

United States: (a) after service on active duty for 181 consecutive days; or, (b) after service during a period of war; or, (c) by reason of disability incurred while serving on active duty. A "period of war" as it refers to eligibility, is defined as follows:

~~(1) Civil War, or war between the states.~~

~~(2) Mexican War.~~

~~(3) (1) The Spanish-American War, April 21, 1898 through July 4, 1902.~~

~~(a) Includes Philippine Insurrection and Boxer rebellion.~~

~~(b) Includes service in Moro Province, April 21, 1898 through July 15, 1903.~~

~~(4) (2) World War I, April 6, 1917 through April 1, 1920.~~

~~(a) Includes service in Russia, April 16, 1917 through April 1, 1920.~~

~~(b) Includes service through July 2, 1921 if active duty performed during basic war period.~~

~~(5) (3) World War II, December 7, 1941 through December 31, 1946 and through July 25, 1947 if continuous duty began on or before December 31, 1946.~~

~~(a) Through July 25, 1947 if continuous duty began on or before December 31, 1946.~~

~~(6) (4) The Korean Conflict, June 27, 1950 through January 31, 1955.~~

~~(7) (5) The Vietnam era, August 5, 1964 through July 27, 1973.~~

Sec. 7. EFFECTIVE DATE. This act is effective the day following final enactment.

Approved March 31, 1980

---

#### CHAPTER 415—S.F.No. 1674

*An act relating to labor; exempting seamen from the fair labor standards act; amending Minnesota Statutes, 1979 Supplement, Section 177.23, Subdivision 7.*

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

Section 1. Minnesota Statutes, 1979 Supplement, Section 177.23, Subdivision 7, is amended to read:

Subd. 7. "Employee" means any individual employed by an employer but shall not include

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

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm to perform services other than corn detasseling;

(2a) for purposes of section 177.24, an individual who has not attained the age of 18 who is employed in agriculture as a corn detasseler;

(3) any staff member employed with an organized resident or day camp licensed with the state;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of section 353.01, subdivision 2b, clauses (a), (b), (d), and (i);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program;

(13) any individual employed by the state as a natural resource manager 1, 2, or 3 (conservation officer);

(14) any individual in a position with respect to which the U.S. Department of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of 49 U.S. Code, Section 304;

(15) any individual employed as a seafarer; the term "seafarer" means a master of a vessel or any person subject to the authority, direction and control of

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~~