

commission shall certify the first three persons from the appropriate list of the eligible register. Where there is a single request from an employing officer or body to fill more than one vacancy from the same list of the eligible register the civil service commission shall certify one additional person for each additional vacancy to be filled.

**Sec. 2. VACANCIES TO BE FILLED BY PROMOTION.** Notwithstanding any contrary provisions of the charter of the city of Minneapolis, when a vacancy in the classified service is to be filled by promotion, the civil service commission shall certify the first three persons from the appropriate list of the eligible register. Where there is a single request from an employing officer or body to fill more than one vacancy from the same list of the eligible register the civil service commission shall certify one additional person for each additional vacancy to be filled.

**Sec. 3. APPLICATION.** Sections 1 and 2 shall only apply to eligible registers established subsequent to the enactment of sections 1 and 2.

**Sec. 4. EFFECTIVE DATE.** This act shall become effective upon approval by a majority of the governing body of the city of Minneapolis, and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 22, 1978.

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**CHAPTER 512-S.F.No.194**

*An act relating to cemeteries; prohibiting trespassing on public or private cemeteries; providing penalties; amending Minnesota Statutes 1976, Section 609.605.*

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

Section 1. Minnesota Statutes 1976, Section 609.605, is amended to read:

**609.605 TRESPASSES AND OTHER ACTS.** Whoever intentionally does any of the following is guilty of a misdemeanor:

- (1) Smokes in a building, area, or common carrier in which "no smoking" notices have been prominently posted, or when requested not to by the operator of the common carrier; or
- (2) Trespasses or permits animals under his control to trespass upon a railroad track; or
- (3) Permits domestic animals or fowls under his control to go upon the lands of another within a city; or
- (4) Interferes unlawfully with any monument, sign, or pointer erected or marked to designate a point of a boundary, line or a political subdivision, or of a tract of land; or

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

(5) Trespasses upon the premises of another and, without claim of right, refuses to depart therefrom on demand of the lawful possessor thereof; or

(6) Occupies or enters the dwelling of another, without claim of right or consent of the owner or the consent of one who has the right to give consent, except in an emergency situation. As used in this clause, "dwelling" means the building or part of the building used by an individual as a place of residence on either a full-time or a part-time basis. The dwelling may be part of a multi-dwelling or multi-purpose building, or a mobile home as defined in section 168.011, subdivision 8; or

(7) Enters the premises of another with intent to take or injure any fruit, fruit trees, or vegetables growing thereon without the permission of the owner or occupant; or

(8) Refuses the request of the operator of a public conveyance to either pay the required fare or leave the conveyance; or

(9) Takes any animal on a public conveyance without the consent of the operator; or

(10) Without the permission of the owner, tampers with or gets into or upon a motor vehicle as defined in section 609.55, subdivision 1, or rides in or upon such motor vehicle knowing it was taken and is being driven by another without the permission of the owner; or

(11) Enters or is found upon the premises of a public or private cemetery without authorization during hours the cemetery is posted as closed to the public.

Approved March 23, 1978.

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CHAPTER 513-H.F.No.838

[Coded in Part]

*An act relating to natural resources; watershed districts; changing bonding provisions for managers; changing and clarifying administrative provisions; establishing a survey and data acquisition fund; creating fees for applications for permits and for field inspections; authorizing watershed districts to require a permit applicant to post a bond; providing penalties and enforcement provisions; amending Minnesota Statutes 1976, Sections 112.42, Subdivision 1; 112.43, Subdivision 1; 112.48, Subdivision 4; 112.49, by adding a subdivision; 112.50, Subdivision 1; 112.55; 112.61, by adding a subdivision; 112.62, by adding a subdivision; 112.69; 112.761, Subdivision 1; 112.85, Subdivision 1; and Chapter 112, by adding sections; repealing Laws 1969, Chapter 969.*

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

Section 1. Minnesota Statutes 1976, Section 112.42, Subdivision 1, is amended to read:

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