii) 10.0 cents per 1,000 gallons from January 1, 1992, until December 31, 1996; and
 - (iii) 15.0 cents per 1,000 gallons after January 1, 1997; and
- (2) for all other users, 20 cents per 1,000 gallons.

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(c) The fee is payable based on the amount of water appropriated during the year and, except as provided in paragraph (f), the minimum fee is \$50.

(d) For water use processing fees other than once-through cooling systems:

(1) the fee for a city of the first class may not exceed \$175,000 per year;

(2) the fee for other entities for any permitted use may not exceed:

(i) \$35,000 per year for an entity holding three or fewer permits;

(ii) \$50,000 per year for an entity holding four or five permits;

(iii) \$175,000 per year for an entity holding more than five permits;

(3) the fee for agricultural irrigation may not exceed \$750 per year; and

(4) the fee for a municipality that furnishes electric service and cogenerates steam for home heating may not exceed \$10,000 for its permit for water use related to the cogeneration of electricity and steam; and

(5) no fee is required for a project involving the appropriation of surface water to prevent flood damage or to remove flood waters during a period of flooding, as determined by the commissioner.

(e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of two percent per month calculated from the original due date must be imposed on the unpaid balance of fees remaining 30 days after the sending of a second notice of fees due. A fee may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal governmental agency holding a water appropriation permit.

(f) The minimum water use processing fee for a permit issued for irrigation of agricultural land is \$10 for years in which:

(1) there is no appropriation of water under the permit; or

(2) the permit is suspended for more than seven consecutive days between May 1 and October 1.

(g) For once-through systems fees payable after July 1, 1993, 75 percent of the fees must be credited to a special account and are appropriated to the Minnesota public facilities authority for loans under section 446A.21.

Sec. 39. Minnesota Statutes 1996, section 115.076, subdivision 1, is amended to read:

Subdivision 1. **AUTHORITY OF COMMISSIONER.** (a) The agency may refuse to issue or to authorize the transfer of:

(1) a hazardous waste facility permit or a solid waste facility permit to construct or operate a commercial waste facility as defined in section 115A.03, subdivision 6, if the agency determines that the permit applicant does not possess sufficient expertise and competence to operate the facility in conformance with the requirements of this chapter and chapters 114C and 116, or if other circumstances exist that demonstrate that the permit applicant may not operate the facility in conformance with the requirements of this chapter and chapters 114C and 116; or

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

(2) an animal feedlot facility permit, under section 116.07, subdivision 7, to construct or operate an animal feedlot facility, if the agency determines that the permit applicant does not possess sufficient expertise and competence to operate the feedlot facility in conformance with the requirements of this chapter and chapter 116 or if other circumstances exist that demonstrate that the permit applicant may not operate the feedlot facility in conformance with the requirements of this chapter and chapter 116.

(b) In making this a determination under paragraph (a), the agency may consider:

(1) the experience of the permit applicant in constructing or operating commercial waste facilities or animal feedlot facilities;

(2) the expertise of the permit applicant;

(3) the past record of the permit applicant in operating commercial waste facilities or animal feedlot facilities in Minnesota and other states;

(4) any criminal convictions of the permit applicant in state or federal court during the past five years that bear on the likelihood that the permit applicant will operate the facility in conformance with the applicable requirements of this chapter and chapters 114C and 116; and

(5) in the case of a corporation or business entity, any criminal convictions in state or federal court during the past five years of any of the permit applicant's officers, partners, or facility managers that bear on the likelihood that the facility will be operated in conformance with the applicable requirements of this chapter and chapters 114C and 116.

Sec. 40. Minnesota Statutes 1997 Supplement, section 115.55, subdivision 5a, is amended to read:

Subd. 5a. **INSPECTION CRITERIA FOR EXISTING SYSTEMS.** (a) An inspection of an existing system must evaluate the criteria in paragraphs (b) to (h).

