

Sec. 4. Minnesota Statutes 2002, section 463.16, is amended to read:

463.16 REPAIR OR REMOVE HAZARDOUS PROPERTY CONDITION.

The governing body of any ~~city or town~~ municipality may order the owner of any hazardous building or property within the municipality to correct or remove the hazardous condition of the building or property or to raze or remove the building.

Sec. 5. Minnesota Statutes 2002, section 463.161, is amended to read:

463.161 ABATEMENT.

In the manner prescribed in section 463.21 the governing body of any ~~city or town~~ municipality may correct or remove the hazardous condition of any hazardous building or property; the cost of which shall be charged against the real estate as provided in section 463.21 except the governing body may provide that the cost so assessed may be paid in not to exceed five equal annual installments with interest therein, at eight percent per annum.

Sec. 6. Minnesota Statutes 2002, section 463.25, is amended to read:

463.25 HAZARDOUS EXCAVATIONS.

If in any ~~city~~ municipality, an excavation for building purposes is left open for more than six months without proceeding with the erection of a building thereon, whether or not completed, or if any excavation or basement is not filled to grade or otherwise protected after a building is destroyed, demolished or removed, the governing body may order such excavation to be filled or protected or in the alternative that erection of a building begin forthwith if the excavation is for building purposes. The order shall be served upon the owner or the owner's agent in the manner provided by section 463.17. If the owner of the land fails to comply with the order within 15 days after the order is served, the governing body shall cause the excavation to be filled to grade or protected and the cost shall be charged against the real estate as provided in section 463.21.

Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 6 are effective the day following final enactment.

Presented to the governor March 30, 2004

Signed by the governor April 2, 2004, 12:57 p.m.

CHAPTER 148—H.F.No. 2878

An act relating to state observances; designating Dr. Norman E. Borlaug World Food Prize Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

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

Section 1. [10.59] DR. NORMAN E. BORLAUG WORLD FOOD PRIZE DAY.

October 16 is designated as Dr. Norman E. Borlaug World Food Prize Day, in honor of the heroic contributions to humanity of Nobel Peace Prize laureate Dr. Norman E. Borlaug, whose work in agriculture has resulted in saving millions of human lives by averting famine and alleviating hunger and malnutrition. The governor may take any action necessary to promote and encourage the observance of Dr. Norman E. Borlaug World Food Prize Day and public schools may offer instruction and programs on the occasion.

Presented to the governor March 30, 2004

Signed by the governor April 2, 2004, 1:00 p.m.

CHAPTER 149—S.F.No. 40

An act relating to civil actions; graffiti; allowing the recovery of damages for graffiti; proposing coding for new law in Minnesota Statutes, chapter 617.

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

Section 1. [617.90] GRAFFITI DAMAGE ACTION.

Subdivision 1. DEFINITION. For purposes of this section "graffiti" means unauthorized markings of paint, dye, or other similar substance that have been placed on real or personal property such as buildings, fences, transportation equipment, or other structures, or the unauthorized etching or scratching of the surfaces of such real or personal property, any of which markings, scratchings, or etchings are visible from premises open to the public.

Subd. 2. CAUSE OF ACTION. An action for damage to property caused by graffiti may be brought by the owner of public or private property on which graffiti has been placed. Damages may be recovered for three times the cost of restoring the property, or the court may order a defendant to perform the work of restoring the property. Damages may be recovered from an individual who placed graffiti on public or private real or personal property or from the parent of a minor individual. The liability of the parent is limited to the amount specified in section 540.18. The court may award attorney fees and costs to a prevailing plaintiff.

Sec. 2. EFFECTIVE DATE; APPLICATION. .

Section 1 is effective August 1, 2003, and applies to causes of action arising on or after that date.

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