

(c) The status of a partnership as a foreign limited liability partnership is effective on the later of the filing of the statement of foreign qualification or a date specified in the statement. The status remains effective, regardless of changes in the partnership, until it is canceled pursuant to section 323A.1-05(d) or revoked pursuant to section 323A.10-03.

(d) An amendment or cancellation of a statement of foreign qualification is effective when it is filed or on a deferred effective date specified in the amendment or cancellation.

(e) A statement of foreign qualification may include the information necessary to make an election under section 319B.04, subdivision 2, and to update that information as provided in section 319B.04, subdivision 3.

Sec. 4. Minnesota Statutes 2000, section 333.055, subdivision 4, is amended to read:

Subd. 4. The secretary of state shall accept for filing all certificates and renewals thereof which comply with the provisions of sections 333.001 to 333.06 and which are accompanied by the prescribed fees, notwithstanding the fact that the assumed name disclosed therein may not be distinguishable from one or more other assumed names already filed with the secretary of state. ~~In the event of duplication or similarity, the secretary of state shall, within 20 days after the filing, notify in writing each previously filed business holding a certificate for the assumed name or a similar assumed name, of the duplication or similarity, including in the notice the name and last known address of the person so filing.~~ The secretary of state shall not accept for filing a certificate that discloses an assumed name that is not distinguishable from a corporate, limited liability company, limited liability partnership, cooperative, or limited partnership name in use or reserved in this state by another or a trade or service mark registered with the secretary of state, unless there is filed with the certificate a written consent, court decree of prior right, or affidavit of nonuser of the kind required by section 302A.115, subdivision 1, clause (d). The secretary of state shall determine whether a name is distinguishable from another name for purposes of this subdivision.

Presented to the governor March 28, 2002

Signed by the governor April 1, 2002, 9:09 a.m.

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#### CHAPTER 312—S.F.No. 2675

*An act relating to the environment; requiring state agencies to use clean fuels; modifying the application of recyclable material container requirements for public entities; amending Minnesota Statutes 2000, section 115A.151; proposing coding for new law in Minnesota Statutes, chapter 16C.*

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

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

**Section 1. [16C.135] PURCHASES OF FUEL AND VEHICLES BY STATE AGENCIES.**

Subdivision 1. DEFINITION. For purposes of this section "cleaner fuels" means:

- (1) biodiesel blends of 20 percent or greater by volume (B20-B100);
- (2) compressed natural gas;
- (3) ethanol blends of 70 percent or greater by volume (E70-E100);
- (4) hydrogen;
- (5) liquefied natural gas; and
- (6) liquefied petroleum gas.

Subd. 2. FUEL PURCHASES. When purchasing fuel for use in the central motor pool or for use in a motor vehicle owned or leased by an agency, the commissioner or the agency shall purchase, and shall require persons purchasing on their behalf to purchase, cleaner fuels for use in the motor vehicle if cleaner fuels are reasonably available at similar costs to other fuels and if cleaner fuels are compatible with the use to which the motor vehicle is put.

Subd. 3. VEHICLE PURCHASES. When purchasing a motor vehicle for the central motor pool or for use by an agency, the commissioner or the agency shall purchase a motor vehicle that is capable of being powered by cleaner fuels, or a motor vehicle powered by electricity or by a combination of electricity and liquid fuel, if such a motor vehicle is reasonably available at similar costs to other vehicles and if the vehicle is capable of carrying out the purpose for which it is purchased.

Sec. 2. Minnesota Statutes 2000, section 115A.151, is amended to read:

**115A.151 STATE AND LOCAL FACILITIES RECYCLABLE MATERIAL CONTAINER REQUIREMENTS; PUBLIC ENTITIES.**

(a) A state agency, local unit of government, or school district public entity shall:

(1) ensure that facilities under its control, from which mixed municipal solid waste is collected, have containers for at least three recyclable materials, such as, but not limited to, paper, glass, plastic, and metal; and

(2) transfer all recyclable materials collected to a recycler.

(b) For the purposes of this section:

(1) "public entity" means the state, an office, agency, or institution of the state, the metropolitan council, a metropolitan agency, the metropolitan mosquito control commission, the legislature, the courts, a county, a statutory or home rule charter city, a town, a school district, a special taxing district, or any entity that receives an appropriation from the state for a capital improvement project after the effective date of this section;

(2) "metropolitan agency" and "metropolitan council," have the meanings given them in section 473.121; and

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

(3) "metropolitan mosquito control commission" means the commission created in section 473.702.

Presented to the governor April 3, 2002

Signed by the governor April 4, 2002, 12:58 p.m.

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### CHAPTER 313—S.F.No. 2569

*An act relating to veterans homes; clarifying items to be considered means of support; amending Minnesota Statutes 2000, section 198.03, subdivision 1.*

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

Section 1. Minnesota Statutes 2000, section 198.03, subdivision 1, is amended to read:

Subdivision 1. **DISCRETIONARY ADMISSION.** Any person otherwise eligible for admission to the Minnesota veterans homes, except that the person has means of support, may, at the discretion of the board, be admitted to one of the Minnesota veterans homes upon entering into and complying with the terms of a contract made by the person with the board, providing for reasonable compensation to be paid by such person to the state of Minnesota for care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support. Refunds or Rebates of federal taxes and state sales taxes may not be considered a means of support.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective for tax rebates paid after June 30, 2001.

Presented to the governor April 3, 2002

Signed by the governor April 4, 2002, 12:59 p.m.

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### CHAPTER 314—S.F.No. 2580

*An act relating to crimes; providing that certain license revocation hearings do not give rise to an estoppel on any issues in criminal prosecutions; providing for jurisdiction over persons found to have caused a delinquent act or charged by a juvenile petition; making it child endangerment to permit a child to be present when a person possesses certain chemical substances used to manufacture controlled substances; prescribing penalties for persons who escape from electronic monitoring; excluding habitual truant from the definition of juvenile petty offender; providing that there is no right for appointment of counsel at public expense for habitual*

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