

Subd. 3. RESIDENT POLL. At least 60 days prior to the hearing under subdivision 4, the telephone company proposing the sale of a local exchange service must provide each of its customers with a stamped envelope addressed to the commission and must inform the customer that the customer is encouraged to comment on the quality of service that has been provided in the local exchange service territory by the telephone company over the last 12 months.

Subd. 4. PUBLIC HEARING. At least 30 days prior to the commission's deliberations about a proposed sale or acquisition of a local exchange service territory, the commission must hold a public hearing at a location within the affected local exchange service territory allowing the public an opportunity to be heard and to present any concerns or comments.

Subd. 5. REQUIREMENTS FOR CONSENT. The commission may not give consent to a sale of a service territory unless, at a minimum, it finds all of the following:

(1) the quality of service provided by the telephone company servicing the local exchange service territory has substantially complied with all applicable quality of service standards adopted by rule by the commission for the previous calendar year;

(2) the proposed buyer is financially responsible and capable of making necessary investments to maintain quality service at levels required by rule; and

(3) the proposed buyer demonstrates that it has an adequate number of properly trained employees to maintain service at required levels.

The commission shall, as a condition of its consent, require a proposed buyer to enter into binding commitments obligating the buyer to maintain minimum levels of investment and staffing needed to meet the commission's quality of service rules. These commitments are in addition to any other conditions that the commission may impose.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective on December 31, 1995.

Presented to the governor May 17, 1995

Signed by the governor May 19, 1995, 2:25 p.m.

CHAPTER 192—H.F.No. 323

An act relating to housing; making the landlord the bill payer and customer of record on utility accounts in single-metered multiunit residential buildings; amending Minnesota Statutes 1994, section 504.185, subdivision 1, and by adding a subdivision.

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

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

Section 1. Minnesota Statutes 1994, section 504.185, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For the purposes of this section, the following terms have the meanings given to them.

- (a) "Owner" has the meaning given to it in section 566.18, subdivision 3.
- (b) "Tenant" has the meaning given to it in section 566.18, subdivision 2.
- (c) "Building" has the meaning given to it in section 566.18, subdivision 7.

(d) "Single-metered residential building" means a multiunit rental building with one or more separate residential living units where the utility service measured through a single meter provides service to an individual unit and to all or parts of common areas or other units.

Sec. 2. Minnesota Statutes 1994, section 504.185, is amended by adding a subdivision to read:

Subd. 1a. SINGLE-METER UTILITY SERVICE PAYMENTS. In a residential leasehold contract entered into or renewed on or after August 1, 1995, the owner of a single-metered residential building shall be the bill payer responsible, and shall be the customer of record contracting with the utility for utility services. The owner must advise the utility provider that the utility services apply to a single-metered residential building. A failure by the owner to comply with this subdivision is a violation of sections 504.18, subdivision 1, clause (a), and 504.26. This subdivision may not be waived by contract or otherwise. This subdivision does not require an owner to contract and pay for utility service provided to each residential unit through a separate meter which accurately measures that unit's use only.

Presented to the governor May 17, 1995

Signed by the governor May 19, 1995, 2:33 p.m.

CHAPTER 193—H.F.No. 990

An act relating to consumer protection; providing warranties for new assistive devices; providing enforcement procedures; proposing coding for new law in Minnesota Statutes, chapter 325G.

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

Section 1. [325G.203] **DEFINITIONS.**

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