(b) If the inspector finds one or more of the following conditions:

(1) sewage discharge to surface water;

(2) sewage discharge to ground surface;

(3) sewage backup; or

(4) a cesspool; or

~~(5)~~ any other situation with the potential to immediately and adversely affect or threaten public health or safety,

then the system constitutes an imminent threat to public health or safety and, if not repaired, must be upgraded, replaced, or its use discontinued within ten months of receipt of the notice described in subdivision 5b, or within a shorter period of time if required by local ordinance.

(c) An existing system that has none of the conditions in paragraph (b), and has at least two feet of soil separation need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more restrictive.

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(d) Paragraph (c) does not apply to systems in shoreland areas regulated under sections 103F.201 to 103F.221, wellhead protection areas as defined in section 103I.005, or those used in connection with food, beverage, and lodging establishments regulated under chapter 157.

(e) If the local unit of government with jurisdiction over the system has adopted an ordinance containing local standards pursuant to subdivision 7, the existing system must comply with the ordinance. If the system does not comply with the ordinance, it must be upgraded, replaced, or its use discontinued according to the ordinance.

(f) If a seepage pit, drywell, cesspool, or leaching pit exists and the local unit of government with jurisdiction over the system has not adopted local standards to the contrary, the system is failing and must be upgraded, replaced, or its use discontinued within the time required by subdivision 3 or local ordinance.

(g) If the system fails to provide sufficient groundwater protection, then the local unit of government or its agent shall order that the system be upgraded, replaced, or its use discontinued within the time required by rule or the local ordinance.

(h) The authority to find a threat to public health under section 145A.04, subdivision 8, is in addition to the authority to make a finding under paragraphs (b) to (d).

Sec. 41. Minnesota Statutes 1997 Supplement, section 116.07, subdivision 7, is amended to read:

Subd. 7. COUNTIES; PROCESSING OF APPLICATIONS FOR ANIMAL LOT PERMITS. Any Minnesota county board may, by resolution, with approval of the pollution control agency, assume responsibility for processing applications for permits required by the pollution control agency under this section for livestock feedlots, poultry lots or other animal lots. The responsibility for permit application processing, if assumed by a county, may be delegated by the county board to any appropriate county officer or employee.

(a) For the purposes of this subdivision, the term "processing" includes:

(1) the distribution to applicants of forms provided by the pollution control agency;

(2) the receipt and examination of completed application forms, and the certification, in writing, to the pollution control agency either that the animal lot facility for which a permit is sought by an applicant will comply with applicable rules and standards, or, if the facility will not comply, the respects in which a variance would be required for the issuance of a permit; and

(3) rendering to applicants, upon request, assistance necessary for the proper completion of an application.

(b) For the purposes of this subdivision, the term "processing" may include, at the option of the county board, issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject to review, suspension, and reversal by the pollution control agency. The pollution control agency shall, after written notification, have 15 days to review, suspend, modify, or reverse the issuance of the permit. After this period, the action of the county board is final, subject to appeal as provided in chapter 14.

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(c) For the purpose of administration of rules adopted under this subdivision, the commissioner and the agency may provide exceptions for cases where the owner of a feedlot has specific written plans to close the feedlot within five years. These exceptions include waiving requirements for major capital improvements.

(d) For purposes of this subdivision, a discharge caused by an extraordinary natural event such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado, or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

(e) In adopting and enforcing rules under this subdivision, the commissioner shall cooperate closely with other governmental agencies.

(f) The pollution control agency shall work with the Minnesota extension service, the department of agriculture, the board of water and soil resources, producer groups, local units of government, as well as with appropriate federal agencies such as the Soil Natural Resources Conservation Service and the Agricultural Stabilization and Conservation Service Farm Service Agency, to notify and educate producers of rules under this subdivision at the time the rules are being developed and adopted and at least every two years thereafter.

(g) The pollution control agency shall adopt rules governing the issuance and denial of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section. A feedlot permit is not required for livestock feedlots with more than ten but less than 50 animal units; provided they are not in shoreland areas. These rules apply both to permits issued by counties and to permits issued by the pollution control agency directly.

