

(c) Not more than 50 percent of the whole amount of the moneys of the bank shall be so loaned and such investments shall be made only on report of a committee directed to investigate the same and report its value, according to the judgment of its members, and its report shall be preserved among the bank's records.

Approved April 3, 1963.

CHAPTER 154—H. F. No. 762

An act relating to the licensing of hotels, resorts, and restaurants; and amending Minnesota Statutes 1961, Sections 157.01, 157.03, and 157.14.

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

Section 1. Minnesota Statutes 1961, Section 157.01, is amended to read:

157.01 Hotels, resorts and restaurants; licensing; definitions. 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 chapter 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 *or prepared for service elsewhere* without sleeping accommodations, and furnishing accommodations for periods of less than one week, shall for the purpose of this chapter be deemed to be a restaurant, and the person in charge thereof, whether as owner, lessee, manager or agent, for the purpose of this chapter shall be deemed the proprietor of such restaurant, and whenever the word "restaurant" occurs in this chapter, 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 chapter, be deemed a lodging house.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

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, *whether with or without sleeping accommodations*, for periods of one week or more, shall, for the purpose of this chapter, be deemed a boarding house.

Every building or structure, or any part thereof, used as, maintained as, or advertised as, or held out to be a place where confectionery, ice cream, or drinks of various kinds are made, sold or served at retail, shall, for the purpose of this chapter, be deemed to be a place of refreshment. This chapter shall not be applicable in any manner to a general merchandise store, grocery store, oil station, cigar stand, confectionery store, or drug store not providing meals, lunches, or fountain, *bar, booth, or table* service.

For the purpose of this chapter, a resort means any building, structure, or enclosure, or any part thereof, ~~abutting~~ *located on, or on property neighboring, any lake, or stream, or skiing or hunting area for purposes of providing convenient access thereto*, kept, used, maintained, or advertised as, or held out to the public to be an enclosure where sleeping accommodations; ~~with or without meals~~; are furnished to the public, ~~seasonally and primarily to those seeking recreation~~, for periods of one day, one week, or longer, and having for rent five or more cottages, rooms, or enclosures.

Sec. 2. Minnesota Statutes 1961, Section 157.03, is amended to read:

157.03 Licenses required. Each year every person, firm, or corporation ~~now~~ engaged in the business of conducting an hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment, or who shall hereafter engage in conducting any such business, must procure a license for each hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment so conducted; provided, that *for any hotel or resort in which food, fountain, or bar service is furnished*, one license, *in addition to the hotel or resort license*, shall be sufficient for *all restaurants and places of refreshment* ~~a combination of an hotel and restaurant, lodging house, boarding house, or resort, and place of refreshment where such businesses are conducted in the same enclosure premises~~ and under the same management *with such hotel or resort*. Each license shall expire on the thirty-first day of December next following its issuance and any proprietor who operates a place of business after January first following, without first having made application for a license and without having made payment of the fee thereof shall be deemed to have violated the provisions of this chapter and be subject to

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prosecution, as provided in this chapter; and, in addition thereto, a penalty of \$1.50 shall be added to the amount of the license fee and paid by the proprietor, as provided herein, if the application has not reached the office of the ~~division of hotel inspection~~ of the state board of health on or before January thirty-first following the expiration of license; or, in the case of a new business, 30 days after the opening date of such business. The ~~hotel inspector~~ *state board of health* shall furnish to any person, firm or corporation desiring to conduct an hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment an application blank to be filled out by such person, firm, or corporation, for a license therefor, which shall require the 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 resort, 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 the business is to be conducted, and such information as may be required therein by the ~~hotel inspector~~ *state board of health* to complete the application for license, and the application shall be accompanied by a license fee of ~~\$3.50 as herein-~~ *after provided.*

For hotels, lodging houses, and resorts the license fee shall be based on the number of sleeping rooms in accordance with the following schedule:

Fee Schedule

<i>Number of sleeping rooms</i>	<i>Fee</i>
<i>1-18</i>	<i>\$ 7.50</i>
<i>19-35</i>	<i>\$15</i>
<i>36-100</i>	<i>\$20</i>
<i>101 and over</i>	<i>\$25</i>

For restaurants, places of refreshment, and boarding houses the license fee shall be based on the average number of employees which shall be computed by considering each full time employee as one employee and each part time employee as that fraction of one employee as the number of months in which he is employed is to the 12 months of the year. Employees shall include all persons, except children of the licensee under the age of 18, at work in any capacity, either voluntary or paid, and whether or not reported under the labor laws of this state.

Every licensee shall, at the time of application, certify as to the number of his employees on forms provided by the state board of health and the state board of health shall have access, on demand,

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to any and all employment records for purposes of substantiating or correcting numbers of declared employees.

License fees for restaurants, places of refreshment, and boarding houses shall be paid in accordance with the following schedule:

<i>Fee Schedule</i>	
<i>Number of employees</i>	<i>Fee</i>
<i>1-4</i>	<i>\$ 7</i>
<i>5-18</i>	<i>\$12</i>
<i>19-28</i>	<i>\$18</i>
<i>29-35</i>	<i>\$25</i>
<i>36 and over</i>	<i>\$30</i>

From and after October first of each year the license fee for new establishments or new operators shall be one half the annual license fee plus any penalty which may be required.

All such fees shall be turned in to the state treasury on the first day of ~~January, April, July, and October~~ each year as provided by law.

Sec. 3. Minnesota Statutes 1961, Section 157.14, is amended to read:

157.14 **Exemptions.** This chapter shall not be construed to apply to interstate carriers under the supervision of the United States Department of Health, Education and Welfare or to any building constructed and primarily used for religious worship, nor to any building used for the housing of by a college or university students in accordance with regulations promulgated by such college or university.

Sec. 4. **Effective date.** This act becomes effective January 1, 1964.

Approved April 3, 1963.

CHAPTER 155—H. F. No. 810

[Not Coded]

An act relating to a water control and sanitary district in Pennington county, removing the town of Smiley from such district; amending Laws 1961, Chapter 672, Section 1, Subdivision 5; Section 2; Section 4, Subdivision 3; and Section 5, Subdivision 1.

Changes or additions indicated by italics, deletions by ~~strikeout~~.