

(1) by the same tenant or lessee, or persons acting in conjunction with or under the control of the same tenant or lessee;

(2) within the same rental unit while occupied by the same tenant or lessee or within two or more rental units while occupied by the same tenant or lessee; or

(3) by the owner of the building or persons acting in conjunction with or under the control of the owner.

(c) Proof of a nuisance exists if each of the elements of the conduct constituting the nuisance is established by clear and convincing evidence.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective June 1, 1996.

Presented to the governor March 14, 1996

Signed by the governor March 15, 1996, 10:55 a.m.

**CHAPTER 323—H.F.No. 2788**

*An act relating to liquor; modifying restrictions for temporary on-sale licenses; discontinuing the use of the term "nonintoxicating liquor"; amending Minnesota Statutes 1994, section 340A.411, subdivision 1, and by adding a subdivision; Minnesota Statutes 1995 Supplement, section 340A.410, subdivision 10.*

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

Section 1. Minnesota Statutes 1995 Supplement, section 340A.410, subdivision 10, is amended to read:

**Subd. 10. TEMPORARY LICENSES; RESTRICTION ON NUMBER RESTRICTIONS.** (a) A municipality may not issue more than three four-day, four three-day, or six two-day temporary licenses, in any combination not to exceed 12 days per year, under section 340A.404, subdivision 10, for the sale of alcoholic beverages to any one organization or registered political committee, or for any one location, within a 12-month period.

(b) A municipality may not issue more than one temporary license under section 340A.404, subdivision 10, for the sale of alcoholic beverages to any one organization or registered political committee, or for any one location, within any 30-day period.

Sec. 2. Minnesota Statutes 1994, section 340A.411, subdivision 1, is amended to read:

Subdivision 1. **ON-SALE LICENSES.** ~~On-sale nonintoxicating~~ 3.2 percent malt liquor licenses may only be issued to drugstores, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks.

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

Sec. 3. Minnesota Statutes 1994, section 340A.411, is amended by adding a subdivision to read:

Subd. 3. **TERMINOLOGY.** A political subdivision may not issue a 3.2 percent malt liquor license that includes the term "nonintoxicating liquor."

Sec. 4. **INSTRUCTION TO REVISOR.**

The revisor of statutes shall change the words "nonintoxicating liquor" wherever they appear in Minnesota Statutes and Minnesota Rules to "3.2 percent malt liquor."

Presented to the governor March 14, 1996

Signed by the governor March 15, 1996, 11:15 a.m.

## CHAPTER 324—H.F.No. 2310

*An act relating to health; transferring certain authority from the commissioner of health to the emergency medical services regulatory board; adding two members to the emergency medical services regulatory board; adding an exemption to the medical license requirement; specifying effective date of appointments and board actions; amending Minnesota Statutes 1994, section 169.686, subdivision 3; Minnesota Statutes 1995 Supplement, sections 144.8093, subdivision 4; 144E.01, subdivision 1; and 147.09.*

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

Section 1. Minnesota Statutes 1995 Supplement, section 144.8093, subdivision 4, is amended to read:

Subd. 4. **DISTRIBUTION.** Money from the fund shall be distributed according to this subdivision. Ninety-three and one-third percent of the fund shall be distributed annually on a contract for services basis with each of the eight regional emergency medical services systems designated by the board. The systems shall be governed by a body consisting of appointed representatives from each of the counties in that region and shall also include representatives from emergency medical services organizations. The board shall contract with a regional entity only if the contract proposal satisfactorily addresses proposed emergency medical services activities in the following areas: personnel training, transportation coordination, public safety agency cooperation, communications systems maintenance and development, public involvement, health care facilities involvement, and system management. If each of the regional emergency medical services systems submits a satisfactory contract proposal, then this part of the fund shall be distributed evenly among the regions. If one or more of the regions does not contract for the full amount of its even share or if its proposal is unsatisfactory, then the board may reallocate the unused funds to the remaining regions on a pro rata basis. Six and two-thirds percent of the fund shall be used by the ~~commissioner~~ board to support regionwide reporting systems and to provide other regional administration and technical assistance.

Sec. 2. Minnesota Statutes 1995 Supplement, section 144E.01, subdivision 1, is amended to read:

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