(h) The pollution control agency shall exercise supervising authority with respect to the processing of animal lot permit applications by a county.

(i) After May 17, 1997, any new rules or amendments to existing rules proposed under the authority granted in this subdivision, must be submitted to the members of legislative policy committees with jurisdiction over agriculture and the environment prior to final adoption. The rules must not become effective until 90 days after the proposed rules are submitted to the members.

(j) Until new rules are adopted that provide for plans for manure storage structures, any plans for a liquid manure storage structure must be prepared or approved by a registered professional engineer or a United States Department of Agriculture, Natural Resources Conservation Service employee.

(k) A county may adopt by ordinance standards for animal feedlots that are more stringent than standards in pollution control agency rules.

(l) After January 1, 2001, a county that has not accepted delegation of the feedlot permit program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot facility with 300 or more animal units, unless another public meeting has been held with regard to the feedlot facility to be permitted.

Sec. 42. Minnesota Statutes 1996, section 116.07, is amended by adding a subdivision to read:

Subd. 7b. FEEDLOT INVENTORY NOTIFICATION AND PUBLIC MEETING REQUIREMENTS. (a) Any state agency or local government unit conducting an

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inventory or survey of livestock feedlots under its jurisdiction must publicize notice of the inventory in a newspaper of general circulation in the affected area and in other media as appropriate. The notice must state the dates the inventory will be conducted, the information that will be requested in the inventory, and how the information collected will be provided to the public. The notice must also specify the date for a public meeting to provide information regarding the inventory.

(b) A local government unit conducting an inventory or survey of livestock feedlots under its jurisdiction must hold at least one public meeting within the boundaries of the jurisdiction of the local unit of government, prior to beginning the inventory. A state agency conducting a survey of livestock feedlots must hold at least four public meetings outside of the seven-county Twin Cities metropolitan area, prior to beginning the inventory. The public meeting must provide information concerning the dates the inventory will be conducted, the procedure the agency or local unit of government will use to request the information to be included in the inventory, and how the information collected will be provided to the public.

Sec. 43. Minnesota Statutes 1996, section 116.07, is amended by adding a subdivision to read:

Subd. 7c. NPDES PERMITTING REQUIREMENTS. (a) The agency must issue National Pollutant Discharge Elimination System permits for feedlots with 1,000 animal units or more based on the following schedule:

(1) for applications received after the effective date of this section, a permit for a newly constructed or expanded animal feedlot with 2,000 or more animal units must be issued as an individual permit;

(2) for applications received after January 1, 1999, a permit for a newly constructed or expanded animal feedlot with between 1,000 and 2,000 animal units that is identified as a priority by the commissioner, using criteria established under paragraph (e), must be issued as an individual permit; and

(3) after January 1, 2001, all existing feedlots with 1,000 or more animal units must be issued an individual or general National Pollutant Discharge Elimination System permit.

(b) By October 1, 1999, the agency must issue a general National Pollutant Discharge Elimination System permit for animal feedlots with between 1,000 and 2,000 animal units that are not identified under paragraph (a), clause (2).

(c) Prior to the issuance of a general National Pollutant Discharge Elimination System permit for a category of animal feedlot facility permittees, the agency must hold at least one public hearing on the permit issuance.

(d) To the extent practicable, the agency must include a public notice and comment period for an individual National Pollutant Discharge Elimination System permit concurrent with any public notice and comment for:

(1) the purpose of environmental review of the same facility under chapter 116D; or

(2) the purpose of obtaining a conditional use permit from a local unit of government where the local government unit is the responsible governmental unit for purposes of environmental review under chapter 116D.

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(e) By January 1, 1999, the commissioner, in consultation with the feedlot and manure management advisory committee, created under section 17.136, and other interested parties must develop criteria for determining whether an individual National Pollutant Discharge Elimination System permit is required under paragraph (a), clause (2), for an animal feedlot with between 1,000 and 2,000 animal units. The criteria must be based on proximity to waters of the state, facility design, and other site-specific environmental factors.

