

*gated balance in the working capital fund heretofore established at the reformatory for the manufacture of license plates such sums as may be needed for the aforesaid purposes, provided that no more than \$50,000 may be so borrowed at one time, and provided further that such money be returned to the fund from which it was borrowed within three years from the date of transfer.*

Approved April 24, 1959.

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CHAPTER 490—S. F. No. 1477

*An act relating to local improvements and special assessments in cities of the second, third, and fourth class, villages, boroughs and certain towns; amending Minnesota Statutes 1957, Section 429.051.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 429.051 is amended to read:

**429.051 Apportionment of cost.** The cost of any improvement, or any part thereof, may be assessed upon property benefited by the improvement, based upon the benefits received, whether or not the property abuts on the improvement and whether or not any part of the cost of the improvement is paid from the county state-aid highway fund, the municipal state-aid street fund, or the trunk highway fund. The area assessed may be less than but may not exceed the area proposed to be assessed as stated in the notice of hearing on the improvement, except as provided below. The municipality may pay such portion of the cost of the improvement as the council may determine from general ad valorem tax levies or from other revenues or funds of the municipality available for the purpose. The municipality may subsequently reimburse itself for all or any of the portion of the cost of a water or sanitary sewer improvement so paid by levying additional assessments upon any properties abutting on but not previously assessed for the improvement, on notice and hearing as provided for the assessments initially made. To the extent that such an improvement benefits non-abutting properties which may be served by the improvement when one or more later extensions or improvements are made but which are not initially assessed therefor, the municipality may also reimburse itself by adding all or any of the portion of the cost so paid to the assessments levied for any of such later extensions

or improvements, provided that notice that such additional amount will be assessed is included in the notice of hearing on the making of such extensions or improvements. The additional assessments herein authorized may be made whether or not the properties assessed were included in the area described in the notice of hearing on the making of the original improvement.

In any city of the fourth class electing to proceed under a home rule charter as provided in this chapter, which charter provides for a board of water commissioners and authorizes such board to assess a water frontage tax to defray the cost of construction of water mains, such board may assess the tax based upon the benefits received and without regard to any charter limitation on the amount that may be assessed for each lineal foot of property abutting on the water main. The water frontage tax shall be imposed according to the procedure and, except as herein provided, subject to the limitations of the charter of the city.

Approved April 24, 1959.

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CHAPTER 491—H. F. No. 1569

[Not Coded]

*An act relating to eligibility of firemen over the age of 35 years for membership in the Minneapolis fire department relief association.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Fire department relief association.** Notwithstanding the provision of Minnesota Statutes 1957, Section 69.28, providing that no fireman who is more than 35 years of age when his application is filed can become a member of the relief association, any member of the fire department in the city of Minneapolis in its employ on January 1, 1959, may be eligible to membership in the Minneapolis Fire Department Relief Association. Such member shall make application therefor within 90 days after the effective date of this act. His application must be acted upon by the association pursuant to the provisions of Minnesota Statutes 1957, Section 69.28, within six months thereafter.

Upon the approval of the application for membership to the relief association, such member shall cease to be a member of any other municipal pension fund of the city and shall no longer be entitled to any pension benefits therefrom.