

parking facilities, public parks and related facilities, as a special assessment against the property benefited; provided that special charges may not be levied against detached, single-family housing for the operation, maintenance or repair of public parks and related facilities. The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council,

(i) provisions for placing primary responsibility upon the property owner or occupant to do the work himself (except in the case of street sprinkling, sweeping, oiling or other dust treatment, alley repair, tree trimming, care, and removal within public rights-of-way, boulevards and sidewalks, the operation of a lighting system, and the operation, maintenance and repair of public parking facilities, parks and other public areas and facilities) upon notice before the work is undertaken, and

(ii) provisions for collection of actual or estimated charges from the property owner or other person served before the unpaid charges are made a special assessment.

If estimated charges are collected and, based upon subsequent actual costs, found to be excessive or deficient, subsequent charges shall be reduced by the excess or increased by the deficiency.

Sec. 2. LOCAL APPROVAL.

This act is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of the city of Edina.

Approved April 28, 1983

CHAPTER 60 — H.F.No. 459

An act relating to labor; providing for fair labor standards; defining "employee"; reenacting Minnesota Statutes, section 177.25, subdivision 1; amending Minnesota Statutes 1982, section 177.23, subdivision 7; amending Laws 1981, chapter 289, section 3.

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

Section 1. Minnesota Statutes 1982, section 177.23, subdivision 7, is amended to read:

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

(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

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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 two or less specified individuals employed at any given time in agriculture on a farming unit or operation who are paid on a salaried basis;

(1a) any individual employed in agriculture on a farming unit or operation who is paid on a salaried basis an amount in excess of what the individual would be paid if the individual worked 48 hours at the state minimum wage plus 17 hours at 1-1/2 times the state minimum wage per week;

(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 or hand field work when one or both of that minor hand field worker's parents or physical custodians are also hand field workers;

(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 those terms are defined and delimited by rules of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as those terms are defined by rules 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 seasonal 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;

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(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. Laws 1981, chapter 289, section 3, is amended to read:

Sec. 3. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment, ~~except that the portion of clause (2)(b) relating to the regular rate of pay received per hour of work by a sugar beet laborer shall only be effective until December 31, 1981.~~ Section 2 is effective July 1, 1981.

Sec. 3. **REENACTMENT.**

Minnesota Statutes, section 177.25, subdivision 1, as it appears in Minnesota Statutes 1982, is reenacted.

Sec. 4. **EFFECTIVE DATE.**

The provisions of sections 1 to 3 shall be effective July 1, 1983.

Approved April 28, 1983

CHAPTER 61 — H.F.No. 468

An act relating to education; authorizing the commissioner to approve one additional application for the part-time teaching program for fiscal year 1982 under certain conditions.

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

Section 1. **APPLICATION APPROVAL.**

Notwithstanding the provisions of Minnesota Statutes 1982, sections 354.66 or 354A.094 or any other law to the contrary, for fiscal year 1982, the commissioner of education may approve one additional application for authorization to assign a teacher to a part-time teaching position qualifying for full accrual of service credit from and employee contributions to the retirement fund pursuant

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