(f) By January 1, 2000, the commissioner, in consultation with the feedlot and manure management advisory committee, created under section 17.136, and other interested parties must develop criteria for determining whether an individual National Pollutant Discharge Elimination System permit is required for an existing animal feedlot, under paragraph (a), clause (3). The criteria must be based on violations and other compliance problems at the facility.

Sec. 44. Minnesota Statutes 1997 Supplement, section 116.18, subdivision 3c, is amended to read:

Subd. 3c. **INDIVIDUAL ON-SITE TREATMENT SYSTEMS AND ALTERNATIVE DISCHARGING SEWAGE SYSTEMS PROGRAM.** (a) Beginning in fiscal year 1989, up to ten percent of the money to be awarded as grants under subdivision 3a in any single fiscal year, up to a maximum of \$1,000,000, may be set aside for the award of grants by the agency to municipalities to reimburse owners of individual on-site wastewater treatment systems or alternative discharging sewage systems for a part of the costs of upgrading or replacing the systems.

(b) An individual on-site treatment system is a wastewater treatment system, or part thereof, that uses soil treatment and disposal technology to treat 5,000 gallons or less of wastewater per day from dwellings or other establishments.

(c) An alternative discharging sewage system is a system permitted under section 115.58 that:

- (1) serves one or more dwellings and other establishments;
- (2) discharges less than 10,000 gallons of water per day; and
- (3) uses any treatment and disposal methods other than subsurface soil treatment and disposal.

(d) Municipalities may apply yearly for grants of up to 50 percent of the cost of replacing or upgrading individual on-site treatment systems, including conversion to an alternative discharging sewage system, within their jurisdiction, up to a limit of \$5,000 per system or per connection to a cluster system. Before agency approval of the grant application, a municipality must certify that:

(1) it has adopted and is enforcing the requirements of Minnesota Rules governing individual sewage treatment systems;

(2) the existing systems for which application is made do not conform to those rules, are at least 20 years old, do not serve seasonal residences, and were not constructed with state or federal funds; and

(3) the costs requested do not include administrative costs, costs for improvements or replacements made before the application is submitted to the agency unless it pertains

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to the plan finally adopted, and planning and engineering costs other than those for the individual site evaluations and system design.

(~~d~~) (e) The federal and state regulations regarding the award of state and federal wastewater treatment grants do not apply to municipalities or systems funded under this subdivision, except as provided in this subdivision.

(e) (f) The agency shall adopt permanent rules regarding priorities, distribution of funds, payments, inspections, procedures for administration of the agency's duties, and other matters that the agency finds necessary for proper administration of grants awarded under this subdivision.

Sec. 45. Minnesota Statutes 1997 Supplement, section 169.1217, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** As used in this section, the following terms have the meanings given them:

(a) "Appropriate agency" means a law enforcement agency that has the authority to make an arrest for a violation of a designated offense or to require a test under section 169.123.

(b) "Designated license revocation" includes a license revocation under section 169.123:

(1) within five years of two prior impaired driving convictions, two prior license revocations, or a prior impaired driving conviction and a prior license revocation, based on separate incidents; or

(2) within 15 years of the first of three or more prior impaired driving convictions, three or more prior license revocations, or any combination of three or more prior impaired driving convictions and prior license revocations, based on separate incidents.

(c) "Designated offense" includes:

(1) a violation of section 169.121, subdivision 1, clause (a), (b), (c), (d), (e), (g), or (h), subdivision 1a, an ordinance in conformity with any of them, or section 169.129:

(i) within five years of two prior impaired driving convictions, or two prior license revocations, or a prior impaired driving conviction and a prior license revocation, based on separate incidents; or

(ii) within 15 years of the first of three or more prior impaired driving convictions, three or more prior license revocations, or any combination of three or more impaired driving convictions and prior license revocations, based on separate incidents;

(2) a violation of section 169.121, subdivision 1, clause (f), or a violation of section 169.121, subdivision 3, paragraph (c), clause (4):

(i) within five years of a prior impaired driving conviction or a prior license revocation; or

(ii) within 15 years of the first of two or more prior impaired driving convictions, two or more prior license revocations, or a prior impaired driving conviction and a prior license revocation, based on separate incidents; or

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

(3) a violation of section 169.121, an ordinance in conformity with it, or section 169.129:

(i) by a person whose driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (9); or

(ii) by a person who is subject to a restriction on the person's driver's license under section 171.09 which provides that the person may not use or consume any amount of alcohol or a controlled substance; or

(4) until June 30, 1999, a second or subsequent violation of section 85.015, subdivision 1c.

