

Subd. 4. Except as otherwise provided in this section, the applicable provisions of Minnesota Statutes, Chapter 69, shall apply to the Spring Lake Park firefighter's relief association and its retirement plan.

Sec. 2. **EFFECTIVE DATE.** This act is effective upon approval by the governing body of the city of Spring Lake Park and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 28, 1978.

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**CHAPTER 607-H.F.No.1424**

[Coded in Part]

*An act relating to intoxicating liquor; permitting licensing and sale on certain tour boats; specifying locations where sale is prohibited; amending Minnesota Statutes 1976, Sections 340.11, by adding a subdivision; and 340.14, Subdivision 3.*

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

Section 1. Minnesota Statutes 1976, Section 340.11, is amended by adding a subdivision to read:

Subd. 3a. LAKE SUPERIOR TOUR BOATS. Notwithstanding any law to the contrary, the commissioner of public safety may license any person regularly engaged, on an annual or seasonal basis, in the business of offering tours by boat upon Lake Superior and adjacent bays to sell intoxicating liquor at on-sale each day of the week for consumption upon the boats. The license shall authorize the on-sale of intoxicating liquor both while the boats are underway or in use or attached to a dock or other mooring. No license shall be issued unless each boat used in the tour business regularly sells meals in the place where intoxicating liquor is sold.

All sales of intoxicating liquor made upon the boats while they are attached to a dock or other mooring shall be subject to any restrictions on liquor sales prescribed by the governing body of the city where the boats are attached, or of the county when they are attached outside a city, and any governing body may prohibit liquor sales within its jurisdiction, but no governing body may require any additional license, or require any fee or occupation tax, for the sales; provided, that any city in which a boat licensed pursuant to this subdivision is moored continually for a period of at least three consecutive months may require a boat to obtain a license to sell intoxicating liquor at on-sale during the time it is so continually moored, and may charge a fee for such a license not to exceed one-half the fee charged for a comparable all-year on-sale license. Any license issued by a city pursuant to this subdivision shall be in addition to the number authorized by subdivision 5a.

A license shall be displayed at all times in the area of each boat where intoxicating liquor is sold. In the event that a person applying for a license operates more than one

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boat, a duplicate copy of the license shall be obtained from the commissioner and displayed on each boat. The cost for each license and each duplicate copy of a license shall be \$1,000 annually payable to the commissioner upon application for a license or duplicate. No more than three licenses or duplicate copies shall be issued for boats providing tours originating in any one licensing jurisdiction.

The person applying for a license or duplicate copy hereunder shall provide a bond in the same manner and amount and meeting the same requirements as that required of common carriers under section 340.12.

Sec. 2. Minnesota Statutes 1976, Section 340.14, Subdivision 3, is amended to read:

Subd. 3. **SALES; WHERE FORBIDDEN.** No intoxicating liquors shall be sold in any of the following places:

- (1) Within the capitol or upon the grounds thereof;
- (2) Upon the state fairgrounds or at any place in a city of the first class within one-half mile of such fairgrounds except as hereinafter otherwise provided by charter;
- (3) Upon the campus of the school of agriculture of the University of Minnesota or at any place in a city of the first class within one-half mile of such campus except as hereinafter otherwise provided by charter;
- (4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;
- (5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one-half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;
- (6) At any place on the east side of the Mississippi river within one-tenth mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; a license may be issued under this clause notwithstanding any local law to the contrary;
- (7) Within 1,500 feet of any state university, except as hereinafter provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state university, and at Southwest state university and in determining the distance, the measurement shall be along the most direct line from the nearest corner of the administration building of the university to the main entrance of the licensed premises; as to the ~~Valley campus of the Mankato state~~

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university in the city of Mankato when the place of sale is within 4,000 feet from the middle of the entrance into the main building which entrance is located on the easterly side of South 5th Street at a point where said street is intersected by East Jackson Street in the city of Mankato; or between the Valley campus and Highland campus or within 1,500 feet as measured from the front door of the student union of the Highland campus;

(8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;

(9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision.

Sec. 3. This act is effective the day following final enactment.

Approved March 28, 1978.

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CHAPTER 608-H.F.No.1434

[Not Coded]

*An act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Otter Tail county for the purpose of correcting boundary description errors.*

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

Section 1. **CORRECTION OF BOUNDARY LINES RELATING TO CERTAIN STATE LANDHOLDINGS IN OTTER TAIL COUNTY.** In the process of acquiring real property for the Six Lake public access, the Scalp or Seven Lake public access, and the Scalp or Seven Lake spawning area, all in Otter Tail county, certain errors in legal descriptions of boundaries occurred due to errors in surveying. These errors in legal descriptions have affected the ownership interests of the state and adjacent landowners. In order to correct these errors, the commissioner of natural resources in the name of the state, with the approval of the state executive council, may convey, without monetary consideration, by quitclaim deed in such form as the attorney general approves such rights, titles, and interests of the state in the public accesses and spawning area described above for such rights, titles, and interests in adjacent lands as are necessary for the purpose of correcting legal descriptions of boundaries.

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved March 28, 1978.

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