

**Sec. 2. EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor April 22, 2005

Signed by the governor April 26, 2005, 11:20 a.m.

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**CHAPTER 31—S.F.No. 1116**

*An act relating to natural resources; requiring lifejackets for children aboard watercraft; amending Minnesota Statutes 2004, section 86B.501, by adding a subdivision.*

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

Section 1. Minnesota Statutes 2004, section 86B.501, is amended by adding a subdivision to read:

Subd. 3. **GRANT ALLEN LAW; LIFEJACKET REQUIRED FOR CHILDREN.** (a) No person may operate a watercraft under way with a child under ten years of age aboard unless the child is:

(1) wearing an appropriate personal flotation device approved under subdivision 1; or

(2) below the top deck or in an enclosed cabin.

(b) Paragraph (a) does not apply to commercial watercraft where the child is a passenger and the operator is licensed by the state of Minnesota or the United States Coast Guard to carry passengers for hire. Paragraph (a) also does not apply if the watercraft is anchored for the purpose of swimming or diving.

(c) A first violation of this subdivision prior to May 1, 2006, shall not result in a penalty, but is punishable only by a safety warning.

(d) Any violation other than a violation addressed in paragraph (c) is to be considered a petty misdemeanor.

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

Presented to the governor May 2, 2005

Signed by the governor May 5, 2005, 3:00 p.m.

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**CHAPTER 32—S.F.No. 453**

*An act relating to auctioneers; modifying auctioneer license numbering requirements for county auditors; amending Minnesota Statutes 2004, sections 330.01, subdivision 1; 330.08.*

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

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

Section 1. Minnesota Statutes 2004, section 330.01, subdivision 1, is amended to read:

Subdivision 1. **GENERALLY.** (a) The county auditor may license any person having the qualifications specified in clause (b) of this subdivision as an auctioneer. The license shall be issued by the auditor and shall authorize the licensee to conduct the business of an auctioneer in the state of Minnesota for the period of one year. It shall be recorded by the auditor in a book kept for that purpose. The license must specify the county issuing the license and must contain a number that individually identifies the auctioneer holding the license. Before the license is issued the applicant shall pay into the county treasury a fee of \$20.

(b) A natural person is qualified to be licensed as an auctioneer if 18 years of age or over and a resident of the county of application for at least six months immediately preceding the date of application. No copartnership, association or corporation may be licensed as an auctioneer. However, nothing in this subdivision shall be construed as preventing auctioneers who are duly licensed in accordance with the provisions of this chapter, from combining in associations, copartnerships, or corporations, provided that each and every member of these associations or copartnerships and each and every person or agent conducting auction sales on behalf of these corporations is a duly licensed auctioneer as provided in this chapter. Nothing herein shall be construed to apply to the owner of property for at least six months selling it at an auction.

Sec. 2. Minnesota Statutes 2004, section 330.08, is amended to read:

#### 330.08 ADVERTISEMENTS.

All advertisements of auction sales shall carry the name or names, address or addresses, and the license number or numbers of the auctioneer or auctioneers conducting said sales. The license number must be assigned by the county auditor and must be a seven-digit number, the first two digits of which must be the county number, the next two digits of which must be the last two digits of the calendar year in which the license was issued, and the last three digits of which must start at 001 at the beginning of each calendar year and indicate the order in which the license was filed.

#### Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 2, 2005

Signed by the governor May 5, 2005, 3:05 p.m.

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### CHAPTER 33—S.F.No. 180

*An act relating to education; providing for parent discretion in classroom placement of children of multiple birth; proposing coding for new law in Minnesota Statutes, chapter 120A.*

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