

affidavit shall be executed stating the name and address of the owner, the name and address of the person from whom purchased, the make of the aircraft, year and model number of the aircraft, the federal aircraft registration number, the manufacturer's identification number and that the aircraft is owned and operated solely as a collector's item and not for general transportation or commercial operations purposes. The affidavit shall be filed with the commissioner along with a fee of \$25. Upon satisfaction that the affidavit is true and correct, the commissioner shall issue to the applicant number plates, decalcomania labels or stamps bearing the inscription "Pioneer", "Minnesota" and the registration number but no date. The number plates, decalcomania labels or stamps are valid without renewal as long as the owner operates the aircraft solely as a collector's item. Should such aircraft be operated other than as a collector's item, the pioneer number plates, decalcomania labels or stamps shall be void and removed, and the owner shall list the aircraft for taxation and registration in accordance with the other provisions of sections 360.511 to 360.67. Upon the sale of such aircraft, the new owner must list the aircraft for taxation and registration in accordance with the provisions of this subdivision (including the payment of \$25 fee) or the other provisions of sections 360.511 to 360.67, whichever is applicable.

In the event of defacement, loss or destruction of the number plates, decalcomania labels or stamps, the commissioner, upon receiving and filing a sworn affidavit of the aircraft owner setting forth the circumstances, together with any defaced plates, labels or stamps and fee of \$5, shall issue replacement plates, labels or stamps. The commissioner shall note on his records the issue of replacement number and shall proceed to cancel the original plates, labels or stamps.

Sec. 3. This act is effective the day following its final enactment.

Approved March 16, 1978.

CHAPTER 502-S.F.No.1431

An act relating to food; providing for inspection and license fees for certain coin operated food vending machines; amending Minnesota Statutes, 1977 Supplement, Section 28A.03; and Minnesota Statutes 1976, Section 28A.09; repealing Minnesota Statutes 1976, Section 28A.15, Subdivision 6.

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

Section 1. Minnesota Statutes, 1977 Supplement, Section 28A.03, is amended to read:

28A.03 DEFINITIONS. As used in sections 28A.01 to 28A.16 the terms defined in this section shall have the following meanings:

(a) "Commissioner" means the commissioner of agriculture of the state of Minnesota.

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

(b) "Person" means any individual, firm, corporation, company, association, cooperative or partnership and includes any trustee, receiver, assignee or other similar representative thereof.

(c) "Place of business" means every location where food or food items are manufactured, processed, sold, stored or handled, including buildings, locations, permanent or portable structures, carnivals, circuses, fairs, or any other permanent or temporary location.

(H) Any vehicle or similar mobile unit from which food is sold shall be considered a place of business for purposes of this section if the food therefrom has been manufactured, packaged or dispensed from bulk, or processed in any manner thereon.

~~(2) Each location which is identified by a separate address, at which one or more vending machines which process or dispense food are located shall be considered a separate place of business for the purposes of this section.~~

(d) "Food" includes every article used for, entering into the consumption of, or used or intended for use in the preparation of food, drink, confectionery, or condiment for man, whether simple, mixed or compound.

(1) "Perishable food" is food which includes, but is not limited to fresh fruits, fresh vegetables, and other products which need protection from extremes of temperatures in order to avoid decomposition by microbial growth or otherwise.

(2) "Readily perishable food" is food or a food ingredient consisting in whole or in part of milk, milk products, eggs, meat, fish, poultry or other food or food ingredient which is capable of supporting rapid and progressive growth of infectious or toxigenic micro-organisms.

(3) "Frozen food" is food which is processed and preserved by freezing in accordance with good commercial practices and which is intended to be sold in the frozen state.

(4) For the purposes of this definition, packaged food in hermetically sealed containers processed by heat to prevent spoilage; packaged pickles; jellies, jams and condiments in sealed containers; bakery products such as bread, rolls, buns, donuts, fruit-filled pies and pastries; dehydrated packaged food; and dry or packaged food so low in moisture content as to preclude development of micro-organisms are not "perishable food", "readily perishable food", or "frozen food" within the meaning of definitions (1), (2) and (3) herein when they are stored and handled in accordance with good commercial practices.

(e) "Sell and sale" includes the keeping, offering, or exposing for sale, use, transporting, transferring, negotiating, soliciting, or exchange of food, the having in possession with intent to sell, use, transport, negotiate, solicit, or exchange the same and the storing, or carrying thereof in aid of traffic therein whether done or permitted in person or through others.