(d) "Motor vehicle" and "vehicle" have the meaning given "motor vehicle" in section 169.121, subdivision 11. The terms do not include a vehicle which is stolen or taken in violation of the law.

(e) "Owner" means the registered owner of the motor vehicle according to records of the department of public safety and includes a lessee of a motor vehicle if the lease agreement has a term of 180 days or more.

(f) "Prior impaired driving conviction" has the meaning given it in section 169.121, subdivision 3. A prior impaired driving conviction also includes a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult.

(g) "Prior license revocation" has the meaning given it in section 169.121, subdivision 3.

(h) "Prosecuting authority" means the attorney in the jurisdiction in which the designated offense occurred who is responsible for prosecuting violations of a designated offense.

Sec. 46. Minnesota Statutes 1996, section 308A.131, subdivision 1, is amended to read:

Subdivision 1. **CONTENTS.** (a) The incorporators shall prepare the articles, which must include:

- (1) the name of the cooperative;
- (2) the purpose of the cooperative;
- (3) the principal place of business for the cooperative;
- (4) the period of duration for the cooperative, if the duration is not to be perpetual;
- (5) the total authorized number of shares and the par value of each share if the cooperative is organized on a capital stock basis;
- (6) a description of the classes of shares, if the shares are to be classified;
- (7) a statement of the number of shares in each class and relative rights, preferences, and restrictions granted to or imposed upon the shares of each class, and a provision that only common stockholders have voting power;

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(8) a statement that individuals owning common stock shall be restricted to one vote in the affairs of the cooperative or a statement that the cooperative is one described in section 308A.641, subdivision 2;

(9) a statement that shares of stock are transferable only with the approval of the board;

(10) a statement that dividends on the capital stock and nonstock units of equity of the cooperative may not exceed eight percent annually;

(11) the names, post office addresses, and terms of office of the directors of the first board;

(12) a statement that net income in excess of dividends and additions to reserves shall be distributed on the basis of patronage, and that the records of the cooperative may show the interest of patrons, stockholders of any classes, and members in the reserves; and

(13) the registered office address of the cooperative and the name of the registered agent, if any, at that address.

(b) The articles must always contain the provisions in paragraph (a), except that the names, post office addresses, and terms of offices of the directors of the first board may be omitted after their successors have been elected by the members or the articles are amended in their entirety.

(c) The articles may contain other lawful provisions.

(d) The articles must be signed by the incorporators.

Sec. 47. Minnesota Statutes 1997 Supplement, section 308A.705, subdivision 1, is amended to read:

Subdivision 1. **DISTRIBUTION OF NET INCOME.** Net income in excess of dividends on capital stock, nonstock units of equity, and additions to reserves shall be distributed on the basis of patronage. A cooperative may establish allocation units, whether the units are functional, divisional, departmental, geographic, or otherwise, and pooling arrangements and may account for and distribute net income on the basis of allocation units and pooling arrangements. A cooperative may offset the net loss of an allocation unit or pooling arrangement against the net income of other allocation units or pooling arrangements to the extent permitted by section 1388(j) of the Internal Revenue Code of 1986, as amended through December 31, 1996.

Sec. 48. Minnesota Statutes 1996, section 308A.705, subdivision 3, is amended to read:

Subd. 3. **DIVIDENDS.** Dividends may be paid on capital stock and nonstock units of equity only if the net income of the cooperative for the previous fiscal year is sufficient. The dividends are not cumulative.

