

the master including but not limited to pilots, sailors, engineers, radio operators, firefighters, watchmen, pursers, surgeons, cooks and stewards, who is exempt from federal overtime standards under 29 U.S.C. Section 213(b) (6).

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved March 31, 1980

**CHAPTER 416—S.F.No. 1707**

*An act relating to towns; providing for towns to set their own hours for town elections; requiring polls to be open at least three hours; requiring a majority of voters to permit town zoning; clarifying the ballot question; requiring hearing and notice before certain actions; requiring notice of changes; amending Minnesota Statutes 1978, Sections 205.03, Subdivision 3; 366.11; 366.12; 366.13; and 366.15.*

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

Section 1. Minnesota Statutes 1978, Section 205.03, Subdivision 3, is amended to read:

Subd. 3. **OTHER TOWNS.** In any election of town officers in a town other than a town described in subdivision 2, the town board, by resolution adopted prior to the giving of notice of the election, may designate the time, in no event less than three hours, during which the polls shall remain open for the next succeeding and all subsequent town elections, ~~provided that the polls shall open no later than 10:00 a.m. and shall close no earlier than 5:00 p.m., except a town board may designate a time for closing later than 5:00 p.m. but not later than 8:00 p.m.~~ The resolution shall remain in force until revoked by the town board.

Sec. 2. Minnesota Statutes 1978, Section 366.11, is amended to read:

366.11 **BALLOTS.** There shall be printed on the ballots for the election the following:

“Shall the board of supervisors adopt ~~building and zoning and related~~ regulations and restrictions?”

Yes.....

No.....”

The voters shall place a cross-mark in one of the above squares to express their choice. The ballot shall be cast and counted during the same hours and in the same manner as ballots for the election of town officers of the town and, except as herein expressly provided, such meeting and election shall be subject to all the laws of this state regulating town meetings and elections of town officers in the town.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 3. Minnesota Statutes 1978, Section 366.12, is amended to read:

**366.12 REGULATIONS.** If ~~70 percent or more~~ a majority of the voters voting on such question vote "Yes," the town board shall be authorized and empowered to regulate the location, height, bulk, number of stories, size of buildings and other structures, the location of roads and schools, the percentage of lot which may be occupied, the sizes of yards and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation, public activities or other purposes, and the uses of lands for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, or other purposes, and to carry out the provisions of this grant shall issue building permits, and it shall be unlawful to erect, establish, alter, enlarge, use, occupy, or maintain any building, structure, improvement, or premises without first having obtained such permit.

Before adopting any regulation under this section the board shall hold a public hearing on the matter with notice in the manner provided in section 366.15.

This section is subject to the provisions and limitations of section 366.13.

Sec. 4. Minnesota Statutes 1978, Section 366.13, is amended to read:

**366.13 ZONING DISTRICTS.** For any or all of these purposes the board of supervisors of any such town where a majority of the legal voters voting thereon have voted "Yes" at such an election, may divide the portions of the town into districts or zones of such number, shape, and area as may be deemed best suited to carry out the purposes of sections 366.10 to 366.18, and within such districts or zones it may regulate and restrict the location, height, bulk, number of stories, size of buildings and other structures, the location of roads and schools, the percentage of lot which may be occupied, the sizes of yards and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation, public activities, or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, or other purposes. All such regulations shall be uniform for each class and kind of buildings and for the use of land throughout each district, but the regulations in one district may differ from those in other districts.

No such board of supervisors may make any regulation prohibiting the erection, establishment, alteration, enlargement, use, occupancy or maintenance of any landing area or airport as defined by the act of Congress known as the Civil Aeronautics Act of 1938, owned by any municipality, political subdivision, or public corporation created in and for any two or more municipalities, the operation and use of which has been approved by the department of transportation or by the Civil Aeronautics Board of the United States, nor shall any permit under the provisions of sections 366.10 to 366.18 be required for any such erection, establishment, alteration, enlargement, use, occupancy or maintenance. Any regulations heretofore made by any board of supervisors prohibiting such erection, establishment, alteration, enlargement, use, occupancy or maintenance of airports are hereby abrogated and annulled.

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Before adopting any division or regulation under this section the board shall hold a public hearing on the matter with notice in the manner provided in section 366.15.

Sec. 5. Minnesota Statutes 1978, Section 366.15, is amended to read:

**366.15 DISTRICTS OR ZONES, AMENDMENT.** The board of supervisors of any such town where a majority of the legal voters voting thereon have voted "Yes" at such election may, from time to time, amend the number, shape, boundary, or area of any district or zone, or any regulation of area within such zone, or any provision of the zoning resolution. Before finally adopting any such amendment the board of supervisors shall hold a public hearing thereon, after giving at least ~~30~~ ten days notice of the time and place of the hearing, which notice shall be given by at least one publication in a newspaper of general circulation in the county in which such town is located; provided, that no such change shall be made in the boundary line of zones or districts unless at least 50 percent of the owners of the lands proposed to be changed shall file a petition for such change.

Sec. 6. **EFFECTIVE DATE.** This act is effective the day after final enactment.

Approved March 31, 1980

## CHAPTER 417—S.F.No. 1709

*An act relating to corrections; providing for licensing of correctional facilities; regulating inmate earnings; providing for the investment of money in the correctional industries revolving account; authorizing the commissioner of corrections to amend 11 MCAR, sections 2.402 to 2.403; clarifying provisions relating to work release and temporary parole; amending provision concerning good time; limiting the powers of the Minnesota corrections board; amending Minnesota Statutes 1978, Sections 241.021, Subdivision 1; 241.26, Subdivisions 1, 2 and 4; 243.05; 243.18; 243.24, Subdivision 1; 243.88, Subdivision 2; 244.01, Subdivisions 1 and 2; 244.04, Subdivision 2; 244.08; Chapter 244, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 241.27, Subdivision 2; and Laws 1978, Chapter 723, Article 1, Section 19.*

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

Section 1. Minnesota Statutes 1978, Section 241.021, Subdivision 1, is amended to read:

**241.021 LICENSING AND SUPERVISION OF INSTITUTIONS AND FACILITIES.** Subdivision 1. **SUPERVISION OVER CORRECTIONAL INSTITUTIONS; ADVISORY TASK FORCES.** (1) The commissioner of corrections shall inspect and license all correctional facilities throughout the state, whether public or private, established and operated for the detention and confinement of

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