

(sanctions in civil actions). Any reimbursement fees or sanctions must be paid from other forfeiture proceeds of the law enforcement agency and prosecuting authority involved and in the same proportion as distributed under subdivision 10, paragraph (b).

Sec. 8. Minnesota Statutes 2002, section 169A.63, subdivision 10, is amended to read:

Subd. 10. **DISPOSITION OF FORFEITED VEHICLE.** (a) If the vehicle is administratively forfeited under subdivision 8, or if the court finds under subdivision 9 that the vehicle is subject to forfeiture under subdivisions 6 and 7, the appropriate agency shall:

(1) sell the vehicle and distribute the proceeds under paragraph (b); or

(2) keep the vehicle for official use. If the agency keeps a forfeited motor vehicle for official use, it shall make reasonable efforts to ensure that the motor vehicle is available for use by the agency's officers who participate in the drug abuse resistance education program.

(b) The proceeds from the sale of forfeited vehicles, after payment of seizure, towing, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be distributed as follows:

(1) 70 percent of the proceeds must be forwarded to the appropriate agency for deposit as a supplement to the state or local agency's operating fund or similar fund for use in DWI-related enforcement, training, and education; and

(2) 30 percent of the money or proceeds must be forwarded to the prosecuting authority that handled the forfeiture for deposit as a supplement to its operating fund or similar fund for prosecutorial purposes.

Presented to the governor May 18, 2004

Signed by the governor May 26, 2004, 9:45 p.m.

CHAPTER 236—S.F.No. 2869

An act relating to health; modifying fees for radioactive and nuclear material; approving state agreement with the Nuclear Regulatory Commission; providing a certain effective date; amending Minnesota Statutes 2002, section 144.1205, subdivisions 2, 4, 8, 9; repealing Minnesota Statutes:2003 Supplement, section 144.1202, subdivision 4.

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

Section 1. Minnesota Statutes 2002, section 144.1205, subdivision 2, is amended to read:

Subd. 2. **ANNUAL FEE.** A licensee must pay an annual fee at least 60 days before the anniversary date of the issuance of the license. The annual fee is an amount

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equal to 80 percent of the application fee under subdivision 4, rounded to the nearest whole dollar, as follows:

TYPE	ANNUAL FEE
<u>Academic broad scope - type A</u>	\$19,920
<u>Academic broad scope - type B</u>	19,920
<u>Academic broad scope - type C</u>	19,920
<u>Medical broad scope - type A</u>	19,920
<u>Medical institution - diagnostic and therapeutic</u>	3,680
<u>Medical institution - diagnostic</u> (no written directives)	3,680
<u>Medical private practice - diagnostic and therapeutic</u>	3,680
<u>Medical private practice - diagnostic (no written directives)</u>	3,680
<u>Eye applicators</u>	3,680
<u>Nuclear medical vans</u>	3,680
<u>High dose rate afterloader</u>	3,680
<u>Mobile high dose rate afterloader</u>	3,680
<u>Medical therapy - other emerging technology</u>	3,680
<u>Teletherapy</u>	8,960
<u>Gamma knife</u>	8,960
<u>Veterinary medicine</u>	2,000
<u>In vitro testing lab</u>	2,000
<u>Nuclear pharmacy</u>	8,800
<u>Radiopharmaceutical distribution (10 CFR 32.72)</u>	3,840
<u>Radiopharmaceutical processing and distribution (10 CFR 32.72)</u>	8,800
<u>Medical sealed sources - distribution (10 CFR 32.74)</u>	3,840
<u>Medical sealed sources - processing and distribution (10 CFR 32.74)</u>	8,800
<u>Well logging - sealed sources</u>	3,760
<u>Measuring systems - fixed gauge</u>	2,000
<u>Measuring systems - portable gauge</u>	2,000
<u>X-ray fluorescent analyzer</u>	1,520
<u>Measuring systems - gas chromatograph</u>	2,000
<u>Measuring systems - other</u>	2,000
<u>Broad scope manufacturing and distribution - type A</u>	19,920
<u>Broad scope manufacturing and distribution - type B</u>	17,600
<u>Broad scope manufacturing and distribution - type C</u>	17,600
<u>Manufacturing and distribution - other</u>	5,280
<u>Nuclear laundry</u>	18,640
<u>Decontamination services</u>	4,960
<u>Leak test services only</u>	2,000
<u>Instrument calibration service only, less than 100 curies</u>	2,000
<u>Instrument calibration service only,</u>	

