

(3) how the advisory committee will participate in review and implementation of the rules;

(4) provisions for alternative systems;

(5) provisions for handling and disposal of effluent;

(6) provisions for system abandonment; and

(7) procedures for variances, including the consideration of variances based on cost and variances that take into account proximity of a system to other systems.

(b) The agency shall consult with the advisory committee before adopting rules under this subdivision.

(c) Notwithstanding the repeal of the agency rule under which the commissioner has established a list of warrantied individual sewage treatment systems, the warranties for all systems so listed as of the effective date of the repeal shall continue to be valid for the remainder of the warranty period.

(d) The rules required in paragraph (a) must also address the following:

(1) a definition of redoximorphic features and other criteria that can be used by system designers and inspectors;

(2) direction on the interpretation of observed soil features that may be redoximorphic and their relation to zones of seasonal saturation; and

(3) procedures on how to resolve professional disagreements on seasonally saturated soils.

These rules must be in place by March 31, 2006.

Presented to the governor May 18, 2004

Signed by the governor May 28, 2004, 5:22 p.m.

---

#### CHAPTER 250—H.F.No. 2737

*An act relating to municipal airports; requiring notice to commissioner of transportation and public notice and hearing before final closure of municipal airport; proposing coding for new law in Minnesota Statutes, chapter 360.*

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

#### Section 1. **[360.046] REQUIREMENTS FOR CLOSURE OF MUNICIPAL AIRPORT.**

Subdivision 1. DEFINITION OF MUNICIPAL AIRPORT. For the purposes of this section, "municipal airport" is an airport owned by a county, city, town, or joint powers board within the meaning of section 360.042, exclusive of an airport formed

New language is indicated by underline, deletions by strikeout.

and operated by the Metropolitan Airports Commission pursuant to sections 473.601 to 473.680.

**Subd. 2. NOTICE OF INTENT TO CLOSE PROVIDED TO COMMISSIONER.** The owner of a municipal airport shall provide written notice to the commissioner of intent to close the airport. Notice must be provided to the commissioner before or immediately upon cessation of operations at the airport.

**Subd. 3. PRESERVATION OF AIRPORT PROPERTY; PENALTY.** For 180 days following receipt by the commissioner of the notice described in subdivision 2, the municipality may not abandon, significantly alter, demolish, or convey airport property. The commissioner must assess a municipality that is in violation a civil penalty of \$1,000 for each day of the 180-day period that it remains in violation. Proceeds of the penalty must be deposited in the state airports fund.

**Subd. 4. PUBLIC NOTICE AND HEARING.** The owner of a municipal airport shall schedule a public hearing to take place within 90 days following the giving of notice to the commissioner of intent to close. The owner of the airport shall provide public notice within the municipality served by the airport a minimum of 30 days before the hearing. At the hearing, the municipality shall present information concerning the airport closing, and the public must have the opportunity to comment.

**Subd. 5. IMPACT EVALUATION.** Before the public hearing, the commissioner shall prepare a written evaluation of the impact on the airport system of the closure of the municipal airport. The commissioner shall make the evaluation available to the municipality and to the public in advance of the hearing.

Presented to the governor May 18, 2004

Signed by the governor May 28, 2004, 5:07 p.m.

#### CHAPTER 251—S.F.No. 1836

*An act relating to state government; the Office of the Secretary of State; simplifying filing procedures; eliminating certain filing requirements; regulating notary appointments and commissions; appropriating money; amending Minnesota Statutes 2002, sections 184.30; 302A.821, subdivisions 1, 2, 4; 308A.995, subdivision 5; 317A.823, subdivision 1; 322B.960, subdivisions 1, 2, 5; 325A.06, subdivision 1; 326.40, subdivision 2; 326.48, subdivision 3; 330.01, subdivision 1; 330.08; 330.09; 336.9-525; 340A.416, subdivision 4; 359.01; 359.071; 398.10; Minnesota Statutes 2003 Supplement, section 308B.121, subdivision 5.*

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

Section 1. Minnesota Statutes 2002, section 184.30, is amended to read:

**184.30 BONDS.**

Subdivision 1. Every application for an employment agency's license must be accompanied by a surety bond approved by the department in the amount of \$10,000

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