

which has been approved by the commissioner of corrections to be suitable for the detention of juveniles for up to eight days. Except for children who have been referred for prosecution pursuant to section 260.125, and as hereinafter provided, any child requiring secure detention for more than eight days from and including the date of the original detention order must be removed to an approved secure juvenile detention facility. A child 16 years of age or older against whom a motion to refer for prosecution is pending before the court may be detained for more than eight days in separate quarters in a jail or other facility which has been approved by the commissioner of corrections for the detention of juveniles for up to eight days after a hearing and subject to the periodic reviews provided in section 260.172. No child under the age of 14 may be detained in a jail, lock-up or other facility used for the confinement of adults who have been charged with or convicted of a crime.

Approved March 22, 1982

CHAPTER 597 — H.F.No. 1547

An act relating to intoxicating liquor; town board approval of certain county liquor licenses; amending Minnesota Statutes 1980, Section 340.119, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10.

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

Section 1. Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10, is amended to read:

Subd. 10. **ON-SALE LICENSES; COUNTIES.** (1) On-sale licenses may be issued for the sale of intoxicating liquors by any county herein provided for.

(2) A county board may issue an "on-sale" license for the sale of intoxicating liquors within the unorganized or unincorporated area of the county, to a restaurant or to a club, with the approval of the commissioner of public safety. No license ~~shall~~ may be issued or renewed under this clause ~~after the application has been made therefor~~, until the county board ~~shall have~~ has secured a written statement of the sheriff concerning the applicant. ~~Such~~ The statement ~~shall must~~ include a recital that to the best of his knowledge the applicant has not, within a period of five years ~~prior to~~ before the date of ~~such~~ application, violated any law relating to the sale of non-intoxicating malt liquor or intoxicating liquors and that in his judgment the applicant will comply with the laws and regulations relating to the conduct of ~~said the business in~~ if the ~~event~~ said license is issued or renewed. Before issuing or renewing ~~any a~~ license, the county board shall consider the statement of the sheriff, the character and reputation of the

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applicant, the nature of the business to be conducted, and the type of premises, and the propriety and of the location of said the business.

All licenses issued pursuant to this clause shall be governed by are subject to the appropriate provisions of the intoxicating liquor act except as otherwise provided for herein. The license fee for an on-sale license issued pursuant to this section or pursuant to any other law governing the issuance of a license by a county shall be fixed by the county board. The fee shall must be in such an amount as is competitive with similar licensing fees in comparable areas where intoxicating liquor is sold at on-sale. If the licensed premises to which any a license issued pursuant to this section or any other law governing the issuance of a license by a county is located in a town, an additional license fee may be set by the town board in an amount not to exceed 20 percent of the county license fee. No premises located in a town may be licensed by the county board unless a resolution of the town board of supervisors indicating their its support or opposition to for the granting of the license is filed with the application for the license. If the town board of supervisors refuses or fails to adopt a resolution indicating their support or its opposition within 30 days after being requested to do so by the applicant receiving notice of the application, it shall be presumed that they support it supports the application, and the premises may be licensed.

No license may be issued by the a county board of any county pursuant to this section to any a person who directly or indirectly has been issued an intoxicating liquor license by the county board or by the governing body of any city located within the county. Nothing in this paragraph shall be construed to prohibit the re-issuance of any an intoxicating liquor license already issued pursuant to law as of June 5, 1975.

Sec. 2. Minnesota Statutes 1980, Section 340.119, is amended by adding a subdivision to read:

Subd. 10. Notwithstanding any other provision of law, the governing body of any city may issue a one-day intoxicating liquor consumption and display permit to any non-profit organization in conjunction with a social activity occurring within the city and sponsored by the organization. Not more than ten such licenses shall be issued in any city in any year. The fee for the license shall not exceed \$25. The permit shall allow the consumption or display of intoxicating liquor and the serving of liquids for the purpose of mixing with intoxicating liquor, but shall not allow the sale of intoxicating liquor. The permit shall be valid only for the day indicated on it. No permit issued pursuant to this subdivision shall be valid unless first approved by the commissioner of public safety.

Sec. 3. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

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