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<u>100 curies or more</u>	<u>2,000</u>
<u>Service, maintenance, installation,</u> <u>source changes, etc.</u>	<u>4,960</u>
<u>Waste disposal service, prepackaged only</u>	<u>6,000</u>
<u>Waste disposal</u>	<u>8,320</u>
<u>Distribution - general licensed</u> <u>devices (sealed sources)</u>	<u>1,760</u>
<u>Distribution - general licensed</u> <u>material (unsealed sources)</u>	<u>1,120</u>
<u>Industrial radiography - fixed location</u>	<u>9,840</u>
<u>Industrial radiography - temporary job sites</u>	<u>9,840</u>
<u>Irradiators, self-shielding, less than 10,000 curies</u>	<u>2,880</u>
<u>Irradiators, other, less than 10,000 curies</u>	<u>5,360</u>
<u>Irradiators, self-shielding, 10,000 curies or more</u>	<u>2,880</u>
<u>Research and development- type A broad scope</u>	<u>9,520</u>
<u>Research and development - type B broad scope</u>	<u>9,520</u>
<u>Research and development - type C broad scope</u>	<u>9,520</u>
<u>Research and development - other</u>	<u>4,480</u>
<u>Storage - no operations</u>	<u>2,000</u>
<u>Source material - shielding</u>	<u>584</u>
<u>Special nuclear material plutonium -</u> <u>neutron source in device</u>	<u>3,680</u>
<u>Pacemaker by-product and/or special nuclear</u> <u>material - medical (institution)</u>	<u>3,680</u>
<u>Pacemaker by-product and/or special nuclear</u> <u>material - manufacturing and distribution</u>	<u>5,280</u>
<u>Accelerator-produced radioactive material</u>	<u>3,840</u>
<u>Nonprofit educational institutions</u>	<u>300</u>
<u>General license registration</u>	<u>150</u>

Sec. 2. Minnesota Statutes 2002, section 144.1205, subdivision 4, is amended to read:

Subd. 4. **APPLICATION FEE.** A licensee must pay an application fee as follows:

<u>Radioactive material,</u> <u>source and</u> <u>special material</u>	<u>Application</u> <u>fee</u>	<u>U.S. Nuclear Regulatory</u> <u>Commission licensing</u> <u>category as reference</u>
<u>Type A broadscope</u>	<u>\$20,000</u>	<u>Medical institution type A</u>
<u>Type B broadscope</u>	<u>\$15,000</u>	<u>Research and development</u> <u>type B</u>
<u>Type C broadscope</u>	<u>\$10,000</u>	<u>Academic type C</u>
<u>Medical use</u>	<u>\$4,000</u>	<u>Medical</u> <u>Medical institution</u> <u>Medical private practice</u>
<u>Mobile nuclear</u>		

