

mine pits provided the proposer demonstrates through an environmental impact statement and risk assessment that the deposition will not pose an unreasonable risk of pollution or degradation of groundwater.

Presented to the governor April 12, 2004

Signed by the governor April 14, 2004, 4:05 p.m.

CHAPTER 158—H.F.No. 3005

An act relating to elections; changing times for voting on changing county seats; amending Minnesota Statutes 2002, section 372.07.

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

Section 1. Minnesota Statutes 2002, section 372.07, is amended to read:

372.07 CONDUCT OF ELECTION.

As far as practicable the election shall be conducted, and the votes cast, counted, returned, and canvassed, by the same officials and under the same provisions of law as in the case of general elections. The polls shall be opened at ~~8:00~~ 7:00 a.m. and closed at ~~5:00~~ 8:00 p.m. The ballots shall include the words: "For changing the county seat to (here name the place). Yes. No," with a square opposite each of the words "yes" and "no," in which the voter may make a cross to indicate the voter's choice.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor April 12, 2004

Signed by the governor April 14, 2004, 4:00 p.m.

CHAPTER 159—S.F.No. 1614

An act relating to animals; criminalizing certain harm caused to a service animal by a dog; requiring restitution; clarifying civil liability; imposing a criminal penalty; amending Minnesota Statutes 2002, section 609.226, subdivision 3, by adding a subdivision.

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

Section 1. Minnesota Statutes 2002, section 609.226, subdivision 3, is amended to read:

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

Subd. 3. **DEFENSE.** If proven by a preponderance of the evidence, it shall be an affirmative defense to liability under this section subdivision 1 or 2 that the victim provoked the dog to cause the victim's bodily harm.

Sec. 2. Minnesota Statutes 2002, section 609.226, is amended by adding a subdivision to read:

Subd. 4. **HARM TO SERVICE ANIMAL CAUSED BY DOG; CRIME, MANDATORY RESTITUTION.** (a) As used in this subdivision, "service animal" means an animal individually trained or being trained to do work or perform tasks for the benefit of an individual with a disability.

(b) A person who negligently or intentionally (1) permits the person's dog to run uncontrolled off the person's premises, or (2) fails to keep the person's dog properly confined or controlled; and as a result the dog causes bodily harm to a service animal or otherwise renders a service animal unable to perform its duties, is guilty of a misdemeanor.

(c) The court shall order a person convicted of violating this subdivision to pay restitution for the costs and expenses resulting from the crime. Costs and expenses include, but are not limited to, the service animal user's loss of income, veterinary expenses, transportation costs, and other expenses of temporary replacement assistance services, and service animal replacement or retraining costs incurred by a school, agency, or individual. If the court finds that the convicted person is indigent, the court may reduce the amount of restitution to a reasonable level or order it paid in installments.

(d) This subdivision does not preclude a person from seeking any available civil remedies for an act that violates this subdivision.

Sec. 3. **EFFECTIVE DATE.**

Sections 1 and 2 are effective August 1, 2004, and apply to crimes committed on or after that date.

Presented to the governor April 15, 2004

Signed by the governor April 19, 2004, 1:35 p.m.

CHAPTER 160—S.F.No. 2626

An act relating to veterans homes; extending certain leasing authority.

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

Section 1. **EXTENDED LEASING AUTHORITY; HASTINGS.**

Subdivision 1. LEASE; TERM. Notwithstanding any contrary limitations contained in Minnesota Statutes, section 16B.24, subdivision 5, paragraph (a), the

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