

contemplated use be afterward abandoned, or if any balance of the proceeds of the obligations remains after the use is accomplished, such or if the governing body determines that at least 85 percent of the cost of the use has been paid or finally determined and retains in the fund an amount sufficient to pay the estimated costs of completion, the remainder of the fund may be devoted to any other public use authorized by law, and approved by resolution adopted or vote taken in the manner required to authorize bonds for such new use and purpose. Any balance remaining after the improvement has been completed and paid for, unless devoted to a new use as herein authorized, shall become a part of the debt service fund of the municipality.

Sec. 4. VALIDATION.

The amendment effected by section 1 is remedial in character, being adopted to clarify the powers intended to be granted to municipalities and redevelopment agencies in the undertaking, construction, and financing of projects under Minnesota Statutes, section 474.03. All proceedings and other actions taken heretofore by municipalities and redevelopment agencies which would be authorized under section 474.03 as amended by this act are validated and confirmed, and all obligations incurred and to be incurred and contracts made and to be made pursuant to those actions and proceedings are valid and binding.

Sec. 5. EFFECTIVE DATE.

This act is effective the day after final enactment.

Approved June 14, 1983

CHAPTER 366 — S.F.No. 911

An act relating to utilities; specifying the commission's authority over the availability of submetering; amending Minnesota Statutes 1982, section 216B.02, subdivision 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 216B.

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

Section 1. Minnesota Statutes 1982, section 216B.02, subdivision 4, is amended to read:

Subd. 4. "Public utility" means persons, corporations or other legal entities, their lessees, trustees, and receivers, now or hereafter operating, maintaining, or controlling in this state equipment or facilities for furnishing at retail natural, manufactured or mixed gas or electric service to or for the public or engaged in the production and retail sale thereof but does not include a

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municipality or a cooperative electric association, organized under the provisions of chapter 308 producing or furnishing natural, manufactured or mixed gas or electric service. Except as otherwise provided, the provisions of this chapter shall not be applicable to any sale of natural, manufactured or mixed gas or electricity by a public utility to another public utility for resale. In addition, the provisions of this chapter shall not apply to a public utility whose total natural gas business consists of supplying natural, manufactured or mixed gas to not more than 650 customers within a city pursuant to a franchise granted by the city, provided a resolution of the city council requesting exemption from regulation is filed with the commission. The city council may rescind the resolution requesting exemption at any time, and, upon the filing of the rescinding resolution with the commission, the provisions of this chapter shall apply to the public utility. No person shall be deemed to be a public utility if it ~~presently~~ furnishes its services only to tenants or cooperative or condominium owners in buildings owned, leased or operated by such person. No person shall be deemed to be a public utility if it ~~presently~~ furnishes service to occupants of a manufactured home or trailer park owned, leased, or operated by such person. No person shall be deemed to be a public utility if it ~~presently~~ produces or furnishes service to less than 25 persons.

Sec. 2. Minnesota Statutes 1982, section 216B.02, is amended by adding a subdivision to read:

Subd. 6a. "Submetering" means measuring, by a building's owner, through mechanical or electronic devices, the use of electricity by occupants in multiple-unit residential or commercial buildings to fairly apportion the entire electrical costs for the building among its occupants.

Sec. 3. [216B.022] SUBMETERING.

Nothing in this chapter grants the commission or a public utility the authority to limit the availability of submetering to a building occupant when the building is served by a public utility's master meter which measures the total electric energy delivered to the building.

Approved June 14, 1983

CHAPTER 367 — S.F.No. 950

An act relating to agriculture; requiring the board of animal health to adopt rules for pseudorabies testing and restricted movement of swine; proposing new law coded in Minnesota Statutes, chapter 35.

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