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medical laboratory	\$4,000	Mobile medical laboratory
Medical special use sealed sources	\$6,000	Teletherapy High dose rate remote afterloaders Stereotactic radiosurgery devices
In vitro testing	\$2,300	In vitro testing laboratories
Measuring gauge, sealed sources	\$2,000	Fixed gauges Portable gauges Analytical instruments Measuring systems - other
Gas chromatographs	\$1,200	Gas chromatographs
Manufacturing and distribution	\$14,700	Manufacturing and distribution - other
Distribution only	\$8,800	Distribution of radioactive material for commercial use only
Other services	\$1,500	Other services
Nuclear medicine pharmacy	\$4,100	Nuclear pharmacy
Waste disposal	\$9,400	Waste disposal service prepackage Waste disposal service processing/repackage
Waste storage only	\$7,000	To receive and store radioactive material waste
Industrial radiography	\$8,400	Industrial radiography fixed location Industrial radiography portable/temporary sites
Irradiator - self-shielded	\$4,100	Irradiators self-shielded less than 10,000 curies
Irradiator - less than 10,000 Ci	\$7,500	Irradiators less than 10,000 curies
Irradiator - more than 10,000 Ci	\$11,500	Irradiators greater than 10,000 curies
Research and		

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development, no distribution	\$4,100	Research and development
Radioactive material possession only	\$1,000	Byproduct possession only
Source material	\$1,000	Source material shielding
Special nuclear material, less than 200 grams	\$1,000	Special nuclear material plutonium-neutron sources less than 200 grams
Pacemaker manufacturing	\$1,000	Pacemaker byproduct and/or special nuclear material - medical institution
General license distribution	\$2,100	General license distribution
General license distribution, exempt	\$1,500	General license distribution - certain exempt items
Academic, small	\$1,000	Possession limit of ten radionuclides, not to exceed a total of one curie of activity
Veterinary	\$2,000	Veterinary use
Well logging	\$5,000	Well logging

TYPE	ANNUAL FEE
<u>Academic broad scope - type A</u>	\$ 5,920
<u>Academic broad scope - type B</u>	5,920
<u>Academic broad scope - type C</u>	5,920
<u>Medical broad scope - type A</u>	3,920
<u>Medical institution - diagnostic and therapeutic</u>	1,520
<u>Medical institution - diagnostic</u> (no written directives)	1,520
<u>Medical private practice - diagnostic and therapeutic</u>	1,520
<u>Medical private practice - diagnostic (no written</u> directives)	1,520
<u>Eye applicators</u>	1,520
<u>Nuclear medical vans</u>	1,520
<u>High dose rate afterloader</u>	1,520
<u>Mobile high dose rate afterloader</u>	1,520
<u>Medical therapy - other emerging technology</u>	1,520
<u>Teletherapy</u>	5,520

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<u>Gamma knife</u>	5,520
<u>Veterinary medicine</u>	960
<u>In vitro testing lab</u>	960
<u>Nuclear pharmacy</u>	4,880
<u>Radiopharmaceutical distribution (10 CFR 32.72)</u>	2,160
<u>Radiopharmaceutical processing and distribution (10 CFR 32.72)</u>	4,880
<u>Medical sealed sources - distribution (10 CFR 32.74)</u>	2,160
<u>Medical sealed sources - processing and distribution (10 CFR 32.74)</u>	4,880
<u>Well logging - sealed sources</u>	1,600
<u>Measuring systems - fixed gauge</u>	960
<u>Measuring systems - portable gauge</u>	960
<u>X-ray fluorescent analyzer</u>	584
<u>Measuring systems - gas chromatograph</u>	960
<u>Measuring systems - other</u>	960
<u>Broad scope manufacturing and distribution - type A</u>	5,920
<u>Broad scope manufacturing and distribution - type B</u>	5,920
<u>Broad scope manufacturing and distribution - type C</u>	5,920
<u>Manufacturing and distribution - other</u>	2,320
<u>Nuclear laundry</u>	10,080
<u>Decontamination services</u>	2,640
<u>Leak test services only</u>	960
<u>Instrument calibration service only, less than 100 curies</u>	960
<u>Instrument calibration service only, 100 curies or more</u>	960
<u>Service, maintenance, installation, source changes, etc.</u>	2,640
<u>Waste disposal service, prepackaged only</u>	2,240
<u>Waste disposal</u>	1,520
<u>Distribution - general licensed devices (sealed sources)</u>	880
<u>Distribution - general licensed material (unsealed sources)</u>	520
<u>Industrial radiography - fixed location</u>	2,640
<u>Industrial radiography - temporary job sites</u>	2,640
<u>Irradiators, self-shielding, less than 10,000 curies</u>	1,440
<u>Irradiators, other, less than 10,000 curies</u>	2,960
<u>Irradiators, self-shielding, 10,000 curies or more</u>	1,440
<u>Research and development - type A broad scope</u>	4,960
<u>Research and development - type B broad scope</u>	4,960
<u>Research and development - type C broad scope</u>	4,960
<u>Research and development - other</u>	2,400
<u>Storage - no operations</u>	960

