

CHAPTER 475—H. F. No. 1456

An act relating to the hiring of publicity representatives by state departments and agencies; authorizing the state agricultural society to employ a publicity representative; amending Minnesota Statutes 1965, Section 15.057.

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

Section 1. Minnesota Statutes 1965, Section 15.057, is amended to read:

15.057 State agricultural society; publicity representatives. No state department, bureau or division, whether the same operates on funds appropriated or receipts or fees of any nature whatsoever, except the highway department, the department of business development, the game and fish division, ~~and~~ the division of employment security, *and the state agricultural society* shall use any of such funds for the payment of the salary or expenses of a publicity representative. The head of any such department, bureau, or division shall be personally liable for funds used contrary to this provision. This act shall not be construed, however, as preventing any such department, bureau, or division from sending out any bulletins or other publicity required by any state law or necessary for the satisfactory conduct of the business for which such department, bureau, or division was created.

Approved May 16, 1967.

CHAPTER 476—H. F. No. 1460

An act relating to food handling; licensing the operation of food and beverage vending machines; providing for license fees, exemptions, inspection and enforcement; providing penalties; amending Minnesota Statutes 1965, Sections 31.431, Subdivision 1, 31.481, and 157.03.

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

Section 1. Minnesota Statutes 1965, Section 31.431, Subdivision 1, is amended to read:

31.431 Foods; vending machines; licensing; rules and regulations. Subdivision 1. Every person ~~doing an annual gross business of more than \$400 and~~ engaged in the business of a food handler; ~~except those who handle only pre-packaged food,~~ shall ob-

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tain from the commissioner a license for each establishment or mobile unit which is being operated by a food handler, which license shall state the name and address of the food handler, where such business is being engaged in, or the headquarters of the mobile unit, and the category for which he is being licensed. Applications for licenses shall be made to the commissioner *in such manner as required and upon such forms as provided by the commissioner*, which application shall state the name and address of the applicant, the name and address where such business is being conducted or such mobile unit is headquartered, the nature of the business he is engaged in, and such other pertinent information as the commissioner shall require. Each application shall be accompanied by a fee of \$5; except that applications from licensees who are additionally licensed under the provisions of section 157.03 shall be accompanied by a fee of \$1.50. The commissioner and the hotel inspection division under section 157.03, may issue a joint license in a manner to be agreed upon to applicants who are licensed under sections 31.411 to 31.491, and section 157.03. The joint license shall be issued upon the payment of the amount of the two licenses under sections 31.411 to 31.491, and under section 157.03, *except where the licensee is a vending machine operator. Where the licensee is a vending machine operator, a joint license shall be issued, and the licensee shall pay a fee, in lieu of all other fees, according to the following schedule: \$5, and if the vending machine operator also operates a commissary, an additional \$10; and the application shall also be accompanied by a fee of \$2 for each of the first 100 vending machine locations; and \$1 thereafter, for each location where two or more machines are installed, or a fee prorated on the basis of \$25 for each 100 locations thereafter where only single machines are installed at each such location; provided, that no vending machine operator shall pay a total of more than \$400 regardless of the number of such locations; and provided further that the vending machine location license fee shall not apply to locations where vending machines dispense only bottled or canned soft drinks, pre-packaged confections, and similar dry, nonperishable items, ball gum, nuts, and panned candies.* All licenses shall expire annually and no license shall be issued for a term longer than one year. The commissioner may divide persons required to be licensed under this section into such groups by geographical location, type of operation, or other methods of classification, as he believes will best promote the economical, effective, and convenient execution of this section and shall determine on what day of each year licenses in each group shall expire. He may change such groups or methods of classification from time to time. A licensee, the period of whose group is shortened by such grouping or change thereof, shall pay only such proportion of the annual license fee as the shortened period bears to one year and receive credit on

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the fee for the next license year for any overpayment, and if the period of a group is lengthened, a licensee shall pay additional fees proportionate to the time by which it is lengthened. Such license shall be posted or displayed in a conspicuous place at the establishment so licensed. If a license renewal is not applied for on or before the expiration date after such applicant has manufactured, processed, sold or offered for sale, exposed for sale or had in possession with intent to sell food within this state, a penalty of 25 percent of the license fee shall be imposed. All such license fees and penalties collected by the commissioner shall be deposited into the state treasury.

