

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

Section 1. **Duluth, city of; wheelage taxes.** Subdivision 1. Notwithstanding anything contained in the charter of the city of Duluth, any ordinance thereof, or any statute to the contrary, but subject, nevertheless, to applicable limitations contained in Article XVI, Section 9, of the Constitution of the state of Minnesota, there is hereby conferred upon the governing body of the city of Duluth the authority to submit to the electors of such city, for approval or disapproval, ordinances providing for the collection and enforcement of wheelage taxes upon motor vehicles using the public highways of the city of Duluth; provided, however, that motor vehicles used by any common carrier for hire in the transportation of passengers or property, either in intra-city, or inter-city or interstate business, shall not be subject to any wheelage tax imposed by any ordinance or ordinances adopted under authority of this act.

Subd. 2. The power conferred by this act shall be a continuing power, and shall be in addition to all other powers possessed by the city of Duluth.

Subd. 3. No such wheelage tax shall be imposed upon the vehicle of any person not a resident of the city of Duluth, unless such vehicle shall be used principally upon the streets or highways of the city of Duluth.

Sec. 2. Any ordinance, or amendment thereof, may, after its adoption by the governing body thereof, be submitted to the electors of the city at any general or special election held more than 45 days after the date of the adoption of the ordinance.

Sec. 3. This act shall become effective only after its approval by the governing body of the city of Duluth and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 15, 1967.

CHAPTER 433—H. F. No. 1452

An act relating to the distribution of funds by county treasurers; providing for the accrual of interest; amending Minnesota Statutes 1965, Section 276.11.

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

Section 1. Minnesota Statutes 1965, Section 276.11, is amended to read:

Changes or additions indicated by italics, deletions by strikeout.

276.11 **County treasurers; distribution of funds.** *Immediately Within 90 days* after each settlement in February, May, and October the county treasurer shall pay over to the state treasurer or the treasurer of any town, city, village, or school district, on the warrant of the county auditor, all moneys received by him arising from taxes levied and collected belonging to the state, or to such municipal corporation, or other body and deliver up all orders and other evidences of indebtedness of such *municipal* corporation or other body, taking triplicate receipts therefor. He shall file one of the receipts with the county auditor, and shall return one by mail on the day of its reception to the clerk of the town, city, village, or school district to which such payment was made, who shall preserve the same in his office. *If the county treasurer fails to pay over such moneys to the state or to a municipal corporation or other body within 90 days after settlement, interest shall thereafter accrue at the rate of 3-1/2 percent per year. Interest shall be payable upon appropriation from the general revenue fund of the county and, if not paid, may be recovered by the state, municipal corporation, or other body, in a civil action.*

Approved May 15, 1967.

CHAPTER 434—H. F. No. 1467

An act relating to frozen foods; amending Minnesota Statutes 1965, Sections 32.55, Subdivisions 2 and 12; 32.62, Subdivision 2; 32.64, Subdivisions 1, 2, and 4.

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

Section 1. Minnesota Statutes 1965, Section 32.55, Subdivision 2, is amended to read:

Subd. 2. **Frozen food.** "Frozen foods" means ice cream, frozen custard, French ice cream, French custard ice cream, ice milk, fruit sherbets, water ices, frozen malted milk, frozen milk shakes; ~~or frozen malts, or any frozen food for which the commissioner has established a standard of identity,~~ but shall not include frozen vegetables, fruits, meats, poultry, or bakery products.

Sec. 2. Minnesota Statutes 1965, Section 32.55, Subdivision 12, is amended to read:

Subd. 12. **Imitation ice cream.** "Imitation ice cream" means any frozen substance, mixture or compound regardless of

Changes or additions indicated by italics, deletions by strikeout.