

means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: ditch digging apparatus, moving dollies, pump hoists and other water well drilling equipment registered under chapter 103I, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carryalls, scrapers, power shovels, drag lines, self-propelled cranes, and earth moving equipment. The term does not include travel trailers, dump trucks, truck mounted transit mixers, truck mounted feed grinders, or other motor vehicles designed for the transportation of persons or property to which machinery has been attached.

Sec. 2. Minnesota Statutes 1988, section 168.012, subdivision 5, is amended to read:

Subd. 5. Motor vehicles, which are used only for the purpose of carrying sawing machines; well drilling machines, pump hoists, and other equipment registered under chapter 103I; barn sprayers or corn shellers permanently attached to them, shall not be subject to the registration tax as herein provided, but shall be listed for taxation as personal property as provided by law.

Sec. 3. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor March 30, 1990

Signed by the governor April 3, 1990, 8:36 p.m.

**CHAPTER 386—S.F.No. 2383**

*An act relating to cities; permitting the establishment of boundary commissions; proposing coding for new law in Minnesota Statutes, chapter 465.*

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

**Section 1. [465.79] ESTABLISHMENT OF BOUNDARY COMMISSION.**

Subdivision 1. CITY COUNCIL. By resolution, the city council of a statutory or home rule charter city may create a boundary commission. Members of the commission shall be residents of the county or counties in which the city is located who are familiar with real property.

Subd. 2. DUTIES OF BOUNDARY COMMISSION. The boundary commission shall review metes and bounds descriptions within the city. Upon

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

notice to all known parties in interest, the commission shall attempt to establish agreements between adjoining landowners as to the location of common boundaries. If agreement cannot be reached, the commission shall make a recommendation as to the location of the common boundary. The commission shall prepare a plan designating all agreed and recommended boundary lines and report to the city council.

Subd. 3. HEARING. Upon receipt of the plan and a report from the commission, the city council shall hold a public hearing. The council shall give mailed notice to all known parties in interest and published notice 20 days prior to the hearing. The council shall hear all interested parties and may make adjustments to the proposed plan that it deems just and necessary.

Subd. 4. JUDICIAL REVIEW. Following hearing, the council may petition the district court for judicial approval of the proposed plan. The council shall provide sufficient information to identify all parties in interest and shall give notice to parties in interest as the court may order. The court shall determine the location of any contested, disputed, or unagreed boundary and shall determine adverse claims to each parcel as provided in Minnesota Statutes, chapter 559. After hearing and determining all disputes, the court shall issue its judgment in the form of a plat complying with Minnesota Statutes, chapter 505 and designating the owners and encumbrancers of each lot.

Subd. 5. SPECIAL ASSESSMENTS. The city may assess part or all of the cost incurred by it against the benefited properties as provided in Minnesota Statutes, chapter 429.

Presented to the governor March 30, 1990

Signed by the governor April 3, 1990, 8:37 p.m.

#### CHAPTER 387—S.F.No. 1968

*An act relating to pet or companion animals; permitting restrictions to be imposed on persons convicted of mistreating animals; amending Minnesota Statutes 1988, section 343.21, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1988, section 343.21, is amended by adding a subdivision to read:

Subd. 10. RESTRICTIONS. If a person is convicted of violating this section, the court may require that a pet or companion animal, as defined in section 346.36, subdivision 6, that is in the custody of the person must be turned over to a peace officer or other appropriate officer or agent if the court determines that the person is unable or unfit to provide adequately for the animal. If the evidence indicates lack of proper and reasonable care of the animal, the burden is on the person to affirmatively demonstrate by clear and convincing evidence that the person is able and fit to have custody of and provide adequately for the animal. The court may limit the person's further possession or custody of the animal and other pet or companion animals, and

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