

CHAPTER 396—H.F.No. 2834

An act relating to watercraft; modifying the requirements for operation of a motor boat by a youth; modifying the provisions for operation of a personal watercraft by a youth; requiring an advisory group report; amending Minnesota Statutes 1994, sections 86B.305, subdivisions 1 and 2; and 86B.313, subdivision 2.

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

Section 1. **TITLE.**

This act shall be called the "Aaron Sahli child boating safety act."

Sec. 2. Minnesota Statutes 1994, section 86B.305, subdivision 1, is amended to read:

Subdivision 1. **UNDER AGE 12.** (a) Except in case of an emergency, a person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 30 25 horsepower unless there is present in the watercraft, in addition to the operator, ~~the operator's parent or legal guardian or~~ at least one person ~~of the age 18 21~~ or older who is within immediate reach of the controls of the motor. For purposes of section 86B.331, the person age 21 or older, as well as the actual operator, is in physical control of the motorboat.

(b) A person under age 12 may not operate or be allowed to operate a watercraft propelled by a motor with a factory rating of more than 75 horsepower.

Sec. 3. Minnesota Statutes 1994, section 86B.305, subdivision 2, is amended to read:

Subd. 2. **AGE 12 TO 17; PERMIT REQUIRED.** Except as provided in this subdivision, a person age 12 or older and younger than age 18 may not operate a motorboat powered by a motor over 30 25 horsepower without possessing a valid watercraft operator's permit from this state or from the operator's state of residence unless there is a person ~~age 18 21~~ or older in the motorboat who is within immediate reach of the controls of the motor. For purposes of section 86B.331, the person age 21 or older, as well as the actual operator, is in physical control of the motorboat.

Sec. 4. Minnesota Statutes 1994, section 86B.313, subdivision 2, is amended to read:

Subd. 2. **AGE OF OPERATOR.** Except in the case of an emergency, a person under the age of 13 years may not operate or be permitted to operate a personal watercraft, regardless of horsepower, ~~unless there is a person 18 years of age or older on board the craft.~~ It is unlawful for the owner of a personal watercraft to permit the personal watercraft to be operated contrary to this subdivision.

Sec. 5. **ADVISORY GROUP REPORT.**

The department of natural resources shall continue its work with a boating advisory panel, consisting of members from the marine industry, boat dealers, shoreland owners, county sheriffs, boat user groups, legislators, and department representatives to review boating safety issues. The department shall report back to the chairs of the senate and

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

house environment and natural resources committees with any recommendations for legislative changes by January 15, 1997.

Sec. 6. EFFECTIVE DATE.

Sections 2, paragraph (b), 4, and 5 are effective May 1, 1996. The remainder of this act is effective January 1, 1997.

Presented to the governor March 29, 1996

Signed by the governor April 1, 1996, 11:03 a.m.

CHAPTER 397—H.F.No. 2519

An act relating to the environment; increasing the amount of reimbursement available for cleanup of petroleum releases by certain responsible persons; requiring corrective action performance audits in certain circumstances; exempting petroleum tank cleanup contracts from certain spending limitations; amending Minnesota Statutes 1995 Supplement, sections 115C.08, subdivision 4; and 115C.09, subdivision 3; Laws 1995, chapter 254, article 1, section 93; proposing coding for new law in Minnesota Statutes, chapter 115C.

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

Section 1. Minnesota Statutes 1995 Supplement, section 115C.08, subdivision 4, is amended to read:

Subd. 4. **EXPENDITURES.** (a) Money in the fund may only be spent:

(1) to administer the petroleum tank release cleanup program established in this chapter;

(2) for agency administrative costs under sections 116.46 to 116.50, sections 115C.03 to 115C.06, and costs of corrective action taken by the agency under section 115C.03, including investigations;

(3) for costs of recovering expenses of corrective actions under section 115C.04;

(4) for training, certification, and rulemaking under sections 116.46 to 116.50;

(5) for agency administrative costs of enforcing rules governing the construction, installation, operation, and closure of aboveground and underground petroleum storage tanks;

(6) for reimbursement of the harmful substance compensation account under subdivision 5 and section 115B.26, subdivision 4; and

(7) for administrative and staff costs as set by the board to administer the petroleum tank release program established in this chapter; and

(8) for corrective action performance audits under section 115C.093.

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