

Subd. 2. **PRORATION OF FEES.** The board may prorate the initial annual registration fee. All registrants are required to pay the full fee upon registration renewal.

Subd. 3. **PENALTY FEE FOR LATE RENEWALS.** An application for registration renewal submitted after the deadline must be accompanied by a late fee in addition to the required fees.

Subd. 4. **NONREFUNDABLE FEES.** All of the fees in subdivision 1 are nonrefundable.

Sec. 11. PHYSICIAN ASSISTANT ADVISORY COUNCIL MEMBERSHIP.

The current members of the physician assistant advisory council, appointed pursuant to Minnesota Rules, part 5600.2665, shall continue to serve until their terms expire.

Sec. 12. REPEALER.

Minnesota Rules, parts 4762.0010; 4762.0020; 4762.0030; 4762.0040; 4762.0050; 4762.0060; 4762.0065; 4762.0070; 4762.0080; 4762.0090; 4762.0100; 4762.0200; and 4762.0300, are repealed.

Sec. 13. EFFECTIVE DATE.

Sections 2 to 10 and 12 are effective August 1, 1997, except that, until August 1, 1998, applicants for initial registration need not meet the credentialing requirement within five years prior to registration. Fees in effect on the day before the effective date of section 12 remain in effect until the board changes them by rule.

Presented to the governor May 7, 1997

Signed by the governor May 8, 1997, 11:30 a.m.

CHAPTER 121—S.F.No. 156

An act relating to consumer protection; regulating interest payments on utility deposits; amending Minnesota Statutes 1996, section 325E.02.

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

Section 1. Minnesota Statutes 1996, section 325E.02, is amended to read:

325E.02 CUSTOMER DEPOSITS.

Any customer deposit required before commencement of service by a privately or publicly owned water, gas, telephone, cable television, electric light, heat, or power company shall be subject to the following:

(a) Upon termination of service with all bills paid, the deposit shall be returned to the customer within 45 days, less any deductions made in accordance with paragraph (c).

(b) Interest shall be paid on deposits in excess of \$20 at the rate of six not less than three percent per year. The company may, at its option, pay the interest at intervals it chooses but at least annually, by direct payment, or as a credit on bills.

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

(c) At the time the deposit is made the company shall furnish the customer with a written receipt specifying the conditions, if any, the deposit will be diminished upon return.

(d) Advance payments or prepayments shall not be construed as being a deposit.

Sec. 2. EFFECTIVE DATE.

Section 1 applies to the calculation of interest on and after August 1, 1996, on deposits held or received on or after that date.

Presented to the governor May 7, 1997

Signed by the governor May 8, 1997, 11:34 a.m.

CHAPTER 122—S.F.No. 536

An act relating to public nuisances; adding to the definition of nuisance and the list of acts constituting a public nuisance; amending Minnesota Statutes 1996, sections 617.81, subdivision 2; and 617.88.

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

Section 1. Minnesota Statutes 1996, section 617.81, subdivision 2, is amended to read:

Subd. 2. **ACTS CONSTITUTING A NUISANCE.** (a) For purposes of sections 617.80 to 617.87, a public nuisance exists upon proof of two or more separate behavioral incidents of one or more of the following, committed within the previous 12 months within the building:

- (1) prostitution or prostitution-related activity committed within the building;
- (2) gambling or gambling-related activity committed within the building;
- (3) keeping or permitting a disorderly house within the building;
- (4) unlawful sale, possession, storage, delivery, giving, manufacture, cultivation, or use of controlled substances committed within the building;
- (5) unlicensed sales of alcoholic beverages committed within the building in violation of section 340A.401;
- (6) unlawful sales or gifts of alcoholic beverages by an unlicensed person committed within the building in violation of section 340A.503, subdivision 2, clause (1); or
- (7) unlawful use or possession of a firearm in violation of section 609.66, subdivision 1a, 609.67, or 624.713, committed within the building; or
- (8) violation by a commercial enterprise of local or state business licensing regulations, ordinances, or statutes prohibiting the maintenance of a public nuisance as defined in section 609.74 or the control of a public nuisance as defined in section 609.745.

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