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

(f) "Principal mode of business" means that type of business described under either (a), (b), (c) or (d) in section 28A.05 within which category the greatest amount of the applicant's food business lies.

(g) A custom processor is a person who for a fee slaughters animals or processes non-inspected meat for the owner of such animals, and returns the meat products derived from such slaughter or processing to the owner. "Custom processor" shall not include a person who slaughters animals or poultry and/or processes meat for the owner of the animals or poultry on the farm or premises of the owner of such animals, meat or poultry. For the purpose of this clause, "animals" or "meat" do not include poultry or game animals or meat derived therefrom.

Sec. 2. Minnesota Statutes 1976, Section 28A.09, is amended to read:

28A.09 INSPECTION FEES FOR VENDING MACHINES. The following combined license fee schedule shall be applied for an applicant's place(s) of business where food is sold and dispensed solely through the use of vending machines, and the fees charged hereunder shall be in lieu of any other fees which may be applied to such place(s) of business under section 28A.08:

(a) \$2 for each of the first 100 such places of business;

(b) \$1 for each such place of business thereafter;

(c) Provided that no applicant shall be required to pay a total of more than \$400 under (a) and (b) above regardless of the number of applicant's places of business hereunder.

(d) A place of business which consists solely of vending machines dispensing only bottled or canned soft drinks, prepackaged confections, and similar dry, nonperishable items, such as ball gum, nuts, and panned candies, shall not be counted for the purpose of determining applicant's license fees hereunder. Subdivision 1. Every coin operated food vending machine shall be subject to an annual state inspection fee of \$2 for each nonexempt machine, provided that:

(a) Food vending machines may be inspected by either a home rule charter or statutory city, or a county, but not both, and if inspected by a home rule charter or statutory city, or a county they shall not be subject to the state inspection fee, but the home rule charter or statutory city, or the county may impose a reasonable inspection or license fee. A home rule charter or statutory city or county that does not inspect food vending machines shall not impose a food vending machine inspection or license fee.

(b) Vending machines dispensing only bottled or canned soft drinks or ice manufactured and packaged by another shall be exempt from the state inspection fee, but may be inspected by the state, or by a home rule charter city or statutory city or a county which may impose a reasonable inspection or license fee.

Subd. 2. The commissioner may require that any vending machine shall be

Changes or additions indicated by underline deletions by strikeout

identified in accordance with rules promulgated pursuant to Minnesota Statutes, Chapter 15.

Sec. 3. Minnesota Statutes 1976, Section 28A.15, Subdivision 6 is repealed.

Approved March 16, 1978.

CHAPTER 503-S.F.No.1547

[Not Coded]

An act relating to Independent School District No. 624 and Independent School District No. 12; providing for the exchange of territory between the districts.

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

Section 1. The following described tracts of land now situated within Independent School District No. 624 are hereby detached from said district and annexed to Independent School District No. 12:

The West one-half (W 1/2) of the Northwest one-quarter (NW 1/4) of Section thirty-four (34), Township thirty-one (31), Range twenty-two (22), subject to easement in favor of Northwest Power Company; and

the Southeast one-quarter (SE 1/4) of the Northwest one-quarter (NW 1/4) of Section twenty-four (24), Township thirty-one (31), Range twenty-two (22), except for the South 375 feet of the West 275 feet of said SE 1/4 of the NW 1/4 and except for the part taken for highway purposes as described in corrective warranty deed filed December 28, 1964, subject to rights of a town road along the west line of said Southeast one-quarter (SE 1/4) of the said Northwest one-quarter (NW 1/4).

Sec. 2. The following described tracts of land now situated within Independent School District No. 12 are hereby detached from said district and annexed to Independent School District No. 624:

The Northeast one-quarter (NE 1/4) of Section thirteen (13), Township thirty-one (31), Range twenty-two (22), except for that part taken for highway purposes; and

the Southerly 165 feet of the Westerly 264 feet of the Northeast quarter of the Northeast quarter (NE 1/4 of NE 1/4) of Section twenty-four (24), Township thirty-one (31), Range twenty-two (22), designated as parcel 300, on Plat No. 82924.

Sec. 3. From and after the effective date of this act, the property described in section 1 is taxable for the payment of all bonded indebtedness of Independent School District No. 12 which is outstanding on that date, and the property described in section 2 is taxable for the payment of all bonded indebtedness of Independent School District No. 624 which is outstanding on that date. Such property is relieved by this act from primary

Changes or additions indicated by underline deletions by strikeout