Sec. 49. Laws 1997, chapter 216, section 15, subdivision 8, is amended to read:

Subd. 8. Pollution Prevention

(a) TOXIC EMISSIONS FROM FIRE
TRAINING

65,000

This appropriation is from the trust fund to metropolitan state university to identify and

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quantify toxic emissions from live-burn training in acquired structures to evaluate and propose alternatives. This appropriation is available until June 30, 2000, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(b) POLLUTION PREVENTION TRAINING PROGRAM FOR INDUSTRIAL EMPLOYEES 200,000

This appropriation is from the future resources fund to the director of the office of environmental assistance for agreements with ~~Citizens for a Better Environment~~ and the University of Minnesota to provide the training and technical assistance needed for pollution prevention by industrial employees.

Sec. 50. AGGREGATE RESOURCES TASK FORCE.

Subdivision 1. CREATION; MEMBERSHIP. (a) An aggregate resources task force consists of 12 members appointed as follows:

(1) the subcommittee on subcommittees of the senate committee on rules and administration shall appoint one citizen member with experience in the state's aggregates industry, one citizen member who is an employee of a local government unit that works with environmental and land use impacts from aggregate mining, and four members of the senate, two of whom must be members of the minority caucus; and

(2) the speaker of the house shall appoint one citizen member who is an employee of a local governmental unit that works with environmental and land use impacts from aggregate mining, one citizen member with experience in native prairie conservation, and four members of the house, two of whom must be members of the minority caucus.

(b) The appointing authorities must make their respective appointments not later than July 1, 1998.

(c) The first meeting of the task force must be convened by a person designated by the chair of the senate committee on rules and administration. Task force members shall then elect a permanent chair from among the task force members.

Subd. 2. DUTIES. The task force shall examine current and projected issues concerning the need for and use of the state's aggregate resources. The task force shall seek input from the aggregate industry, state agencies, counties, local units of government, environmental organizations, and other interested parties on aggregate resource issues, including resource inventory, resource depletion, mining practices, nuisance problems, safety, competing land uses and land use planning, native prairie conservation, environmental review, local permit requirements, reclamation, recycling, transportation of aggregates, and the aggregate material tax.

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Subd. 3. REPORT. Not later than February 1, 2000, the task force shall report to the legislature on the findings of its study. The report must include a recommendation as to whether there is a need for a comprehensive statewide policy on any aggregate resource issue. If the task force recommends a statewide policy, the report must include recommendations on the framework for the statewide policy.

Subd. 4. EXPIRATION. The aggregate resources task force expires 45 days after its report and recommendations are delivered to the legislature, or on June 30, 2001, whichever date is earlier.

Sec. 51. REPORT ON NONCOMMERCIAL MANURE APPLICATOR TRAINING AND CERTIFICATION.

The commissioner of agriculture, in close consultation with the commissioner of the pollution control agency and statewide farm organizations including the Minnesota Farmers Union and the Minnesota Farm Bureau Federation, shall conduct a study to assess the need for and feasibility of a program for noncommercial manure applicator training and certification. The commissioner must submit a report to the members of the senate and house policy committees with jurisdiction over agriculture and the environment by January 20, 1999. The report must include recommendations on:

- (1) persons and activities that should be exempt from certification;
- (2) dates by which persons should be required to obtain certification;
- (3) content of the noncommercial animal waste technician training curriculum; and
- (4) procedures and timelines for implementing noncommercial animal waste technician training programs.

Sec. 52. PERMIT REQUIREMENTS.

Until June 30, 2000, neither the pollution control agency nor a county board may issue a permit for the construction of an open-air clay, earthen, or flexible membrane lined swine waste lagoon. This section does not apply to repair or modification related to an environmental improvement of an existing lagoon.

Sec. 53. FEEDLOT RULES.

By March 1, 1999, the commissioner of the pollution control agency must submit a copy of updated feedlot permit rules as prescribed in Minnesota Statutes, section 116.07, subdivision 7, paragraph (i). The updated rules must become effective no later than June 1, 1999.

