

including, but not limited to, storage facilities for food-related utensils, equipment, and materials; or

(3) a farmers' market.

(e) "Nonprofit charitable organization" means an organization that is incorporated under the Minnesota nonprofit corporation act and is operating for charitable purposes.

Sec. 3. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor May 2, 1995

Signed by the governor May 3, 1995, 11:02 a.m.

CHAPTER 110—H.F.No. 533

An act relating to Stearns county; authorizing the Paynesville area hospital district to annex the city of Eden Valley to the district; authorizing the city of Sauk Centre to determine the number of members of the public utilities commission.

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

Section 1. PAYNESVILLE AREA HOSPITAL DISTRICT.

Notwithstanding the contiguity requirement of Minnesota Statutes, section 447.36, the Paynesville area hospital district, organized in 1992 by resolution of the Paynesville city council and the Paynesville town board, may, upon the request of the city of Eden Valley, annex the city of Eden Valley to the district. The annexation shall otherwise comply with Minnesota Statutes, sections 447.31 to 447.50, including the referendum provision of Minnesota Statutes, section 447.36.

Sec. 2. CITY OF SAUK CENTRE; UTILITIES COMMISSION; MEMBERSHIP.

Notwithstanding Minnesota Statutes, section 412.341, or any other law to the contrary, the governing body of the city of Sauk Centre may, by ordinance, establish the number of members of the public utilities commission, without any limitation.

Sec. 3. EFFECTIVE DATE.

Under Minnesota Statutes, section 645.023, subdivision 1, paragraph (a), section 1 is effective without local approval, on the day following final enactment. Section 2 takes effect the day after the city of Sauk Centre complies with Minnesota Statutes, section 645.021, subdivision 3.

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

Presented to the governor May 2, 1995

Signed by the governor May 3, 1995, 11:00 a.m.

CHAPTER 111—H.F.No. 47

An act relating to solid waste; merging two conflicting amendments to the solid waste generator assessment statute that were enacted in 1994; correcting and clarifying terminology; amending Minnesota Statutes 1994, section 116.07, subdivision 10; repealing Laws 1994, chapter 510, article 6, section 1.

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

Section 1. Minnesota Statutes 1994, section 116.07, subdivision 10, is amended to read:

Subd. 10. **SOLID WASTE GENERATOR ASSESSMENTS.** (a) For the purposes of this subdivision;

(1) "assessed waste" means mixed municipal solid waste as defined in section 115A.03, subdivision 21, infectious waste as defined in section 116.76, subdivision 12, pathological waste as defined in section 116.76, subdivision 14, industrial waste as defined in section 115A.03, subdivision 13a, and construction debris as defined in section 115A.03, subdivision 7; provided that all types of assessed waste listed in this clause do not include materials that are separated for recycling by the generator and that are collected separately from other waste and delivered to a waste facility for the purpose of recycling and recycled, and it also does not include waste generated outside of Minnesota;

(2) "noncompacted cubic yard" means a loose cubic yard of assessed waste;

(3) "nonresidential customer" means:

(i) an owner or operator of a business, including a home operated business, industry, church, nursing home, nonprofit organization, school, or any other commercial or institutional enterprise;

(ii) an owner of a building or site containing multiple residences, including a townhome or manufactured home park, where no resident has separate trash pickup, and no resident is separately assessed for such service; and

(iii) any other generator of assessed waste that is not a residential customer as defined in clause (6);

(4) "periodic waste collection" means each time a waste container is emptied by the person that collects the assessed waste;

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