

Sec. 9. EDUCATION AIDS INCREASE ACCOUNT.

Subdivision 1. **ESTABLISHMENT.** There is established an education aids increase account in the general fund of the state treasury for the deposit of funds to insure adequate funding for increases in aids to school districts for the biennium beginning July 1, 1985.

Subd. 2. **INITIAL TRANSFER.** The commissioner of finance shall transfer ~~\$23,000,000~~ \$21,700,000 to the education aids increase account on July 1, 1984.

Subd. 3. **CONTINGENT TRANSFERS.** If forecasts of general fund revenues and expenditures prepared by the commissioner of finance pursuant to chapter 16A prior to December 1, 1984, indicate a projected general fund balance for the biennium ending June 30, 1985, the commissioner shall transfer the amount of the balance to the education aids increase account; however, in no case shall the cumulative total of all transfers according to this subdivision exceed ~~\$27,000,000~~ \$28,300,000. Transfers to the education aids increase account shall remain in the account until expended.

Subd. 4. **EXPIRATION OF ACCOUNT.** The education aids increase account shall expire on June 30, 1987. Any unexpended moneys in the education aids increase account on June 30, 1987, shall be transferred to the general fund.

Sec. 20. REPEALER.

(a) Minnesota Statutes 1982, section 290.06, subdivision 13, is repealed.

(b) Minnesota Statutes 1982, section 270.051, is repealed.

Sec. 21. EFFECTIVE DATE.

Section 1 is effective July 1, 1984, and applies to all payments due on or after that date. Section 3 is effective for amounts remitted or transferred to a claimant agency after the day of final enactment. Sections 10 to 13 and 20, paragraph (a), are effective for taxable years beginning after December 31, 1984. Sections 14 and 20, paragraph (b), are effective July 1, 1984. Section 19 is effective the day after final enactment.

Approved April 25, 1984

CHAPTER 503 — H.F.No. 2081

An act relating to local government; changing the authority for licensing and inspecting vending machines; amending Minnesota Statutes 1982, sections 145.031, subdivision 1; 145.55, subdivision 1; 145.918, subdivision 2; 366.01, subdivision 2; and Minnesota Statutes 1983 Supplement, section 28A.09, subdivision 1; repealing Minnesota Statutes 1982, sections 144.075; 375.193; and 461.02.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1983 Supplement, section 28A.09, subdivision 1, is amended to read:

Subdivision 1. **ANNUAL FEE; EXCEPTIONS.** Every coin operated food vending machine is subject to an annual state inspection fee of \$5 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 gum balls, hard candy, unsorted confections, 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.~~ A home rule charter or statutory city may impose by ordinance a reasonable inspection or license fee on the vending machines described in this paragraph. A county may impose by ordinance a reasonable inspection or license fee on the vending machines described in this paragraph which are not located in a home rule charter or statutory city.

Sec. 2. Minnesota Statutes 1982, section 145.031, subdivision 1, is amended to read:

Subdivision 1. The commissioner of health may enter into an agreement with any county, two or more contiguous counties, or city, hereafter called the designated agent, under which agreement the designated agent may agree to perform all or part of the licensing, inspection, and enforcement duties authorized under sections ~~144.075,~~ 144.12, 144.71 to 144.76, 327.14 to 327.29 and chapter 157. The agreement shall also set forth criteria by which the commissioner will determine that the performance by the designated agent complies with state standards and is sufficient to replace licensing by the commissioner. The agreement may specify minimum staff requirements and qualifications and provide for termination procedures if the commissioner finds that the designated agent fails to comply with the terms and requirements of the agreement.

Sec. 3. Minnesota Statutes 1982, section 145.55, subdivision 1, is amended to read:

Subdivision 1. The commissioner of health hereafter called the state agency may enter into an agreement with any county which has established a

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

health department, hereafter called the county agency, under the provisions of Laws 1969, chapter 235, or ~~Minnesota Statutes~~, sections 145.47 to 145.54, under which agreement such county agency may agree to perform all or part of the licensing, inspection and enforcement duties authorized under the provisions of ~~Minnesota Statutes~~, sections 144.075, 144.12, 144.71 to 144.76, 327.14 to 327.29 and Chapter 157. The agreement may set out requirements that the county agency comply with rules promulgated by the state agency for the performance of duties under the provisions of ~~Minnesota Statutes~~, sections 144.075, 144.12, 144.71 to 144.76, 327.14 to 327.29 and chapter 157. It may also set forth criteria under which the state agency will determine that the performance by the county agency complies with state standards and shall be deemed sufficient to replace licensing by the commissioner of health.

The agreement may further specify minimum staff requirements and qualifications and may provide for procedures for termination if the state agency finds that the county agency fails to comply with the terms and requirements of the agreement.

Sec. 4. Minnesota Statutes 1982, section 145.918, subdivision 2, is amended to read:

Subd. 2. The commissioner of health may enter into an agreement as prescribed in section 145.55, with any county or city or group of counties or cities organized under the provisions of section 145.913 to perform all or part of the licensing, inspection, and enforcement duties authorized under the provisions of sections 144.075, 144.12, 144.71 to 144.76, 327.14 to 327.29 and chapter 157.

Sec. 5. Minnesota Statutes 1982, section 366.01, subdivision 2, is amended to read:

Subd. 2. They may prohibit or license and regulate the keeping of billiard, pool, and pigeon-hole tables, games of amusement, games of skill, juke boxes, roller skating rinks, bowling alleys, circuses, shows, theatrical performances, and the sale of fireworks, and may license and regulate public dancing places, fix the price and time of continuance of such license, and, when in their opinion the public interest requires it, revoke the same. ~~They may license the sale of soft drinks and soft drink vending machines and may fix the price and duration of such licenses and when in their opinion the public interest requires it, revoke the same.~~ Within any platted residential area of the town they may license and regulate the presence or keeping of dogs or domestic animal pets and may regulate or prohibit the discharge of firearms, when deemed to be in the public interest.

Sec. 6. **REPEALER.**

Minnesota Statutes 1982, sections 144.075; 375.193; and 461.02 are repealed.

Approved April 25, 1984

Changes or additions are indicated by underline, deletions by ~~strikeout~~.