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Source material - shielding	136
<u>Special nuclear material plutonium -</u> <u>neutron source in device</u>	1,200
<u>Pacemaker by-product and/or special nuclear</u> <u>material - medical (institution)</u>	1,200
<u>Pacemaker by-product and/or special nuclear</u> <u>material - manufacturing and distribution</u>	2,320
<u>Accelerator-produced radioactive material</u>	4,100
<u>Nonprofit educational institutions</u>	300
<u>General license registration</u>	0
<u>Industrial radiographer certification</u>	150

Sec. 3. Minnesota Statutes 2002, section 144.1205, subdivision 8, is amended to read:

Subd. 8. **RECIPROCITY FEE.** A licensee submitting an application for reciprocal recognition of a materials license issued by another agreement state or the United States Nuclear Regulatory Commission for a period of 180 days or less during a calendar year must pay ~~one-half of the application fee specified under subdivision 4~~ \$1,200. For a period of 181 days or more, the licensee must pay ~~the entire application fee~~ obtain a license under subdivision 4.

Sec. 4. Minnesota Statutes 2002, section 144.1205, subdivision 9, is amended to read:

Subd. 9. **FEES FOR LICENSE AMENDMENTS.** A licensee must pay a fee of \$300 to amend a license as follows:

(1) ~~to amend a license requiring no license review including, but not limited to, facility name change or removal of a previously authorized user, no fee;~~

(2) to amend a license requiring review including, but not limited to, addition of isotopes, procedure changes, new authorized users, or a new radiation safety officer; \$200; and

(3) (2) to amend a license requiring review and a site visit including, but not limited to, facility move or addition of processes, \$400.

Sec. 5. **APPROVAL; AGREEMENT STATE APPLICATION AND RULES.**

The application for the agreement under Minnesota Statutes, section 144.1202, subdivision 1, between the state of Minnesota and the United States Nuclear Regulatory Commission is approved as required under Minnesota Statutes, section 144.1202, subdivision 4, paragraph (b), and the agreement may be implemented.

Sec. 6. **HOSPITAL CONSTRUCTION MORATORIUM EXEMPTION; EFFECTIVE DATE.**

Laws 2004, chapter 187, is effective July 1, 2004.

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Sec. 7. REPEALER.

Minnesota Statutes 2003 Supplement, section 144.1202, subdivision 4, is repealed.

Sec. 8. EFFECTIVE DATE.

Sections 1 to 7 are effective the day following final enactment.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 8:10 a.m.

CHAPTER 237—S.F.No. 2696**VETOED**

CHAPTER 238—S.F.No. 2241

An act relating to state government operations; appropriating money for technology projects.

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

Section 1. APPROPRIATION.

(a) The commissioner of finance must transfer any outstanding balance from the expired technology enterprise fund to the general fund.

(b) \$117,000 in fiscal year 2004 is appropriated from the general fund to the commissioner of administration for the purpose of completing small agency infrastructure and electronic government services projects funded through the technology enterprise fund and underway but not completed when Minnesota Statutes, section 16E.09, was repealed in 2003. This appropriation is available until June 30, 2005.

EFFECTIVE DATE. This section is effective the day following final enactment.

Presented to the governor May 15, 2004

Signed by the governor May 19, 2004, 2:00 p.m.

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