

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-

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

ed. The hospital board shall, in the same manner as the council under section 412.271, subdivision 1, and to the same extent, audit claims to be paid from the fund. The secretary of the board shall draw an order upon the treasurer for the proper amount allowed by the board. Upon counter signature by the president of the board and presentation, orders shall be paid by the treasurer.

Sec. 2. Laws 1988, chapter 645, section 2, is amended to read:

Sec. 2. **OFFICERS.**

Notwithstanding Minnesota Statutes, section 447.32, subdivision 1, the hospital district created under this act shall be governed by a board composed of one member elected from each city and town in the district, two members ~~elected at large from~~ appointed by the St. Louis county board to represent the aggregate of the unorganized townships in St. Louis county listed in section 1, subdivision 1, and one member ~~elected at large from~~ appointed by the Koochiching county board to represent the aggregate of the unorganized townships in Koochiching county listed in section 1, subdivision 2.

Sec. 3. **CONTINUATION OF EFFECT.**

Notwithstanding Minnesota Statutes, section 645.021, subdivision 3, Laws 1988, chapter 645, is not deemed to be disapproved because of a failure by one or more governmental units to comply with the filing requirements of Minnesota Statutes, section 645.021, subdivision 3, if those requirements are met by January 8, 1991.

Sec. 4. **EFFECTIVE DATE.**

Sections 2 and 3 are effective the day following final enactment.

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 9:42 p.m.

CHAPTER 494—S.F.No. 2132

An act relating to crimes; making it a crime to obtain telecommunication services by fraud; requiring forfeiture of telecommunication devices used for fraudulent purposes; prescribing penalties; amending Minnesota Statutes 1988, section 609.87, subdivisions 3 and 5; Minnesota Statutes 1989 Supplement, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 237 and 609; repealing Minnesota Statutes 1988, section 609.785.

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

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