Sec. 54. ENVIRONMENTAL REVIEW RULES.

The environmental quality board, in consultation with the pollution control agency, shall study and adopt rules pursuant to Minnesota Statutes, chapter 14, to revise and clarify Minnesota Rules, part 4410.1000, subpart 4, as it applies to connected actions on animal feedlots and the need for environmental review. The board must submit a copy of the proposed rules and a summary of public comments received on the rules to the members of the senate and house policy committees with jurisdiction over agriculture and the environment, the senate environment and agriculture budget division, and the house environment, natural resources, and agriculture finance committee by March 1, 1999. The rules

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may not become effective until 60 days after they are submitted to the committee members and must become effective no later than June 1, 1999.

Sec. 55. REPORT ON REVISED STANDARDS FOR HYDROGEN SULFIDE EXPOSURE.

By January 15, 1999, the commissioner of labor and industry, in consultation with the commissioners of the pollution control agency, health, and agriculture, shall report to the senate and house policy committees with jurisdiction over agriculture and environment on the need for and, if appropriate, suggested changes to standards for hydrogen sulfide exposure levels within livestock confinement facilities having a design capacity of 500 animal units or more and at various distances up to 5,000 feet from animal waste storage facilities.

Sec. 56. REPORT ON ANIMAL WASTE LIABILITY.

By January 15, 1999, the commissioner of the pollution control agency, in conjunction with the commissioner of agriculture, shall report to the legislative policy and finance committees or divisions with jurisdiction over agriculture and the environment on the need for an animal waste liability account, improved animal waste incident reporting, and a contingency action plan for animal waste sites. The report must include:

(1) an analysis of the need and level of funding required for an animal waste liability account;

(2) the identification of possible funding sources to ensure adequate resources for animal waste site cleanup under clause (1);

(3) an analysis of the need for changes to the current animal waste incident reporting system; and

(4) the need for development of a statewide animal waste contingency plan for animal waste sites, including containment, closure, and cleanup.

Sec. 57. COUNTIES AND TOWNS TO REPORT.

(a) Not later than August 1, 1998, each county and each town that has adopted ordinances related to animal feedlots shall supply copies of the ordinances to the commissioner of agriculture. A county or town that adopts a new or amended ordinance related to animal feedlots shall report the new or amended ordinance to the commissioner within 60 days after the adoption.

(b) The reporting requirements of paragraph (a) expire after June 30, 2001.

Sec. 58. LOAN WORK PLAN.

Notwithstanding the requirements of rules adopted pursuant to Minnesota Statutes, section 115A.0716, that prevent the use of funds for costs incurred before the term of the agreement, the director shall disburse loan funds awarded to United Recycling, Inc., provided that the director has approved a new project proposal that includes performance goals for carpet recycling and demonstrates the financial viability of the recycling enterprise.

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Sec. 59. WATER QUALITY COST-BENEFIT MODEL SCOPING TASK FORCE.

The commissioner of the pollution control agency shall convene a task force comprising of no more than three representatives each from industry, municipalities, watershed management groups, labor, agriculture, and environmental groups within 30 days of the effective date of this section. The task force shall select an entity to conduct a scoping study for a cost-benefit model to analyze water quality standards. The scoping study shall include: a watershed-based approach that evaluates both point and nonpoint pollution sources, the extent of the costs and benefits to be evaluated, the necessary elements of the model, a model that is transferable to other watersheds and standards, and the characteristics of the watersheds and standards to be evaluated. By October 15, 1998, the task force shall review the completed scoping study and make recommendations on the scope, cost, and time frame for development of the model to the commissioner and to the chairs of the house and senate environment and natural resources committees, the chair of the house environment, natural resources, and agriculture finance committee, and the chair of the senate environment and agriculture budget division.

Sec. 60. ANALYSIS AND SALE OF LAKESHORE LEASED LOTS.

