

CHAPTER 326—S.F.No. 3174

An act relating to commerce; creating a small business category under the Money Transmitter Act; modifying regulations; amending Minnesota Statutes 2001 Supplement, sections 53B.05, subdivision 1; 53B.08, subdivision 1.

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

Section 1. Minnesota Statutes 2001 Supplement, section 53B.05, subdivision 1, is amended to read:

Subdivision 1. **NET WORTH.** Each licensee engaging in money transmission in three or fewer locations in the state, either directly or through authorized delegates, must have a net worth of at least \$25,000. Each licensee engaging in money transmission at more than three locations in the state, but fewer than seven locations, either directly or through authorized delegates, must have a net worth of at least \$50,000. Each licensee under this chapter shall at all times have a net worth of not less than \$100,000, calculated in accordance with generally accepted accounting principles. ~~Licensees engaging in money transmission at more than one location~~ six locations in the state, either directly or through authorized delegates, shall have an additional net worth of \$100,000 and an additional net worth of \$50,000 per for each location or authorized delegate located in the state in excess of seven, as applicable, to a maximum of \$500,000. Net worth shall be calculated in accordance with generally accepted accounting principles.

Sec. 2. Minnesota Statutes 2001 Supplement, section 53B.08, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENT.** Each application must be accompanied by a surety bond, irrevocable letter of credit, or other similar security device acceptable to the commissioner in the amount of ~~\$50,000~~ \$25,000. If the applicant proposes to engage in business under this chapter at ~~more than one location~~ three locations, but less than seven locations, through authorized delegates or otherwise, then the amount of the security device must be increased by \$10,000 per location, up to a maximum of ~~\$250,000~~ \$50,000. If the applicant proposes to engage in business under this chapter at more than six locations, through authorized delegates or otherwise, then the amount of the security device must be increased by \$50,000 for each location over six, up to a maximum of \$250,000. The security device must be in a form satisfactory to the commissioner and must run to the state for the benefit of any claimants against the licensee to secure the faithful performance of the obligations of the licensee with respect to the receipt, handling, transmission, and payment of money in connection with the sale and issuance of payment instruments or transmission of money. In the case of a bond, the aggregate liability of the surety in no event shall exceed the principal sum of the bond. Claimants against the licensee may themselves bring suit directly on the security device or the commissioner may bring suit on behalf of these claimants, either in one action or in successive actions.

Sec. 3. EFFECTIVE DATE.

This act is effective the day following final enactment.

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

Presented to the governor April 4, 2002

Signed by the governor April 8, 2002, 2:32 p.m.

CHAPTER 327—S.F.No. 1811

An act relating to drainage; allowing transfer of a public drainage system to a water management authority; defining water management authority; amending Minnesota Statutes 2000, section 103E.005, subdivision 16, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103E.

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

Section 1. Minnesota Statutes 2000, section 103E.005, subdivision 16, is amended to read:

Subd. 16. **MUNICIPALITY.** "Municipality" means a statutory or home rule charter city or a town having urban powers under section 368.01, subdivision 1 or 1a. For purposes of sections 103E.315, 103E.611, and 103E.615, municipality includes a water management authority to which a portion of a drainage system is transferred under section 103E.812.

Sec. 2. Minnesota Statutes 2000, section 103E.005, is amended by adding a subdivision to read:

Subd. 29. **WATER MANAGEMENT AUTHORITY.** "Water management authority" means a county or municipality, watershed district, watershed management organization, storm water management district, lake improvement district, subordinate service district, joint powers organization or other special district organized and formed according to law for the purpose of managing storm, surface, and flood waters, or with the authority to manage storm, surface, and flood waters.

Sec. 3. [103E.812] **TRANSFER OF ALL OR PART OF DRAINAGE SYSTEM.**

Subdivision 1. DRAINAGE LIEN PAYMENT PERIOD MUST EXPIRE. After the period originally fixed or subsequently extended to pay the assessment of the drainage lien expires, all or part of a drainage system may be transferred from the jurisdiction of the drainage authority to a water management authority as provided in this section.

Subd. 2. PETITIONERS. (a) For drainage systems outside of the seven-county metropolitan area, and outside of the municipal boundaries of a statutory or home rule charter city, a petition must be signed by at least 51 percent of the owners of property assessed for the construction of the drainage system, or portion of the drainage system proposed to be transferred, or by the owners of not less than 51 percent of the area of the property assessed for the drainage system, or portion of the drainage system sought

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