Sec. 2. Minnesota Statutes 1965, Section 31.481, is amended to read:

31.481 Exclusions; farmers, educational, charitable, or religious organizations, others. The provisions of sections 31.411 to ~~31.494~~ *31.481*, shall not apply to a producer selling farm products of his own production, *or to persons not regularly engaged in the business of manufacturing and selling food and who prepare food only on order of and for sale directly to the ultimate consumer*, or to educational, charitable, or religious organizations not regularly engaged in the business of manufacturing, processing, or selling food *at their established educational, charitable, or religious institutions.*

Sec. 3. Minnesota Statutes 1965, Section 157.03, is amended to read:

157.03 Licenses required; fees. Each year every person, firm, or corporation engaged in the business of conducting an hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment, or who shall hereafter engage in conducting any such business, *except vending machine operators licensed under the joint license provisions of section 31.431, subdivision 1*, must procure a license for each hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment so conducted; provided, that for any hotel or resort in which food, fountain, or bar service is furnished, one license, in addition to the hotel or resort license, shall be sufficient for all restaurants and places of refreshment conducted on the same premises and under the same management with such hotel or resort. Each license shall expire on the thirty-first day of December next following its issuance and any proprietor who operates a place of business after January first following, without first having made application for a license and without having made payment of the fee thereof shall be deemed to have violated the provisions of this chapter and be subject to prosecution, as provided in this chapter; and, in addition thereto, a penalty of \$1.50 shall be added to the amount of the license fee and paid by the proprietor, as provided

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herein, if the application has not reached the office of the state board of health on or before January thirty-first following the expiration of license; or, in the case of a new business, 30 days after the opening date of such business. The state board of health shall furnish to any person, firm or corporation desiring to conduct an hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment an application blank to be filled out by such person, firm, or corporation, for a license therefor, which shall require the applicant to state the full name and address of the owner of the building, structure, or enclosure, the lessee and manager of such hotel, restaurant, lodging house, boarding house, or resort, or place of refreshment, the location of the same, the name under which the business is to be conducted, and such information as may be required therein by the state board of health to complete the application for license, and the application shall be accompanied by a license fee as hereinafter provided.

For hotels, lodging houses, and resorts the license fee shall be based on the number of sleeping rooms in accordance with the following schedule:

Fee Schedule

Number of sleeping rooms	Fee
1-18	\$ 7.50
19-35	\$15
36-100	\$20
101 and over	\$25

For restaurants, places of refreshment, and boarding houses the license fee shall be based on the average number of employees which shall be computed by considering each full time employee as one employee and each part time employee as that fraction of one employee as the number of months in which he is employed is to the 12 months of the year. Employees shall include all persons, except children of the licensee under the age of 18, at work in any capacity, either voluntary or paid, and whether or not reported under the labor laws of this state.

Every licensee shall, at the time of application, certify as to the number of his employees on forms provided by the state board of health and the state board of health shall have access, on demand, to any and all employment records for purposes of substantiating or correcting numbers of declared employees.

License fees for restaurants, places of refreshment, and boarding houses shall be paid in accordance with the following schedule:

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Fee Schedule

Number of employees	Fee
1-4	\$ 7
5-18	\$12
19-28	\$18
29-35	\$25
36 and over	\$30

From and after October first of each year the license fee for new establishments or new operators shall be one half the annual license fee plus any penalty which may be required.

All such fees shall be turned in to the state treasury as provided by law.

Sec. 4. *The license fees imposed by this act upon vending machine operators apply to licenses issued to vending machine operators after the effective date of this act.*

Approved May 16, 1967.

 CHAPTER 477—H. F. No. 1493

[Not Coded]

An act relating to the adjustment of assessments in the city of Minneapolis.

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

Section 1. **Minneapolis, city of; adjustment of assessments.** Whenever the city council of the city of Minneapolis establishes a uniform city-wide policy relating to the proportion of costs of residential street paving projects to be assessed against benefited property and establishes the percentage of costs to be assessed against benefit property and the percentage of costs to be paid out of the city's general funds as provided in Minnesota Statutes, Section 430.02, Subdivision 6, the city council may for the purpose of establishing equitable uniformity of assessments adjust assessments previously levied within a period of four years from the establishment of such city-wide policy; provided, that all assessments made for like residential streetpaving projects shall be uniformly so adjusted and they shall be adjusted to the same assessed percentage in relation to the same percentage to be paid from the city's general funds. Such adjustment shall be made only of that portion of any

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