

Sec. 7. Minnesota Statutes 1976, Section 353.657, Subdivision 2a, is amended to read:

Subd. 2a. **SURVIVING SPOUSE OPTIONAL ANNUITY.** If a member who has attained the age of at least 55 years and has credit for not less than 20 years allowable service dies before public service has terminated, or if an employee who has filed a valid application for an annuity or disability benefit prior to termination of public service dies before the annuity or benefit has become payable, notwithstanding any designation of beneficiary to the contrary, the surviving spouse may elect to receive, in lieu of a refund with interest provided in section 353.32, subdivision 1, or survivor benefits otherwise payable pursuant to subdivisions 1 and 2, an annuity equal to the 50 percent joint and survivor annuity which the member could have qualified for on the date of death, computed as provided in sections 353.651, subdivisions 2 and 3, and 353.30, subdivision 3. The annuity shall cease with the last payment received by the surviving spouse in his or her lifetime. No payment shall accrue beyond the end of the month in which entitlement to such annuity has terminated. An amount equal to the excess, if any, of the accumulated contributions which were credited to the account of the deceased employee over and above the total of the annuities paid and payable to the surviving spouse shall be paid to the deceased member's last designated beneficiary or, if none, to the legal representative of the estate of such deceased member. Any member may request in writing that this subdivision not apply and that payment be made only to the designated beneficiary, as otherwise provided by this chapter.

Sec. 8. This act shall be effective December 1, 1977.

Approved March 9, 1978.

CHAPTER 472-H.F.No.1879

An act relating to the trunk highway system; discontinuing and removing certain routes therefrom; adding a new route in substitution of an existing route.

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

Section 1. Subdivision 1. The following trunk highway routes described in Minnesota Statutes 1976, Section 161.115 are discontinued and removed from the trunk highway system:

Routes numbered 127, 153, 285, and 312.

Subd. 2. In compiling the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall delete the descriptions after each of the route numbers enumerated in subdivision 1 and substitute the words "Discontinued and removed".

Sec. 2. Subdivision 1. There is added to the trunk highway system a new route described as follows:

Changes or additions indicated by underline deletions by ~~strikeout~~

[161.115] Route No. 134. Beginning at a point on Route No. 5 southerly of Grasstons, thence extending in a northerly direction to a point on Route No. 23.

Subd. 2. The route established in subdivision 1 is a substitute for Route No. 134 as contained and described in Minnesota Statutes 1976, Section 161.115, and said route as so contained and described in said section is discontinued and removed from the trunk highway system.

Subd. 3. In compiling the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.

Approved March 9, 1978.

CHAPTER 473-H.F.No.1882

An act relating to commerce; repealing the fair trade laws; repealing Minnesota Statutes 1976, Sections 325.08 to 325.14.

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

Section 1. Minnesota Statutes 1976, Sections 325.08, 325.09, 325.10, 325.11, 325.12, 325.13, and 325.14, are repealed.

Approved March 9, 1978.

CHAPTER 474-S.F.No.265

[Coded]

An act relating to highways; providing that towns be reimbursed for repairing and restoring town roads damaged while utilized as a haul road in transporting road building materials used in construction or maintenance.

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

Section 1. **[164.155] RESTORATION OF CERTAIN TOWN ROADS.** Subdivision 1. **LIABILITY OF POLITICAL SUBDIVISIONS.** Any political subdivision transporting or causing to be transported any sand, gravel or other road building materials over a town road shall restore that road or reimburse the town for restoration of that road to as good condition as it was prior to that transportation.

Subd. 2. **CONTRACTS BY POLITICAL SUBDIVISIONS.** Whenever a political subdivision and a private contractor enter a contract that contemplates the transporting of

Changes or additions indicated by underline deletions by ~~strikeout~~