

CHAPTER 272—H.F.No. 841

An act relating to utilities; providing for prevention of unlawful meter bypass, tampering, and use; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Section 1. **[325E.026] UNAUTHORIZED USE OF UTILITY METERS.**

Subdivision 1. DEFINITIONS. When used in this section, the terms defined in section 216B.02 have the same meanings. Other terms used in this section have the following meanings:

(a) "Bypassing" means the act of attaching, connecting, or otherwise affixing a wire, cord, socket, pipe, hose, motor, or other instrument or device to utility or customer-owned facilities or equipment so that service provided by the utility is transmitted, supplied, or used without passing through a meter authorized by the utility for measuring or registering the amount of service provided.

(b) "Tampering" means damaging, altering, adjusting, or obstructing the operation of a meter or submeter provided by a utility for measuring or registering the amount of electricity, natural gas, or other utility service passing through the meter.

(c) "Unauthorized connection" means the physical connection or physical reconnection of utility service by a person without the authorization or consent of the utility.

(d) "Unauthorized metering" means removing, installing, connecting, reconnecting, or disconnecting a meter, submeter, or metering device for service by a utility, by a person other than an authorized employee or agent of the utility.

(e) "Utility" means a public utility defined in section 216B.02, subdivision 4; a municipal utility; or a cooperative electric association organized under chapter 308.

Subd. 2. CIVIL ACTIONS; REMEDIES. A utility may bring a civil action for damages against a person who: (1) deliberately commits, authorizes, attempts, solicits, aids, or abets bypassing, tampering, unauthorized connection, or unauthorized metering that results in damages to the utility; or (2) knowingly receives service provided as a result of bypassing, tampering, unauthorized connection, or unauthorized metering. The utility may recover double the costs of the service provided; the costs and expenses for investigation, disconnection, reconnection, service calls, equipment, and employees; and the trial costs and witness fees.

Subd. 3. DAMAGES TO BENEFIT RATEPAYERS. Damages recovered under this section in excess of the actual damages sustained by a public utility regulated by the commission must be taken into account by the commission and

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applied for the benefit of the public utility's ratepayers in establishing utility rates.

Subd. 4. ADDITIONAL REMEDIES. The remedies provided in this section are supplemental and additional to other remedies or powers conferred by law and not in limitation of other civil or criminal statutory or common law remedies.

Approved May 28, 1987

CHAPTER 273—H.F.No. 854

An act relating to judgments; clarifying the procedure and cost for filing foreign judgments; clarifying the procedure to be used in securing a judgment and execution; amending Minnesota Statutes 1986, sections 548.27; 548.30; 549.09; and 550.04.

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

Section 1. Minnesota Statutes 1986, section 548.27, is amended to read:

548.27 FILING AND STATUS OF FOREIGN JUDGMENTS.

A certified copy of any foreign judgment authenticated in accordance with the act of Congress or the statutes of this state may be filed in the office of the court administrator of any district court of this state. The court administrator shall treat the foreign judgment in the same manner as a judgment of any district court or the supreme court of this state, and upon the filing of a certified copy of a foreign judgment in the office of the court administrator of district court of a county, it may not be filed in another district court in the state. A judgment so filed has the same effect and is subject to the same procedures, defenses and proceedings for reopening, vacating, or staying as a judgment of a district court or the supreme court of this state, and may be enforced or satisfied in like manner.

Sec. 2. Minnesota Statutes 1986, section 548.30, is amended to read:

548.30 FEES.

Any person filing a foreign judgment shall pay to the court administrator such amount as is determined by the judges of the court in which the judgment is filed the same fee as provided for filing a civil action in district court. Fees for docketing, transcription or other enforcement proceedings shall be as provided for judgments of any district court of this state.

Sec. 3. Minnesota Statutes 1986, section 549.09, is amended to read:

549.09 INTEREST ON VERDICTS AND JUDGMENTS.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.