

(b) The renewal application fee shall be set by the commissioner under section 16A.1285.

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

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

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

(1) the licensee must include an additional late fee set by the commissioner under section 16A.1285; and

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

Sec. 13. Minnesota Statutes 1998, section 103I.641, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENTS.** A person may not drill or construct an excavation used to install a vertical heat exchanger unless the person is a limited well/boring contractor licensed for constructing, repairing, and sealing vertical heat exchangers or a well contractor.

Sec. 14. Minnesota Statutes 1998, section 103I.641, subdivision 3, is amended to read:

Subd. 3. **PERMIT REQUIRED.** (a) A vertical heat exchanger may not be installed without first obtaining a permit for the vertical heat exchanger from the commissioner. A limited well/boring contractor licensed for constructing, repairing, and sealing vertical heat exchangers or a well contractor must apply for the permit on forms provided by the commissioner and must pay the permit fee.

(b) As a condition of the permit, the owner of the property where the vertical heat exchanger is to be installed must agree to allow inspection by the commissioner during regular working hours of department of health inspectors.

Sec. 15. **EFFECTIVE DATE.**

Sections 13 and 14 are effective August 1, 2000.

Presented to the governor May 10, 1999

Signed by the governor May 13, 1999, 1:17 p.m.

CHAPTER 154—S.F.No. 1645

An act relating to transportation; abolishing Babcock test requirements for drivers to determine fat content of milk or cream; exempting vehicles carrying milk from seasonal weight restric-

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

tions under certain circumstances; allowing conveyance of excess rail bank property; amending Minnesota Statutes 1998, sections 32.25, subdivision 3; 169.87, by adding a subdivision; and 222.63, subdivision 4; repealing Minnesota Statutes 1998, section 32.01, subdivision 7.

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

Section 1. Minnesota Statutes 1998, section 32.25, subdivision 3, is amended to read:

Subd. 3. **PENALTIES FOR VIOLATIONS.** Any person

(1) ~~who, when testing by the Babcock test, shall use any appliances other than the standard Babcock glassware for measuring or testing milk or cream sold or purchased at prices determined upon the basis of milk fat therein contained, or~~

~~(2) who shall manufacture or sell Babcock glassware which is not constructed or graduated in accordance with these specifications, or~~

(3) who shall employ any test other than the Babcock test or those tests authorized by rule promulgated by the commissioner, or any methods other than the standard official methods for determining the milk fat content of milk or cream, or

~~(4) (2) who shall incorrectly sample milk or cream purchased or sold, or~~

~~(5) (3) who shall incorrectly weigh milk or cream purchased or sold, or~~

~~(6) (4) who shall incorrectly grade milk or cream purchased or sold, or~~

~~(7) (5) who shall make a false entry of the weight, or test result, or grade of any milk or cream purchased or sold, or~~

~~(8) (6) who shall incorrectly sample, weigh, test, or record or report weights or tests of skim milk or buttermilk purchased or sold, or~~

~~(9) (7) who shall underread the tests, or~~

~~(10) (8) who shall falsify the reading of the tests, or~~

~~(11) (9) who shall manipulate the reading of the tests, or~~

~~(12) (10) who shall falsely state, certify, or use in the purchase or sale of milk or cream a misreading of such tests, whether the tests or actual reading shall have been made by such person or by any other person, shall be guilty of a misdemeanor.~~

Sec. 2. Minnesota Statutes 1998, section 169.87, is amended by adding a subdivision to read:

Subd. 4. VEHICLES TRANSPORTING MILK. Until June 1, 2003, a weight restriction imposed under subdivision 1 by the commissioner of transportation or a local road authority, or imposed by subdivision 2, does not apply to a vehicle transporting milk from the point of production to the point of first processing if, at the time the weight restriction is exceeded, the vehicle is carrying milk loaded at only one point of production. This subdivision does not authorize a vehicle described in this subdivision to exceed a weight restriction of five tons per axle by more than two tons per axle.

Sec. 3. Minnesota Statutes 1998, section 222.63, subdivision 4, is amended to read:

Subd. 4. **DISPOSITION PERMITTED.** (a) The commissioner may lease any rail line or right-of-way held in the state rail bank or enter into an agreement with any person

New language is indicated by underline, deletions by strikeout.

for the operation of any rail line or right-of-way for any of the purposes set forth in subdivision 2 in accordance with a fee schedule to be developed by the commissioner.

(b) The commissioner may convey any rail line or right-of-way, for consideration or for no consideration and upon other terms as the commissioner may determine to be in the public interest, to any other state agency or to a governmental political subdivision of the state having power by law to utilize it for any of the purposes set forth in subdivision 2.

(c) The commissioner may convey a portion of previously acquired rail bank right-of-way to a state agency or political subdivision when the commissioner determines that:

(1) the portion to be conveyed is in excess of that needed for the purposes stated in subdivision 2;

(2) the conveyance is upon terms and conditions agreed upon by both the commissioner and the state agency or political subdivision;

(3) after the sale, the rail bank corridor will continue to be sufficient to meet the purposes of subdivision 2; and

(4) the conveyance will not result in any right-of-way in the state rail bank being reduced to a width of less than 50 feet at any point.

Proceeds from a sale must be deposited in the rail bank maintenance account described in subdivision 8.

Sec. 4. REPEALER.

Minnesota Statutes 1998, section 32.01, subdivision 7, is repealed.

Sec. 5. EFFECTIVE DATE.

Sections 2 and 3 are effective the day following final enactment.

Presented to the governor May 10, 1999

Signed by the governor May 13, 1999, 1:18 p.m.

CHAPTER 155—H.F.No. 371

An act relating to local government; removing the limit on the amount a local government may contribute for historical work; permitting local governments to make contributions to public or private, nonprofit senior citizen centers or youth centers; amending Minnesota Statutes 1998, section 471.93; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Section 1. Minnesota Statutes 1998, section 471.93, is amended to read:

471.93 APPROPRIATIONS FOR HISTORICAL WORK BY MUNICIPALITIES.

In cities of the second, third or fourth class, and statutory cities at any regular or properly called special meeting of the council, it may appropriate money for the purpose

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