

CHAPTER 37—H.F.No. 958

An act relating to local government; providing that St. Louis county may attach certain unorganized territory to the town of White without a petition of residents.

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

Section 1. COUNTY MAY ATTACH TERRITORY TO TOWN WITHOUT PETITION.

Notwithstanding Minnesota Statutes, section 379.02, the St. Louis county board may, on its own motion, and without a petition attach sections 1, 12, 13, 24, 25, and 36 of Township 59 North, Range 16 West of the 4th principal meridian, to the Town of White, as otherwise provided in Minnesota Statutes, chapter 379.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day after its final enactment.

Presented to the governor April 15, 1997

Signed by the governor April 16, 1997, 1:59 p.m.

CHAPTER 38—H.F.No. 1382

An act relating to boilers; modifying show boiler and engine provisions; amending Minnesota Statutes 1996, section 183.411, subdivisions 1, 2, and 3.

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

Section 1. Minnesota Statutes 1996, section 183.411, subdivision 1, is amended to read:

Subdivision 1. **DEFINITION.** For the purpose of this section chapter, the terms "stationary show boiler" and "hobby boiler" means are synonymous and mean a boiler that is used only for display and demonstration purposes. In recognition of the historical significance of show boilers in maintaining a working reminder of Minnesota's agricultural, transportation, and lumber industries, show boilers and engines are considered to be historical artifacts.

Sec. 2. Minnesota Statutes 1996, section 183.411, subdivision 2, is amended to read:

Subd. 2. **INSPECTION.** When used only for display and demonstration purposes, steam farm traction engines, portable and stationary show engines and portable and stationary show boilers shall be inspected every two years according to law.

(a) Show boilers or show engines of lap seam construction not certified in Minnesota or previously certified in Minnesota but that have been repaired or altered after certification, may be certified in Minnesota if:

New language is indicated by underline, deletions by strikeout.

(1) all alterations have been done in accordance with American National Standard ANSI/NB23 R-404 or R-505; or

(2) form R-1, report of alteration, has been prepared by a registered professional engineer with verification by the authorized inspection agency responsible for the in-service inspection of the object in accordance with American National Standard ANSI/NB23 R-502; or

(3) the engine has received a certificate allowing operation, or repairs have been authorized under American National Standard ANSI/NB23 R-404.1, R-404.2, or R-404.3 in Minnesota or another jurisdiction that accepts the provisions of American National Standard ANSI/NB23 and an inspection has been completed by an inspector certified in Minnesota according to the standards set in paragraph (b).

(b) A hobby boiler or show engine, not certified in Minnesota or any other jurisdiction must successfully complete, at the owner's expense, inspection by:

(1) full radiographic examination or ultrasonic examination or dye-penetrant examination or none of the above, at the discretion of the boiler inspector, of the long or longitudinal seam of lap-seam construction; and shall be inspected thoroughly by a boiler inspector certified to inspect boilers in Minnesota, using inspection standards in paragraph (b), before being certified for use in Minnesota.

(b) Standards for inspection of show boilers shall be those established by the National Board Inspection Code ANSI/NB23 and by the rules adopted by the department of labor and industry, division of boiler inspection, and as follows:

(1) the boiler shall be subjected to the appropriate method of nondestructive examination, at the owner's expense, as deemed necessary by the boiler inspector to determine soundness and safety of the boiler;

(2) the boiler shall be tested by ultrasonic examination for metal thickness (for purposes of calculating the maximum allowable working pressure the thinnest reading shall be used - see also American National Standard ANSI/NB23 I-303.8 and a safety factor of six shall be used in calculating maximum allowable working pressure on all non-ASME-code hobby and show boilers); and

(3) magnetic particle or radiographic examination of areas where dye penetrant testing shows possible cracks; and

(4) hydrostatic testing at 1-1/2 maximum allowable working pressure; and

(3) repairs and alterations made to show boilers must be made pursuant to section 183.466.

(c) Further each such object shall successfully complete an inspection of:

(1) the fusible plug;

(2) the safety valve, which must be of American Society of Mechanical Engineer's approved design and set at the maximum allowable working pressure and sealed in an appropriate manner not allowing tampering with the valve setting without destroying the seal; and

(3) the boiler power piping.

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

Any longitudinal cracks found in riveted longitudinal seams requires that the vessel be sealed and not approved for use in Minnesota. If the boiler or show engine is jacketed, the jacket must be removed prior to inspection.

Sec. 3. Minnesota Statutes 1996, section 183.411, subdivision 3, is amended to read:

Subd. 3. **LICENSES.** A license to operate steam farm traction engines, portable and stationary show engines and portable and stationary show boilers shall be issued to an applicant who:

(a) is 18 years of age or older;

(b) has ~~two~~ a licensed second class, grade A engineers or higher class engineer or steam traction engineers, ~~or any combination thereof, co~~sign (hobby) engineer sign the application; affidavit attesting to the applicant's competence in operating said devices;

(c) passes a written test for competence in operating said devices;

(d) has at least 25 hours of actual operating experience on said devices; and

(e) pays the required fee.

A license shall be valid for the lifetime of the licensee. A one time fee set by the commissioner pursuant to section 16A.1285, shall be charged for the license.

Presented to the governor April 15, 1997

Signed by the governor April 16, 1997, 2:02 p.m.

CHAPTER 39—S.F.No. 227

An act relating to local government; providing for the distribution of certain federal payments; amending Minnesota Statutes 1996, section 471.653.

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

Section 1. Minnesota Statutes 1996, section 471.653, is amended to read:

471.653 DISTRIBUTION OF CERTAIN FEDERAL PAYMENTS.

Federal payment in lieu of taxes on entitlement lands made pursuant to United States Code, title 31, sections 6901 to 6906 must be transferred by a county to the home rule or statutory city or town where the entitlement land is located if the county board determines that the statutory or home rule city or town is the principal provider of one or more governmental services affecting the use of entitlement lands and if the total annual federal payment to the county is \$5,000 or more. The county board shall make its determination based on factors which must include: (1) whether the city or town has at least 60 acres of land within the entitlement lands; (2) whether city or town roads are the primary access to the entitlement lands; and (3) whether the city or town provides one or more specific services to the entitlement lands such as fire protection, police protection, and search and rescue services; and (4) ~~whether the city or town is primarily responsible for,~~ or land use planning and official controls.

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