

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

Section 1. Minnesota Statutes 1982, section 361.09, subdivision 1, is amended to read:

Subdivision 1. No person shall may operate a watercraft on any waters of this state, towing a person on water skis, aquaplane, surfboard, saucer, or similar device, unless there is in ~~such~~ the watercraft either another person in addition to the operator in a position to continually observe the person being towed or ~~instead of such observer,~~ the boat is equipped with either a ~~curved rear view mirror~~ providing the operator a wide field of vision to the rear ~~placed so that the operator may continually observe the person being towed or a safety warning device approved by the commissioner.~~

Approved May 19, 1983

CHAPTER 182 — H.F.No. 270

An act relating to agriculture; providing that certain agricultural operations are not private or public nuisances; amending Minnesota Statutes 1982, section 561.19, subdivision 2; repealing Minnesota Statutes 1982, section 561.19, subdivision 5.

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

Section 1. Minnesota Statutes 1982, section 561.19, subdivision 2, is amended to read:

Subd. 2. **AGRICULTURAL OPERATION NOT A NUISANCE.** An agricultural operation which is a part of a family farm is not and shall not become a private or public nuisance after six years from its established date of operation if the operation was not a nuisance at its established date of operation. The provisions of this subdivision do not apply: (a) to a condition or injury which results from the negligent or improper operation of an agricultural operation or from operations contrary to commonly accepted agricultural practices or to applicable state or local laws, ordinances, rules, or permits; (b) when an agricultural operation causes injury or direct threat of injury to the health or safety of any person; (c) to the pollution of, or change in the condition of, the waters of the state or the overflow of waters on the lands of any person; (d) ~~to an agricultural operation within the limits of a home rule charter or statutory city;~~ (e) to an animal feedlot facility with a swine capacity of 1,000 or more animal units as defined in the rules of the pollution control agency for control of pollution from animal feedlots, or a cattle capacity of 2,500 animals or more; or (f) (e) to any prosecution for the crime of public nuisance as provided in section

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

609.74 or to an action by a public authority to abate a particular condition which is a public nuisance.

Sec. 2. **REPEALER.**

Minnesota Statutes 1982, section 561.19, subdivision 5, is repealed.

Approved May 19, 1983

CHAPTER 183 — H.F.No. 318

An act relating to local government; regulating kinds of and charges for water and sewer facilities and services; amending Minnesota Statutes 1982, section 444.075, subdivisions 1 and 3.

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

Section 1. Minnesota Statutes 1982, section 444.075, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION.** Any home rule charter city, except cities of the first class ~~operating under a home rule charter~~, or any statutory city ~~is hereby authorized and empowered to~~ may build, construct, reconstruct, repair, enlarge, improve, or in any other manner obtain

(i) waterworks systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a waterworks system, and

(ii) sewer systems, sewage treatment works, disposal systems, and other facilities for disposing of sewage, industrial waste, or other wastes, and

(iii) storm sewer systems, including mains, holding areas and ponds, and other appurtenances and related facilities for the collection and disposal of storm water,

all hereinafter called facilities, and ~~to~~ maintain and operate the same inside or outside its corporate limits, and ~~to~~ acquire by gift, purchase, lease, condemnation or otherwise any and all land and easements required for that purpose. The authority hereby granted shall be in addition to all other powers with reference to ~~such~~ the facilities otherwise granted by the laws of this state or by the charter of any ~~such~~ city. The authority granted in clause (iii) to cities which have territory within a watershed which has adopted a watershed plan pursuant to section 473.878 shall be exercised, with respect to facilities acquired following the adoption of the watershed plan, only for facilities which are not inconsistent with the watershed plan. The authority granted in clause (iii) to cities which have

Changes or additions are indicated by underline, deletions by ~~strikeout~~.