

CHAPTER 77—H.F.No. 321

An act relating to the city of Northfield; authorizing the city to establish and operate related medical facilities in conjunction with its municipal hospital at a site outside the city limits; authorizing Northfield to acquire real or personal property for the related medical facilities.

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

Section 1. NORTHFIELD; MEDICAL FACILITIES.

Notwithstanding Minnesota Statutes, sections 447.05 and 447.06, the city of Northfield may acquire, establish, and operate hospitals and related medical facilities at a location to be determined by the Northfield city council, including a site outside the Northfield city limits. The city may take those actions by resolution or ordinance approved by a majority of the city council.

Sec. 2. ACQUISITION OF SITES AND PROPERTY.

The city of Northfield may acquire real or personal property to establish, maintain, equip, improve, own, and operate a hospital, hospital site, or hospital grounds, and related medical facilities. The city may hold, own, and operate a hospital, hospital grounds and sites, and other real and personal property previously transferred or conveyed to it for hospital or related medical purposes.

Sec. 3. EFFECTIVE DATE; NO LOCAL APPROVAL REQUIRED.

(a) Under Minnesota Statutes, section 645.023, subdivision 1, paragraph (a), no local approval of sections 1 and 2 is required.

(b) Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 19, 2003

Signed by the governor May 22, 2003, 9:25 p.m.

CHAPTER 78—H.F.No. 547

An act relating to commerce; regulating payment for certain warranty work by farm implement dealers; changing the definition of heavy and utility equipment; amending Minnesota Statutes 2002, section 325E.068, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

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Section 1. [325E.0631] WARRANTIES.

Subdivision 1. APPLICATION. The requirements of this section apply to all warranty claims submitted by a dealer to a farm equipment manufacturer in which the farm equipment dealer has complied with the reasonable policies and procedures contained in the farm equipment manufacturer's warranty.

Subd. 2. PROMPT PAYMENT. Claims filed for payment under warranty agreements must be approved or disapproved within 30 days of receipt by the farm equipment manufacturer. Unless the farm equipment dealer agrees to a later date, approved claims for payment must be paid within 30 days of their approval. When a claim is disapproved, the farm equipment manufacturer shall notify the dealer within the 30-day period stating the specific grounds on which the disapproval is based. Any claim not specifically disapproved within 30 days of receipt is deemed approved and must be paid within 30 days.

Subd. 3. POST-TERMINATION CLAIMS. If, after termination of a contract, a dealer submits a warranty claim for warranty work performed before the effective date of the termination, the farm equipment manufacturer shall approve or disapprove the claim within 30 days of receipt.

Subd. 4. COMPENSATION FOR WARRANTY WORK. Warranty work performed by the dealer must be compensated in accordance with the reasonable and customary amount of time required to complete the work, expressed in hours and fractions of hours multiplied by the dealer's established customer hourly retail labor rate, which the dealer shall communicate to the farm equipment manufacturer before performing the warranty work.

Subd. 5. EXPENSES. Expenses expressly excluded under the farm equipment manufacturer's warranty to the customer must not be included in claims and are not required to be paid on requests for compensation from the dealer for warranty work performed.

Subd. 6. COMPENSATION FOR PARTS. All parts used by the dealer in performing warranty work must be paid to the dealer in the amount equal to the dealer's net price for the parts, plus a minimum of 15 percent to reimburse the dealer for reasonable costs of doing business in performing warranty service on the farm equipment manufacturer's behalf, including but not limited to freight and handling costs.

Subd. 7. ADJUSTMENT FOR ERRORS. The farm equipment manufacturer may adjust for errors discovered during audit, and if necessary, to adjust claims paid in error.

Subd. 8. ALTERNATE TERMS AND CONDITIONS. A dealer may choose to accept alternate reimbursement terms and conditions in lieu of the requirements of subdivisions 2 to 7, provided there is a written dealer agreement between the farm equipment manufacturer and the dealer providing for compensation to the dealer for warranty labor costs either as: (1) a discount in the pricing of the equipment to the dealer; or (2) a lump sum payment to the dealer. The discount or lump sum must be no

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less than five percent of the suggested retail price of the equipment. If the requirements of this subdivision are met and alternate terms and conditions are in place, subdivisions 2 to 7 do not apply and the alternate terms and conditions are enforceable.

Sec. 2. Minnesota Statutes 2002, section 325E.068, subdivision 2, is amended to read:

Subd. 2. **HEAVY AND UTILITY EQUIPMENT.** "Heavy and utility equipment," "heavy equipment," or "equipment" means equipment and parts for equipment including but not limited to:

(1) excavators, crawler tractors, wheel loaders, compactors, pavers, backhoes, hydraulic hammers, cranes, fork lifts, compressors, generators, attachments and repair parts for them, and other equipment, including attachments and repair parts, used in all types of construction of buildings, highways, airports, dams, or other earthen structures or in moving, stock piling, or distribution of materials used in such construction; or

(2) trucks and truck parts; or

(3) equipment used for, or adapted for use in, mining or forestry applications.

Presented to the governor May 19, 2003

Signed by the governor May 22, 2003, 9:08 p.m.

CHAPTER 79—S.F.No. 1260

An act relating to public utilities; making changes to the telephone assistance plan; amending Minnesota Statutes 2002, sections 237.70, subdivisions 2, 3, 4a, 5, 6, 7; 237.701, subdivision 1.

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

Section 1. Minnesota Statutes 2002, section 237.70, subdivision 2, is amended to read:

Subd. 2. **SCOPE.** The telephone assistance plan must be statewide and apply to ~~telephone companies~~ local service providers that provide local exchange service in Minnesota.

Sec. 2. Minnesota Statutes 2002, section 237.70, subdivision 3, is amended to read:

Subd. 3. **FEDERAL MATCHING PLAN.** The telephone assistance plan must contain adequate provisions to enable ~~telephone companies~~ local service providers to qualify for waiver of the federal interstate access charge and to enable eligible subscribers to take advantage of the federal matching plan.

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