

noise, regardless of the location of the building to be soundproofed, or any combination of the three.

(b) The noise mitigation program described in paragraph (a) shall be funded by the commission from whatever source of funds according to the following schedule:

In 1993, an amount equal to 20 percent of the passenger facilities charges revenue amount budgeted by the commission for 1993;

In 1994, an amount equal to 20 percent of the passenger facilities charges revenue amount budgeted by the commission for 1994;

In 1995, an amount equal to 35 percent of the passenger facilities charges revenue amount budgeted by the commission for 1995; and

In 1996 and 1997, an amount equal to 40 percent of the passenger facilities charges revenue amount budgeted by the commission for 1996.

(c) The commission's capital improvement projects, program, and plan must reflect the requirements of this section. As part of the commission's report to the legislature under section 473.621, subdivision 1a, the commission must provide a description and the status of each noise mitigation project implemented under this section.

(d) Within ~~60~~ 180 days of submitting the commission's and the metropolitan council's report and recommendations on major airport planning to the legislature as required by section 473.618, the commission, with the assistance of its sound abatement advisory committee, shall make a recommendation to the legislature regarding appropriate funding levels for noise mitigation at Minneapolis-St. Paul International Airport and in the neighboring communities.

#### Sec. 2. APPLICATION.

Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Presented to the governor March 14, 1996

Signed by the governor March 15, 1996, 10:56 a.m.

### CHAPTER 321—H.F.No. 2322

*An act relating to motor carriers; authorizing the transportation regulation board to issue charter carrier permits for operation within Saint Paul; amending Minnesota Statutes 1994, section 221.121, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1994, section 221.121, is amended by adding a subdivision to read:

Subd. 6h. CHARTER CARRIERS ENTIRELY WITHIN SAINT PAUL. A person who provides regular route passenger service using trolley-type vehicles exclusively

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

within Saint Paul and who seeks to operate as a charter carrier using trolley-type vehicles exclusively within the city shall file a petition with the commissioner requesting such authority. The board shall grant the permit upon the petitioner's compliance with the law and rules relating to charter carrier permits if it finds that the petitioner's vehicles meet the safety standards prescribed by the commissioner and that the petitioner is fit and able to conduct the proposed operations. A permit issued under this subdivision authorizes charter carrier operation only within Saint Paul.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor March 14, 1996

Signed by the governor March 15, 1996, 3:00 p.m.

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**CHAPTER 322—H.F.No. 2509**

*An act relating to public nuisance; clarifying definition of acts constituting a nuisance; amending Minnesota Statutes 1995 Supplement, section 617.81, subdivision 2.*

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

Section 1. Minnesota Statutes 1995 Supplement, section 617.81, subdivision 2, is amended to read:

Subd. 2. **ACTS CONSTITUTING A NUISANCE.** (a) For purposes of sections 617.80 to 617.87, a public nuisance exists upon proof of two or more separate behavioral incidents of one or more of the following, committed within the previous 12 months within the building, or if the building contains more than one rental unit: (1) within a single rental unit; or (2) within two or more rental units leased or controlled by the same person:

- (1) prostitution or prostitution-related activity committed within the building;
- (2) gambling or gambling-related activity committed within the building;
- (3) keeping or permitting a disorderly house within the building;
- (4) unlawful sale, possession, storage, delivery, giving, manufacture, cultivation, or use of controlled substances committed within the building;
- (5) unlicensed sales of alcoholic beverages committed within the building in violation of section 340A.401;
- (6) unlawful sales or gifts of alcoholic beverages by an unlicensed person committed within the building in violation of section 340A.503, subdivision 2, clause (1); or
- (7) unlawful use or possession of a firearm in violation of section 609.66, subdivision 1a, 609.67, or 624.713, committed within the building.

(b) If the building contains more than one rental unit, two or more behavioral incidents must consist of conduct:

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