

CHAPTER 273—S. F. No. 882

An act to amend Section 840 Mason's Minnesota Statutes of 1927 relating to the bonds of county treasurers, their deputies and employes.

Be it enacted by the Legislature of the State of Minnesota:

Sec. 1. **Bonds of county treasurer and deputies.**—That Section 840 Mason's Minnesota Statutes of 1927 be and the same hereby is amended so as to read as follows:

"840. Before he enters upon the duties of his office the County Treasurer, every Deputy County Treasurer and every employe in the office of the County Treasurer shall give bond, to be approved by the County Board, and in such sum as said board directs: Provided, that in counties of over one hundred and fifty thousand inhabitants the bond of the County Treasurer shall not be less than Five Hundred Thousand Dollars, unless the surety is a corporation duly authorized by law to be surety, in which case it shall be not less than Two Hundred and Fifty Thousand Dollars. Such bond shall be payable to the state, conditioned that he shall faithfully execute the duties of his office, and for the safekeeping and paying over according to law of all moneys which come into his hands for state, county, town, school, road, bridge, poor, and all other purposes.

In lieu of the individual bonds required for deputies and employes in the office of the County Treasurer a schedule or position bond or undertaking may be given in the respective amounts so required conditioned as above and upon a form to be prescribed by the State Comptroller.

The County Board shall pay the premiums upon such bonds or undertakings out of the treasury of the county in cases where the surety is a corporation duly authorized by law to be surety."

Approved April 24, 1935.

CHAPTER 274—S. F. No. 903

An act to amend Mason's Minnesota Statutes of 1927, Sections 5903, 5905, and 5911 relating to the equipment and regulation of hotels, restaurants, lodging houses, boarding houses, and places of refreshment, defining the same and providing for the inspection thereof.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Definitions.**—Mason's Minnesota Statutes of 1927, Section 5903, is hereby amended so as to read as follows:

"5903. **Defining hotels, restaurants, lodging houses, boarding houses, and places of refreshment.**—Every building or structure or *enclosure*, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be *an enclosure* where *sleeping accommodations* are furnished to the public whether with or without meals and furnishing accommodations for periods of less than one week shall for the purpose of this Act be deemed an hotel.

Every building or other structure or *enclosure*, or any part thereof and all buildings in connection, kept, used or maintained as, or advertised as, or held out to the public to be *an enclosure* where meals or lunches are served without sleeping accommodations, and furnishing accommodations for periods of less than one week, shall for the purpose of this Act be deemed to be a restaurant, and the person or persons in charge thereof, whether as owner, lessee, manager or agent, for the purpose of this Act shall be deemed the proprietor of such restaurant, and whenever the word "restaurant" shall occur in this Act, it shall be construed to mean such structure as described in this section.

Every building or structure, or any part thereof, kept, used as, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished *to the public as* regular roomers, for periods of one week or more, and having *five or more beds to let to the public*, shall, for the purpose of this Act, be deemed a lodging house.

Every building or structure or *enclosure*, or any part thereof, used as, maintained as, or advertised as, or held out to be *an enclosure* where *meals or lunches* are furnished to *five or more* regular boarders for periods of one week or more, shall for the purpose of this Act, be deemed a boarding house."

Mason's Minnesota Statutes of 1927, Section 5905, is hereby amended so as to read as follows:

"5905. Every building or other structure or any part thereof, kept, used as, maintained as, or advertised as, or held out to be a place where confectionery, *refreshments*, ice cream, sandwiches, or drinks of various kinds are made, sold or served at retail, shall, for the purpose of this Act, be deemed to be a place of refreshment.

This Act shall not be construed to apply to any building *constructed and primarily used for religious worship.*"

Mason's Minnesota Statutes of 1927, Section 5905, is hereby amended so as to read as follows:

"5905. **Hotels, restaurants, lodging houses, boarding houses, and places of refreshment to be licensed—Fees.**—Within sixty days after the passage of this Act and each year thereafter, every person, firm or corporation now engaged in the business of conducting an hotel, restaurant, lodging house, boarding house or place of refreshment, and every person, firm or corporation who shall hereafter engage in conducting such business, must procure a license for each hotel, restaurant, lodging house, boarding house, or place of refreshment, so conducted, provided that one license shall be sufficient for a *combination of an hotel and restaurant, lodging house, boarding house, and place of refreshment, where such businesses are conducted in the same enclosure and under the same management.* Each license shall expire on the 31st day of December next following its issuance, *and any proprietor who operates a place of business as defined herein after January 1st following, without first having made application for a license and without having made payment of the fee thereof, shall have violated the provisions of this Act and is subject to prosecution as provided herein, and in addition thereto, a penalty of one dollar and fifty cents (\$1.50) shall be added to the amount of the license fee and paid by the proprietor as provided herein if the said application has not reached the office of the Division of Hotel Inspection of the State Board of Health on or before January 31st following the expiration of license, or, in the case of a new business, thirty days after the opening date of such business.* The Hotel Inspector shall furnish to any person, firm or corporation desiring to conduct an hotel, restaurant, lodging house, boarding house or place of refreshment, an application blank to be filled out by such person, firm or corporation for a license therefor, and which shall require such applicant to state the full name and address of the owner of the building, *structure or enclosure*, the lessee and manager of such hotel, restaurant, lodging house, boarding house or place of refreshment, together with a full description of the *enclosure* to be used or proposed to be used for such business, the location of the same, the name under which such business is to be conducted, and such information as may be required therein by the Hotel Inspector to complete such application for license, and such application shall be accompanied by a license fee of \$3.50 and all such fees shall be turned into

the State Treasury on the first day of January, April, July and October of each year.

Mason's Minnesota Statutes of 1927, Section 5911, is hereby amended so as to read as follows:

"5911. Revocation of license.—*It shall be the duty of the State Hotel Inspector to revoke a license, if and when it be found by the Hotel Inspector that a place of business as defined herein is being operated in violation of the provisions of this Act so as to constitute a filthy, unclean and unsanitary condition and dangerous to public health, or if the owner or proprietor persistently refuses or fails to comply with the provisions of this Act. Upon such revocation of license, the said place of business shall be immediately closed to public patronage until such a time that the owner or proprietor shall have complied with the provisions of this Act, as certified to by the issuance of a new license.*"

The third such revocation of license in any one year and on any one proprietor shall be made permanent for a period of one year from the date of the last revocation.

Approved April 24, 1935.

CHAPTER 275—S. F. No. 937

An act authorizing certain counties to issue bonds for the purpose of funding outstanding warrants of such counties and providing the procedure therefor.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Funding and refunding of bonds authorized in certain cases.—Any county in this state now or hereafter having an assessed valuation for taxation purposes, inclusive of money and credits, of not less than \$6,000,000 nor more than \$9,000,000, and having a population of not more than 28,000 and not less than 25,000, and consisting of not more than 29 nor less than 27 full or fractional townships, and now or hereafter having outstanding warrants issued by the county against its Road and Bridge Fund, Revenue Fund, Poor Fund and Sanatorium Fund aggregating in principal and accrued interest not more than \$200,000, is hereby authorized and empowered upon the adoption of a resolution therefor by its county board and without submitting the question of such issue to the electors of such county to issue county Refundment Bonds in an amount not exceeding the aggregate of such outstanding warrants including the accrued interest thereon for the purpose of paying, funding and retiring such outstand-