

subdivision, the department must assure that the hiring process for those job classifications complies with the policies in subdivision 1.

Sec. 19. Laws 1995, chapter 248, article 13, section 2, subdivision 6, as amended by Laws 1997, chapter 97, section 15, is amended to read:

Subd. 6. **EVALUATION.** The commissioner of employee relations, in consultation with union representatives, shall design and implement a system for evaluating the success of the pilot project in subdivision 5. By October 1, 1997 1999, and October 1, 1998 2000, the commissioner must report to the legislature on the pilot project. The report must:

(1) list job classifications subject to each pilot project, and the number of positions filled in these job classes under the pilot;

(2) evaluate the extent to which the project has been successful in maintaining a merit-based system in the absence of traditional civil service laws and rules;

(3) quantify time and money saved in the hiring process under these pilot projects, as compared to hiring under the traditional laws and rules;

(4) document the extent of complaints or problems arising under the new system; and

(5) recommend any changes in laws or rules needed to make permanent the successes of the pilot projects.

Sec. 20. **REPEALER.**

Minnesota Statutes 1998, sections 43A.13, subdivision 9; 43A.40; 43A.41; 43A.42; 43A.43, subdivision 2; 43A.44; 43A.45; 43A.46; and 43A.465; Laws 1995, chapter 248, article 13, section 2, subdivision 8, are repealed.

Minnesota Rules, parts 3910.0100; 3910.0200; 3910.0300; 3910.0400; 3910.0500; 3910.0600; 3910.0700; 3910.0800; 3910.0900; 3910.1000; 3910.1100; 3910.1200; 3910.1300; 3910.1400; 3910.1500; 3910.1600; and 3910.1700, are repealed.

Sec. 21. **EFFECTIVE DATE.**

Sections 1 to 20 are effective the day following final enactment.

Presented to the governor May 15, 1999

Signed by the governor May 19, 1999, 4:16 p.m.

CHAPTER 183—S.F.No. 556

An act relating to liability; limiting liability on certain municipal power agency land for certain purposes; amending Minnesota Statutes 1998, sections 604A.20; 604A.21, subdivisions 3, 4, and by adding a subdivision; 604A.24; and 604A.25.

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

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

Section 1. Minnesota Statutes 1998, section 604A.20, is amended to read:

604A.20 POLICY.

It is the policy of this state, in furtherance of the public health and welfare, to encourage and promote the use of land owned by a municipal power agency and privately owned lands and waters by the public for beneficial recreational purposes, and the provisions of sections 604A.20 to 604A.27 are enacted to that end.

Sec. 2. Minnesota Statutes 1998, section 604A.21, is amended by adding a subdivision to read:

Subd. 2a. **DEDICATED.** “Dedicated” means made available by easement, license, permit, or other authorization.

Sec. 3. Minnesota Statutes 1998, section 604A.21, subdivision 3, is amended to read:

Subd. 3. **LAND.** “Land” means privately owned or leased any of the following which is privately owned or leased or in which a municipal power agency has rights: land, easements, rights-of-way, roads, water, watercourses, private ways and buildings, structures, and other improvements to land, and machinery or equipment when attached to the land.

Sec. 4. Minnesota Statutes 1998, section 604A.21, subdivision 4, is amended to read:

Subd. 4. **OWNER.** “Owner” means the possessor of a fee interest or a life estate, tenant, lessee, occupant, holder of a utility easement, or person in control of the land.

Sec. 5. Minnesota Statutes 1998, section 604A.24, is amended to read:

604A.24 LIABILITY; LEASED LAND, WATER-FILLED MINE PITS; MUNICIPAL POWER AGENCY LAND.

Unless otherwise agreed in writing, sections 604A.22 and 604A.23 also apply to the duties and liability of an owner of the following land:

(1) land leased to the state or any political subdivision for recreational purpose; or
 (2) idled or abandoned, water-filled mine pits whose pit walls may slump or cave, and to which water the public has access from a water access site operated by a public entity; or

(3) land of which a municipal power agency is an owner and that is used for recreational trail purposes, and other land of a municipal power agency which is within 300 feet of such land if the entry onto such land was from land that is dedicated for recreational purposes or recreational trail use.

Sec. 6. Minnesota Statutes 1998, section 604A.25, is amended to read:

604A.25 OWNER'S LIABILITY; NOT LIMITED.

Except as set forth in this section, nothing in sections 604A.20 to 604A.27 limits liability that otherwise exists:

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

(1) for conduct which, at law, entitles a trespasser to maintain an action and obtain relief for the conduct complained of; or

(2) for injury suffered in any case where the owner charges the persons who enter or go on the land for the recreational purpose, except that in the case of land leased or dedicated to the state or a political subdivision, any consideration received from the state or political subdivision by the owner for the lease or dedication is not considered a charge within the meaning of this section.

Except for conduct set forth in section 604A.22, clause (3), a person may not maintain an action and obtain relief at law for conduct referred to by clause (1) in this section if the entry upon the land is incidental to or arises from access granted for the recreational trail use of land dedicated, leased, or permitted by the owners for recreational trail use.

Presented to the governor May 15, 1999

Signed by the governor May 19, 1999, 4:18 p.m.

CHAPTER 184—S.F.No. 233

An act relating to real property; providing for definite and specific descriptions for certain easements; applying the requirement retroactively to all easements whenever created; providing that certain deficiency judgment requirements do not apply to property that is not used for agricultural production by the mortgagor; amending Minnesota Statutes 1998, sections 300.045; and 582.30, subdivision 1.

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

Section 1. Minnesota Statutes 1998, section 300.045, is amended to read:

300.045 EASEMENTS OVER PRIVATE PROPERTY, LIMITATIONS.

(a) When public service corporations, including pipeline companies, acquire easements over private property by purchase, gift, or eminent domain proceedings, except temporary easements for construction, they must definitely and specifically describe the easement being acquired, and may not acquire an easement ~~greater than the minimum~~ in a width necessary for the safe conduct of their business.

(b) For the purposes of this section, a public service corporation may meet the requirement of a definite and specific description of an easement by:

(1) including in the recorded description of the easement the specific legal reference points as to the location of the easement in relation to the corners of the specific property involved at the points the easement enters and departs from the property, the width of the easement, and each change of course as the easement crosses the property; or

(2) appending to the recorded description of the easement a drawing that identifies by means of a scale or specific measurements the location of the easement in relation to the corners of the specific property involved at the points the easement enters and departs from the property, the width of the easement, and each change of course as the easement crosses the property.

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