

provided the benefit shall cease as of the date of the spouse's remarriage.

Sec. 3. The Plymouth firefighter's relief association may pay a pension for the children of deceased members, as the association's bylaws may provide.

Sec. 4. Notwithstanding Minnesota Statutes, Section 424.31, the board of trustees shall consist of six general trustees elected from the membership, and the mayor, city manager, director of finance, and chief of the fire department who shall be ex-officio members of the board with the same rights, privileges and duties as the elected trustees.

Sec. 5. Notwithstanding any law to the contrary, the association's bylaws may define disability. No member shall be entitled to draw both a disability and a service pension.

Sec. 6. The bylaws of the association may further provide that when any member of the association or any pensioner who is a former member dies, there may be paid a death or funeral benefit to defray or assist the family of the deceased with funeral expenses.

Sec. 7. This act is effective upon its approval by the governing body of the city of Plymouth and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 28, 1978.

CHAPTER 686-H.F.No.2299

An act relating to highways; county state-aid highway system; allocation of apportionments; authorizing money credited to the municipal account to be used on certain county state-aid highways; providing for the expenditure of certain portions of the county turnback account on bridges; amending Minnesota Statutes 1976, Sections 161.082, Subdivision 2a; and 162.08, Subdivision 4.

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

Section 1. Minnesota Statutes 1976, Section 162.08, Subdivision 4, is amended to read:

Subd. 4. **PURPOSES.** Except as provided in subdivision 3 money so apportioned and allocated to each county shall be used for aid in the establishment, location, construction, reconstruction, improvement, and maintenance of the county state-aid highway system within each county including the expense of signals and safety devices on such system approved by the commissioner; provided, that in the event of hardship, or in the event that the county state-aid highway system of any county is improved to the standards set forth in the commissioner's rules ~~and regulations~~, a portion of the money apportioned other than the money allocated for expenditures within cities having a population of less than 5,000, may be used on other roads within the county with the

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consent and in accordance with the commissioner's rules and regulations. If the portion of the county state-aid highway system lying within cities having a population of less than 5,000 is improved to the standard set forth in the commissioner's rules and regulations, a portion of the money credited to the municipal account may be used on other county highways or other streets lying within such cities or after notification by certified mail to all of the governing bodies of the cities within the county having a population of less than 5,000 may be advanced from the municipal account to the county to be used on other county state-aid highways within the county with the consent and in accordance with the commissioner's rules and regulations. Advances of money in any year from the municipal account to a county to be used on county state-aid highways within the county outside of cities having a population of less than 5,000 shall be repaid to the municipal account by the county from state-aid money accruing to the county within a maximum of five years unless the terms and conditions of repayment are otherwise agreed to by the county and the governing bodies of the cities within the county having a population of less than 5,000. Upon the authorization of the commissioner, a county may expend accumulated municipal account funds on county state-aid highways within the county outside of cities having a population of less than 5,000. The commissioner shall authorize the expenditure if:

(a) The county submits a written request to the commissioner and holds a hearing within 30 days of the request to receive and consider any objections by the governing bodies of cities within the county having a population of less than 5,000, and

(b) No written objection is filed with the commissioner by any such city within 14 days of that hearing as provided in this subdivision.

The county shall notify all of the cities of the public hearing by certified mail and shall notify the commissioner in writing of the results of the hearing and any objections to the use of the funds as requested by the county.

If, within 14 days of the hearing, a city having a population of less than 5,000 files a written objection with the commissioner identifying a specific county state-aid highway within the city which is requested for improvement, the commissioner shall investigate the nature of the requested improvement. Notwithstanding clause (b), the commissioner may authorize the expenditure requested by the county if: (1) the identified highway is not deficient in meeting minimum state-aid street standards; or (2) the county shows evidence that the identified highway has been programmed for construction in the county's five-year capital improvement budget in a manner consistent with the county's transportation plan; or (3) there are conditions created by or within the city and beyond the control of the county that prohibit programming or constructing the identified highway.

Authorization by the commissioner for use of municipal account funds on county state-aid highways outside of cities having a population of less than 5,000 shall be applicable only to the county's accumulated and current year allocation. Future municipal account allocations shall be used as directed by law unless subsequent requests are made by the county and approved in accordance with the provisions of this section.

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Sec. 2. Minnesota Statutes 1976, Section 161.082, Subdivision 2a, is amended to read:

Subd. 2a. An amount equal to 32 percent of the county turnback account shall be expended, within counties having two or more towns, on town road bridge structures that are ~~20~~ 10 feet or more in length. The expenditures on such bridge structures ~~shall~~ may be on a matching basis, and if on a matching basis, not more than ~~50~~ 90 percent of the cost of any such bridge structure shall be paid from the county turnback account. ~~The rules and regulations of the commissioner of transportation relating to the expenditure of funds for the purposes of this subdivision shall include review of township bridge projects by the regional development commissions or the metropolitan council to determine the relative need of the township for financial assistance.~~

Sec. 3. Section 1 of this act is effective January 1, 1979. Section 2 is effective the day after final enactment.

Approved March 28, 1978.

CHAPTER 687-H.F.No.2307

[Coded in Part]

An act relating to intoxicating liquor; hours and days of sale; requiring wholesalers to maintain a warehouse stock; amending Minnesota Statutes 1976, Sections 340.07, Subdivision 8; 340.14, Subdivision 1; and Chapter 340, by adding a section.

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

Section 1. Minnesota Statutes 1976, Section 340.14, Subdivision 1, is amended to read:

340.14 REGULATIONS. Subdivision 1. **HOURS AND DAYS OF SALE.** No sale of intoxicating liquor shall be made after one a.m. on Sunday, nor until eight a.m. on Monday, nor between the hours of one a.m. and eight o'clock p.m. on the day of any statewide election. No "on-sale" shall be made between the hours of one a.m. and eight o'clock a.m. on any weekday. No "off-sale" shall be made before eight o'clock a.m. or after ten o'clock p.m. of any day. However, in cities of the first class, and in all cities located within a radius of 15 miles of cities of the first class a city of the first class within the same county, "off-sale" may be made only until eight o'clock p.m. of any day except Friday and Saturday, on which day days "off-sale" may be made until ten o'clock p.m. No "off-sale" shall be made on New Years Day, January 1; Independence Day, July 4; Thanksgiving Day; or Christmas Day, December 25; but on the evenings preceding such days, if the sale of liquor is not otherwise prohibited on such evenings, "off-sales" may be made until ten o'clock p.m., except that no "off-sale" shall be made on December 24 after eight o'clock p.m. It shall be beyond the power of any municipality of this state to authorize or permit the sale of intoxicating liquors when such sale is prohibited by this section, however, any municipality may further limit the hours of sale of intoxicating

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