

CHAPTER 333—H.F.No. 2940

An act relating to the environment; modifying the drycleaner environmental response and reimbursement law; amending Minnesota Statutes 1998, section 115B.49, subdivision 4, as amended, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1998, section 115B.49, subdivision 4, as amended by Laws 1999, chapter 250, article 3, section 15, is amended to read:

Subd. 4. **REGISTRATION; FEES.** (a) The owner or operator of a drycleaning facility shall register on or before July ~~October~~ 1 of each year with the commissioner of revenue in a manner prescribed by the commissioner of revenue and pay a registration fee for the facility. The amount of the fee is:

- (1) \$500, for facilities with a full-time equivalence of fewer than five;
- (2) \$1,000, for facilities with a full-time equivalence of five to ten; and
- (3) \$1,500, for facilities with a full-time equivalence of more than ten.

(b) A person who sells drycleaning solvents for use by drycleaning facilities in the state shall collect and remit to the commissioner of revenue in a manner prescribed by the commissioner of revenue, on or before the 20th day of the month following the month in which the sales of drycleaning solvents are made, a fee of:

(1) \$3.50 for each gallon of perchloroethylene sold for use by drycleaning facilities in the state; and

(2) 70 cents for each gallon of hydrocarbon-based drycleaning solvent sold for use by drycleaning facilities in the state.

(c) To enforce this subdivision, the commissioner of revenue may examine documents, assess and collect fees, conduct investigations, issue subpoenas, grant extensions to file returns and pay fees, impose penalties and interest on the annual registration fee under paragraph (a) and the monthly fee under paragraph (b), abate penalties and interest, and administer appeals, in the manner provided in chapters 270 and 289A. The penalties and interest imposed on taxes under chapter 297A apply to the fees imposed under this subdivision. Disclosure of data collected by the commissioner of revenue under this subdivision is governed by chapter 270B.

Sec. 2. Minnesota Statutes 1998, section 115B.49, is amended by adding a subdivision to read:

Subd. 4a. INTERIM FEES. For the period from July 1, 1999, to June 30, 2001, the commissioner shall, after a public hearing, but notwithstanding section 16A.1285,

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subdivision 4, annually adjust the fees in subdivision 4 as necessary to maintain an annual income of \$650,000. This income amount supersedes the amount described in Minnesota Statutes 1998, section 115B.49, subdivision 4, paragraph (c), clause (3), that is in effect until July 1, 2001.

Sec. 3. **EFFECTIVE DATE.**

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

Presented to the governor March 31, 2000

Signed by the governor April 4, 2000, 3:45 p.m.

CHAPTER 334—S.F.No. 2511

An act relating to transportation; allowing entry on property for examination and survey; allowing towns to recover certain costs incurred in establishing cartways; amending Minnesota Statutes 1998, sections 164.07, by adding a subdivision; and 164.08, subdivision 2.

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

Section 1. Minnesota Statutes 1998, section 164.07, is amended by adding a subdivision to read:

Subd. 13. ENTRY ON LAND FOR PROPERTY EXAMINATIONS AND SURVEYS. For the purposes of this section and section 164.08, the town board, its employees or agents, may enter upon any property, public or private, to conduct property examinations and surveys. This subdivision does not grant immunity to the town board, its employees, or agents for damage caused to public or private property as the result of an entry onto the property.

Sec. 2. Minnesota Statutes 1998, section 164.08, subdivision 2, is amended to read:

Subd. 2. MANDATORY ESTABLISHMENT; CONDITIONS. Upon petition presented to the town board by the owner of a tract of land containing at least five acres, who has no access thereto except over the lands of others, or whose access thereto is less than two rods in width, the town board by resolution shall establish a cartway at least two rods wide connecting the petitioner's land with a public road. A town board shall establish a cartway upon a petition of an owner of a tract of land that, as of January 1, 1998, was on record as a separate parcel, contained at least two but less than five acres, and has no access thereto except over the lands of others. The town board may select an alternative route other than that petitioned for if the alternative is deemed by the town board to be less disruptive and damaging to the affected landowners and in the public's best interest. In an unorganized territory, the board of county commissioners of the county in which the tract is located shall act as the town board. The proceedings of the town board shall be in accordance with section 164.07.

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