

*liquor, the principal part of the business of which is the serving of food.*

Approved April 30, 1969.

#### CHAPTER 271—S. F. No. 1694

*An act relating to labor; setting conditions in places of employment, and facilities required therefor; amending Minnesota Statutes 1967, Section 182.35.*

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

Section 1. Minnesota Statutes 1967, Section 182.35, is amended to read:

**182.35 Labor and industry; toilet facilities.** In every place of employment there shall be provided adequate toilet facilities, which shall be located conveniently to and easily accessible from all places where persons are employed; *except where not more than one person is employed at the same time the toilet facilities may be in a separate building providing the same is easily accessible and conveniently located.* Each water-closet, urinal, lavatory, or slop sink located in a toilet room, must be connected with a sewer system, where a sewer system is available. Indecent or suggestive marks, pictures, or words are forbidden in toilet rooms and such defacement when found by the employer must be at once removed.

Approved April 30, 1969.

#### CHAPTER 272—H. F. No. 57

[Not Coded]

*An act relating to Lake Minnetonka conservation district; reducing representation of municipalities; placing limit on money participation of various municipalities; authorizing certain procedures to assist the district in carrying out its powers; providing penalties; amending Laws 1967, Chapter 907, Section 2, Subdivision 2; Sections 3, 4, 5, and 10; and by adding sections.*

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

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

Section 1. Laws 1967, Chapter 907, Section 2, Subdivision 2, is amended to read:

Subd. 2. **Lake Minnetonka conservation district.** The lake conservation district shall be governed by a board composed of members elected by the governing bodies of the municipalities included in the district. Each municipality shall elect ~~at least one member and additional members as provided in this subdivision.~~ The population of each municipality shall be divided by one tenth of the total population of the district. Fractions of one-half or greater shall be raised to a whole number. Fractions smaller than one-half shall be disregarded. ~~Each municipality shall elect a number of additional members equal to the product of that calculation less one.~~ The term of office of each member shall be three years.

Sec. 2. Laws 1967, Chapter 907, Section 3, is amended to read:

Sec. 3. Subject to the provisions of Minnesota Statutes, Chapters 98, 105, 106, 110, 112 and 115 and the rules and regulations of the respective agencies and governing bodies vested with jurisdiction and authority thereunder, the lake conservation district shall have the following powers:

(a) To regulate the types of boats permitted to use the lake and set service fees;

(b) To regulate, maintain and police public beaches, public docks and other public facilities for access to the lake within the territory of the municipalities, *provided that any municipality by ordinance duly adopted within one year thereafter and specifically referring to such action may supersede the same within such municipality;*

(c) To limit by rule the use of the lake at various times and the use of various parts of the lake;

(d) To regulate the speed of boats on the lake and the conduct of other activities on the lake to secure the safety of the public and the most general public use;

(e) To contract with other law enforcement agencies to police the lake and its shore;

(f) To regulate the construction, installation and maintenance of permanent and temporary docks and moorings consistent with federal and state law;

(g) To regulate the construction and use of mechanical and

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chemical means of de-icing the lake *and to regulate the mechanical and chemical means of removal of weeds and algae from the lake;*

(h) To regulate the construction, configuration, size, location and maintenance of commercial marinas and their related facilities including parking areas and sanitary facilities. The regulation shall be consistent with the applicable municipal building codes and zoning ordinances: *where said marinas are situated;*

(i) To contract with other governmental bodies to perform any of the functions of the district;

(j) To undertake research to determine the condition and development of the lake and the water entering it and to transmit their studies to the water pollution control commission and other interested authorities; and to develop a comprehensive program to eliminate pollution;

(k) To receive financial assistance from and join in projects or enter into contracts with federal and state agencies for the study and treatment of pollution problems and demonstration programs related to them;

~~(l) To construct and operate water control structures as approved by the commissioner of conservation.~~

*(l) To petition a board of managers of any watershed district in which the lake conservation district may be situated for improvements under Minnesota Statutes, Section 112.48; no bond shall be required of the lake conservation district.*

Sec. 3. Laws 1967, Chapter 907, Section 4, is amended to read:

Sec. 4. The duties of the district may be executed by employees of the municipalities and the expenses of the district shall be borne by the municipalities. The portion of the expenses of the district borne by each municipality shall be in proportion to its assessed valuation; *provided, no municipality shall bear more than 20 percent of the total expense, and such portion shall be not less than \$200 per year.*

