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349.17 **CONDUCT OF BINGO.** Subdivision 1. No compensation shall be paid to any person in connection with a bingo occasion except an active member of the organization, or its auxiliary, or the spouse or surviving spouse of an active member, conducting the bingo occasion nor shall any person not an active member of the organization or its auxiliary or the spouse or surviving spouse of an active member participate in the conduct of a bingo occasion, except by resolution of a majority of the membership, recorded in the official minutes of the organization, non-management assistants who are not active members of the organization, or its auxiliary, or the spouse or surviving spouse of an active member, may be hired to assist members in conducting a bingo occasion. Compensation shall not exceed ~~\$12~~ \$20 for a bingo occasion.

Approved May 22, 1979.

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**CHAPTER 167—H.F.No.982**

*An act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to contested case procedures; requiring the commissioner to adopt certain rules; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, Subdivision 1, and by adding a subdivision; and 162.13, Subdivision 2.*

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

Section 1, Minnesota Statutes 1978, Section 162.09, Subdivision 1, is amended to read:

162.09 **MUNICIPAL STATE-AID STREET SYSTEM.** Subdivision 1. **CREATION.** There is created a municipal state-aid street system within cities having a population of 5,000 or more. The extent of the municipal state-aid street system shall not exceed ~~2,000~~ 2,500 miles, plus the mileage of all trunk highways reverted or turned back to the jurisdiction of cities pursuant to law on and after July 1, 1965. The system shall be established, located, constructed, reconstructed, improved, and maintained as public highways within such cities under rules and regulations, not inconsistent with this section, made and promulgated by the commissioner as hereinafter provided.

Sec. 2. Minnesota Statutes 1978, Section 162.02, is amended by adding a subdivision to read:

Subd. 3a. VARIANCES, RULES AND ENGINEERING STANDARDS. The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.07, subdivision 2. A political subdivision in which a county state-aid highway is located or is proposed to be located may submit a written request to the commissioner for a variance for that highway. The commissioner shall

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publish notice of the request in the state register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of the request. If a written objection to the request is received within 20 days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.

Sec. 3. Minnesota Statutes 1978, Section 162.07, Subdivision 2, is amended to read:

Subd. 2. **MONEY NEEDS DEFINED.** For the purpose of this section, money needs of each county are defined as the estimated total annual costs of constructing, over a period of 25 years, the county state-aid highway system in that county. Costs incidental to construction, or a specified portion thereof as set forth in the commissioner's rules and regulations may be included in determining money needs. When a county state-aid highway is located over a street in a city having a population of 5,000 or more, only the construction costs of the center 24 feet of the street shall be included in the money needs of that county; provided, that when traffic volumes warrant multiple or divided lane highways the construction costs of the necessary number of 12 foot lanes required for through traffic may be included in the money needs. When a county state-aid highway is located over a street in any city of less than 5,000 population, the construction costs of the entire width of the roadway or street surface shall be included in the money needs of that county. To avoid variances in costs due to differences in construction policy, construction costs shall be estimated on the basis of the engineering standards developed cooperatively by the commissioner and the county engineers of the several counties. Any variance granted pursuant to section 2 shall be reflected in the estimated construction costs in determining money needs.

Sec. 4. Minnesota Statutes 1978, Section 162.09, is amended by adding a subdivision to read:

Subd. 3a. **VARIANCES, RULES AND ENGINEERING STANDARDS.** The commissioner may grant variances from the rules and from the engineering standards developed pursuant to section 162.13, subdivision 2. A political subdivision in which a municipal state-aid street is located or is proposed to be located may submit a written request to the commissioner for a variance for that street. The commissioner shall publish notice of the request in the state register and give notice to all persons known to the commissioner to have an interest in the matter. The commissioner may grant or deny the variance within 30 days of providing notice of the request. If a written objection to the request is received within 20 days of providing notice, the variance shall be granted or denied only after a contested case hearing has been held on the request. If no timely objection is received and the variance is denied without hearing, the political subdivision may request, within 30 days of receiving notice of denial, and shall be granted a contested case hearing.

Sec. 5. Minnesota Statutes 1978, Section 162.13, Subdivision 2, is amended to read:

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Subd. 2. **MONEY NEEDS DEFINED.** For the purpose of this section money needs of each city having a population of 5,000 or more are defined as the estimated cost of constructing and maintaining over a period of 25 years the municipal state-aid street system in such city. Right of way costs and drainage shall be included in money needs. Lighting costs and other costs incidental to construction and maintenance, or a specified portion of such costs, as set forth in the commissioner's rules and regulations, may be included in determining money needs. When a county locates a county state-aid highway over a portion of a street in any such city and the remaining portion is designated as a municipal state-aid street only the construction and maintenance costs of the portion of the street other than the portions taken over by the county shall be included in the money needs of the city. To avoid variances in costs due to differences in construction and maintenance policy, construction and maintenance costs shall be estimated on the basis of the engineering standards developed cooperatively by the commissioner and the engineers, or a committee thereof, of the cities. Any variance granted pursuant to section 4 shall be reflected in the estimated construction and maintenance costs in determining money needs.

Sec. 6. **[162.155] RULES.** The commissioner shall adopt rules, no later than January 1, 1980, in accordance with sections 15.041 to 15.052, setting forth the criteria to be considered by the commissioner in evaluating requests for variances under sections 2 and 4. The rules shall include, but are not limited to, economic, engineering and safety guidelines. The engineering standards adopted pursuant to section 162.07, subdivision 2, or section 162.13, subdivision 2, shall be adopted pursuant to the requirements of chapter 15 by July 1, 1980.

Sec. 7. **EFFECTIVE DATE.** Sections 2 to 6 are effective the day following final enactment.

Approved May 22, 1979.

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**CHAPTER 168—H.F.No.1023**

*An act relating to Independent School District No. 911; providing for the sale of certain land.*

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

Section 1. Independent School District No. 911 may convey to the county of Isanti by quitclaim deed for a consideration equal to its fair market value the following described tract of land:

That part of the North 1/2 of the Northeast 1/4 and the South 1/2 of the Northeast 1/4 of Section 5, Township 35 North, Range 23 West, Isanti County, Minnesota, described as follows: Commencing at the intersection of the North line of the said Section 5 and the center line of State Trunk Highway No. 65 as laid out and constructed, said point being 786.27 feet West from the Northeast corner of said Section

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