

The charges required to be paid to any Minnesota transmission facility shall be related to the costs of establishing, operating, and maintaining such facility plus a reasonable return on those costs to the owner of the facility and may provide for amortization of development costs and capital expenditures over a reasonable period of time; provided such charges as may be separately determined and established from time to time by each Minnesota transmission facility are fair, equitable, and nondiscriminatory.

Sec. 3. Minnesota Statutes 1988, section 47.65, is amended by adding a subdivision to read:

Subd. 1b. Nothing in subdivision 1a shall prevent a corporation contracting with Minnesota state and local governmental units to provide electronic benefits transfer or electronic fund transfer services from utilizing their point of service terminals, networks, or attendant support systems for commercial purposes.

ARTICLE 4

INTERSTATE BANKING

Section 1. Minnesota Statutes 1988, section 48.92, subdivision 7, is amended to read:

Subd. 7. **RECIPROCATING STATE.** "Reciprocating state" is: (1) a state that authorizes the acquisition, directly or indirectly, or control of, banks in that state by a bank or bank holding company located in this state under conditions substantially similar to those imposed by the laws of Minnesota as determined by the commissioner; and (2) limited to the states of Iowa, North Dakota, South Dakota, Wisconsin, Colorado, Idaho, Illinois, Indiana, Kansas, Missouri, Montana, Nebraska, Washington, and Wyoming.

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 9:35 p.m.

CHAPTER 492—S.F.No. 2564

An act relating to criminal sexual conduct; expanding the definition of "sexual contact" in fifth degree criminal sexual conduct; amending Minnesota Statutes 1988, section 609.3451, subdivision 1.

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

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

Section 1. Minnesota Statutes 1988, section 609.3451, subdivision 1, is amended to read:

Subdivision 1. **CRIME DEFINED.** A person is guilty of criminal sexual conduct in the fifth degree if the person engages in nonconsensual sexual contact. For purposes of this section, "sexual contact" has the meaning given in section 609.341, subdivision 11, paragraph (a), clauses (i) and (iv), but does not include the intentional touching of the clothing covering the immediate area of the buttocks. "Sexual contact" also includes the intentional removal or attempted removal of clothing covering the complainant's intimate parts or undergarments, if the action is performed with sexual or aggressive intent.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 1990, and applies to crimes committed on or after that date.

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 9:38 p.m.

CHAPTER 493—S.F.No. 2092

An act relating to cities; regulating financial operations of municipal hospitals of statutory cities; changing the method of selection of the hospital board for St. Louis and Koochiching counties from election at large to appointment by the county boards; amending Minnesota Statutes 1988, section 412.221, subdivision 16; and Laws 1988, chapter 645, section 2.

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

Section 1. Minnesota Statutes 1988, section 412.221, subdivision 16, is amended to read:

Subd. 16. **HOSPITALS.** The council shall have power to provide hospitals. The council of any city operating a municipal hospital may by ordinance establish a hospital board with such powers and duties of hospital management and operation as the council confers upon it; and the council may, by vote of all five members, abolish any board so established. The board shall consist of five members, each appointed by the mayor with the consent of the council for a term of five years. Terms of the first members shall be so arranged that the term of one member expires each year. Any vacancy shall be filled for the unexpired portion of the term in which it occurs. Any member may be removed by the mayor with the consent of the council for cause after a hearing.

The council may by ordinance authorize the hospital board to establish a separate fund in the city treasury into which all of its revenues shall be deposit-

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