Sec. 4. Laws 1967, Chapter 907, Section 5, is amended to read:

Sec. 5. The board of directors of the district shall, on or before July 1 each year, prepare a detailed budget of its needs for the next calendar year and certify the budget on that date to the governing body of each municipality in the district together with a statement

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of the proportion of the budget to be provided by each municipality. The governing body of each municipality in the district shall review the budget, and the directors, upon notice from any municipality shall hear objections to the budget and may, after the hearing, modify or amend the budget, and then give notice to the municipalities of modifications or amendments. It shall be the duty of the governing body or board of supervisors of each municipality in the district to provide the funds necessary to meet its proportion of the total cost to be borne by the municipalities as finally certified by the directors, the funds to be raised by any means within the authority of the municipalities and to pay the funds into the treasury of the district in amounts and at times the treasurer of the district may require. The municipalities may each levy a tax not to exceed ~~1/10th of a mill~~ *one mill* on the taxable property located therein, to provide said funds. Said levy shall be within all other limitations provided by law.

Sec. 5. Laws 1967, Chapter 907, Section 10, is amended to read:

Sec. 10. A district established pursuant to this act is a public corporation *and a political subdivision of the state, it is also* within the definition of Minnesota Statutes, Section 466.01, and is included in the provisions of Minnesota Statutes, Chapter 466.

Sec. 6. Laws 1967, Chapter 907, is amended by adding a section to read:

*Sec. 13. Subdivision 1. The lake conservation district shall have the power to adopt rules and regulations to effectuate the purposes of its establishment and the powers granted to the district. Said rules and regulations shall have the effect of an ordinance when so declared by the board of directors of the district. All rules and regulations may be enforced by the district by injunction in addition to any other penalty hereinafter provided.*

*Subd. 2. Every rule and regulation shall be enacted by a majority vote of all the members of the board of directors. It shall be signed by the chairman and attested by the secretary thereof and published once in the official newspaper. Proof of publication shall be attached to and filed with the rule and regulation. Every rule and regulation shall be recorded in the rule and regulation book within 20 days after its publication. All rules and regulations shall be suitably entitled and if enacted with the force and effect of an ordinance, it shall so state and be provided therein. A violation of any such rule and regulation so enacted shall be a misdemeanor and punishable by a sentence of not more than 90 days plus costs or a fine of not more than \$100 plus costs.*

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Sec. 7. Laws 1967, Chapter 907, is amended by adding a section to read:

**Sec. 14. Prosecutions, violation of rules and regulations.** *Subdivision 1. Complaint. All prosecutions for violation of rules and regulations shall be brought in the name of the lake conservation district upon complaint and warrant as in other criminal cases. If the accused be arrested without a warrant, a written complaint shall thereafter be made, to which he shall be required to plead, and a warrant shall issue thereon. The warrant and all other process in such cases shall be directed for service to any police officer, court officer, marshal, constable, or sheriff of any of the municipalities in the lake conservation district.*

*Subd. 2. Form and contents of complaint. It shall be a sufficient pleading of the rules and regulations of the district to refer to them by section and number or chapter, or any other way which clearly reflects the rules and regulations which are the subject of the pleading. The rules and regulations shall have the effect of general laws within the district and need not be given in evidence upon the trial of any action. Judgment shall be given, if for the plaintiff, for the amount of fine, penalty, or forfeiture imposed, with costs; and the judgment shall direct that, in default of payment, the defendant be committed to a county jail for such time, not exceeding 90 days, as the court shall see fit. The commitment shall state the amount of judgment, the costs, and the period of commitment. Every person so committed shall be received by the keeper of the jail and kept, at the expense of the county, until lawfully discharged. The committing court may release the defendant at any time upon payment of the fine and costs.*

*Subd. 3. Appeal to district court. Appeals may be taken to the district court in the same manner as from judgments of justices of the peace in civil actions; but if taken by the defendant, he shall give bond to the district, to be approved by the court, conditioned that, if the judgment be affirmed in whole or in part, he will pay the judgment, and all costs and damages awarded against him on the appeal. In case of affirmance, execution may issue against both defendant and his sureties. Upon perfection of the appeal, defendant shall be discharged from custody.*

Approved May 6, 1969.

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Changes or additions indicated by *italics*, deletions by ~~strike out~~.