

- (i) movement of all mobile equipment to an area above the high water mark;
- (ii) drainage of water from all bins, mills, thickeners, storage tanks, water lines, and slurry lines; and
- (iii) the emptying and cleaning of all tailings handling equipment, including thickeners, pipes, belts, and bins;
- (2) health, safety, and security, including:
 - (i) security of any blasting materials and hazardous materials;
 - (ii) provisions for fire prevention; and
 - (iii) staffing for security;
- (3) maintenance of mine, plant facilities, and tailing basins, including:
 - (i) supplying heat or cooling where needed;
 - (ii) maintenance of utility lines needed to support the property;
 - (iii) maintenance of mills, grates, kilns, coolers, and other machinery in running condition;
 - (iv) taking dust prevention measures; and
 - (v) maintenance of tailings dikes, water level controls, water run-off control structures, and erosion controls;
- (4) compliance with all permit requirements; and
- (5) a schedule for reporting periodically to the state on all maintenance activities and any plans to liquidate assets.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor May 23, 2003

Signed by the governor May 25, 2003, 10:55 p.m.

CHAPTER 114—S.F.No. 230

An act relating to landlords and tenants; modifying the time period for serving a summons and scheduling a hearing for a housing violation; amending Minnesota Statutes 2002, section 504B.401.

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

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

Section 1. Minnesota Statutes 2002, section 504B.401, is amended to read:

504B.401 SUMMONS.

Subdivision 1. **CONTENTS.** (a) On receipt of the complaint in section 504B.395, the court administrator shall prepare a summons. The summons shall:

- (1) specify the time and place of the hearing to be held on the complaint; and
- (2) state that if at the time of the hearing a defense is not interposed and established by the landlord, judgment may be entered for the relief requested and authorized by sections 504B.381 and 504B.395 to 504B.471.

(b) The hearing must be scheduled not less than five seven nor more than ~~ten~~ 14 days after receipt of the complaint by the court administrator.

Subd. 2. **SERVICE.** The summons and complaint must be served upon the landlord or the landlord's agent not less than five seven nor more than ~~ten~~ 14 days before the hearing. Service shall be by personal service upon the defendant pursuant to the Minnesota Rules of Civil Procedure. If personal service cannot be made with due diligence, service may be made by affixing a copy of the summons and complaint prominently to the residential building involved, and mailing at the same time a copy of the summons and complaint by certified mail to the last known address of the landlord.

Presented to the governor May 23, 2003

Signed by the governor May 25, 2003, 10:40 p.m.

CHAPTER 115—S.F.No. 421

An act relating to the city of Minneapolis; providing for the establishment of certain positions in the unclassified service of the city of Minneapolis by the Minneapolis city council.

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

Section 1. CITY OF MINNEAPOLIS; UNCLASSIFIED SERVICE.

Notwithstanding a provision of the Minneapolis city charter, civil service rule, or a general or special law or rule to the contrary, the Minneapolis city council may by ordinance establish positions in the unclassified service of the city of Minneapolis and may authorize terms and conditions of employment for the positions. Positions established under this section must meet the following criteria:

(1) the person occupying the position must report directly to the head of a city department or the department head's deputy;

(2) the person occupying the position must be part of the department head's management team;

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