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**CHAPTER 367—H.F.No.293**

[Not Coded]

*An act relating to waters; authorizing conveyance of the Blackduck Lake outlet dam and empowering the town of Hines in Beltrami county to acquire, maintain, operate and levy taxes for such purposes.*

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

**Section 1. CONVEYANCE OF STATE OWNED LANDS; BLACK DUCK LAKE OUTLET DAM.** The governor, upon recommendation of the commissioner of administration, shall convey by appropriate instrument of conveyance in a form approved by the attorney general, to the town of Hines in Beltrami county, the state-owned Blackduck Lake outlet dam situated in Government Lot 7, Section 4, Township 149 North, Range 31 West, Beltrami county and all the state's right, title and interests appurtenant thereto, including a damsite easement acquired therefor in 1937.

**Sec. 2.** Notwithstanding any limitations upon the powers of a town, the town board of the town of Hines shall possess all of the powers of a county pursuant to Minnesota Statutes, Sections 378.31, Subdivision 4, in the acquisition, maintenance and operation of the dam conveyed pursuant to section 1. The electors of the town of Hines may levy taxes for the maintenance and operation of any dam conveyed pursuant to section 1 subject to the limitations specified in section 275.10.

Approved June 2, 1977.

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**CHAPTER 368—H.F.No.315**

*An act relating to state government; state zoological board; providing for a member residing in Dakota county; amending Minnesota Statutes 1976, Section 85A.01, Subdivision 1.*

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

Section 1. Minnesota Statutes 1976, Section 85A.01, Subdivision 1, is amended to read:

**85A.01 ZOOLOGICAL GARDEN; BOARD; CREATION; ORGANIZATION.**

Subdivision 1. The Minnesota zoological garden is hereby established under the supervision and control of the state zoological board which is hereby created. The board shall consist of 11 members appointed by the governor with the advice and consent of the senate. ~~The commissioner of economic development or his designee shall be an ex officio member of the board but shall not have a vote.~~ In consultation with the Dakota county board the governor shall appoint as a twelfth member of the zoo board a resident of

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Dakota county who shall not vote and who may be a member of the county board.

Approved June 2, 1977.

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CHAPTER 369—H.F.No.320

*An act relating to labor; prohibiting mandatory tip pooling; providing for a change in the application of the tip credit in computing minimum wage; amending Minnesota Statutes 1976, Sections 177.23, Subdivision 9; 177.24; 177.28, Subdivision 4.*

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

Section 1. Minnesota Statutes 1976, Section 177.23, Subdivision 9, is amended to read:

Subd. 9. **LABOR; MINIMUM WAGE; TIP POOLING.** "Gratuities" means voluntary monetary contributions received directly or indirectly by an employee from a guest, patron, or customer for services rendered and includes an obligatory charge assessed to customers, guests or patrons which might reasonably be construed by the guest, customer, or patron as being a payment for personal services rendered by an employee and for which no clear and conspicuous notice is given by the employer to the customer, guest, or patron that the charge is not the property of the employee.

Sec. 2. Minnesota Statutes 1976, Section 177.24, is amended to read:

177.24 **PAYMENT OF MINIMUM WAGES.** Subdivision 1. Except as may otherwise be provided in sections 177.21 to 177.35, or by regulation issued pursuant thereto, every employer shall pay to each of his employees who is 18 years of age or older wages at a rate of not less than \$2.10 an hour and shall pay to each of his employees who is under the age of 18 wages at a rate of not less than \$1.89 an hour.

Subd. 2. No employer shall directly or indirectly credit, apply or utilize gratuities towards payment of minimum wages except as provided for under section 177.28.

Subd. 3. For purposes of chapter 177, any gratuity received by an employee or deposited in or about a place of business for personal services rendered by an employee is the sole property of the employee. No employer shall require an employee to contribute or share a gratuity received by the employee with the employer or other employees or to contribute any or all of the gratuity to a fund or pool operated for the benefit of the employer or his employees, provided that nothing in this section shall prevent an employee from voluntarily, and upon an individual basis, sharing his gratuities with other employees. The agreement to share gratuities shall be made by the employees free of any employer participation.

Sec. 3. Minnesota Statutes 1976, Section 177.28, Subdivision 4, is amended to read:

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