Subdivision 1. ANALYSIS OF LOTS. By January 15, 1999, the commissioner of natural resources must submit a report to the chairs of the senate and house environment and natural resources committees, the chair of the house environment, natural resources, and agriculture finance committee, the chair of the senate environment and agriculture budget division, the chairs of the senate children, families and learning committee, and the chair of the house education committee, including the results of the field inspection required by this section, recommendations on appropriations needed to accomplish this section, and additional recommendations on methods to preserve public lakeshore in the state. The commissioner must conduct a field inspection of all lands leased pursuant to Minnesota Statutes, section 92.46, subdivision 1. The commissioner shall identify all lots within the following classifications:

- (1) sale of the lot would create a block of contiguous property that could result in a shift in land use from residential to commercial development;
- (2) the lot should remain in public ownership in order to provide public access to the lake where it is located;
- (3) the lot is part of the trust land in Horseshoe Bay, as referenced in Laws 1997, chapter 216, section 151;
- (4) the lot contains all or part of an unusual resource, such as a historical or archaeological site, or a sensitive ecological resource, or contains high quality habitat, or has a high scenic value;
- (5) the lot is not in compliance with state law concerning on-site sewage treatment or minimum lot size requirements for development, or the lot is hydrologically unsuitable for future development; and
- (6) the lot provides access for adjacent state land.

Subd. 2. SCHOOL TRUST LAKESHORE LOTS; EXCHANGE AND SALE.

(a) For each parcel of land that does not meet the criteria in subdivision 1, the commissioner must preserve the assets of the school trust pursuant to this subdivision.

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(b) The commissioner must attempt to establish a land exchange with each lessee. The lessee and the commissioner must attempt to agree on a parcel of private lakeshore land to be used for the land exchange. If the lessee obtains an option to purchase the parcel, the commissioner must conduct an appraisal and a survey of both parcels of land at the lessee's expense. If the commissioner determines that the parcel offered by the lessee is of equal or greater value than the trust land, the commissioner must submit the proposed exchange to the land exchange board, as defined in Minnesota Statutes, section 94.341, for approval. Notwithstanding Minnesota Statutes, sections 94.342 to 94.347, the land exchange board shall determine the procedures for approval of individual land exchanges, subject to the requirements of the Minnesota Constitution and this section. Any exchange under this paragraph must be submitted to the land exchange board by July 1, 2004.

(c) By December 15, 2004, the commissioner must submit a list of each parcel of land that has not been exchanged pursuant to paragraph (b) to the house and senate environment and natural resource committees. The list submitted by the commissioner must include recommendations for sale or retention of the remaining individual parcels. Subject to approval by the legislature, the commissioner must sell parcels approved for sale by public sale at the expiration of the lease term using a sealed bid procedure under the remaining provisions of Minnesota Statutes, chapter 92. After approval of sale by the legislature, a lessee of land approved for sale may request during the remainder of the lease term that lands leased by the lessee be sold at a public sale pursuant to this section within one year of the request.

(d) The commissioner must mail notice of this section to each lessee by July 1, 1998.

Sec. 61. **REPEALER.**

(a) Minnesota Statutes 1997 Supplement, section 85.015, subdivision 1c, as amended by this act, is repealed effective June 30, 1999.

(b) Laws 1991, chapter 275, section 3, is repealed.

Sec. 62. **EFFECTIVE DATE.**

Section 31 is effective January 1, 1998. Sections 28 and 29 are effective January 1, 1999. Section 23 is effective July 1, 1999. Section 52 is effective the day following final enactment and applies to new applications submitted after that date. The remainder of this act is effective the day following final enactment.

Presented to the governor April 10, 1998

Signed by the governor April 21, 1998, 10:02 a.m.

CHAPTER 402—S.F.No. 816

An act relating to public administration; providing exceptions to cruelty in transportation provisions for carrying certain animals; changing certain animal shelter requirements; providing for alternative dispute resolution for certain matters; delaying the effect of a repealer; requiring a report; amending Minnesota Statutes 1996, sections 343.24; 343.40, subdivision 2; and 346.38, sub-

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