

CHAPTER 339—H. F. No. 891

An act relating to public local grain warehouses; amending Minnesota Statutes 1957, Section 232.02.

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

Section 1. Minnesota Statutes 1957, Section 232.02, is amended to read:

232.02 Licenses; regulation. Any person, firm, or corporation operating a public local grain warehouse shall be licensed to buy grain annually by the commission. Application for license must be filed with the commission and the license issued before transacting warehouse business.

Every license shall expire at midnight on the thirtieth day of June, the fee shall be \$10 for each license issued and a license shall be required for each such warehouse operated. The fees collected under this section shall be paid into the state treasury and credited to the general revenue fund. Such license shall be revocable by the commission for cause upon notice and hearing. All licenses, grade rules, and all rules regulating public local grain warehouses shall, upon receipt thereof by the warehouseman, be posted in a protected place in the driveway to his warehouse.

Any person, firm, or corporation, other than a licensed warehouseman, who shall purchase grain from the owner thereof for the purpose of resale shall first procure a license therefor from the commission before transacting such business and shall be subject to the same laws, rules, and regulations as may govern public local grain warehousemen insofar as they may apply. Such license shall be renewed annually and shall also expire on June thirtieth. The fee for each such buyer's license shall be \$10. The commission may require a separate license for each truck or tractor-trailer unit used in such grain buying. Before any such license shall be issued the applicant therefor shall file with the commission a bond to the state with a corporate surety, approved by the commission, in a penal sum to be prescribed by the commission but not less than \$2,500, conditioned that the applicant will pay upon demand to such owner the purchase price of such grain. *Said bond is to provide coverage or security for the protection of the public required with respect to truck grain buyers, regardless of whether the motor vehicles used by the licensee are specifically licensed as required by this act.*

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

The surety bond shall be for the purpose of protecting any person dealing with the licensee or his or their agent or agents, within the state of Minnesota, from loss by reason of any violation of this act.

The bond shall not cover transactions wherein it appears to the commission that a voluntary extension of credit has been given on the purchase price of such grain by the seller to the licensee beyond the demand date. Any person claiming to be damaged by a breach of the conditions of a bond given by an applicant or licensee may enter complaint thereof to the commission, which complaint shall be a written statement of the facts constituting the complaint and shall file it in the office of the secretary of the commission within six months from breach of the conditions of the bond.

If the commission determines that there is reasonable cause for complaint, it shall assign said complaint for hearing upon ten days notice to the complainant, respondent and the company that furnished the bond filed by the licensee. At the conclusion of said hearing the commission shall issue its order upon the matter complained of to complainant, respondent and the bonding company, who shall have 30 days following in which to make effective and satisfy the commission's findings, conclusions and order.

If there is reasonable cause to believe that the licensee is in violation of the provisions of this act, it may forthwith suspend, and after ten days notice and opportunity to be heard, revoke his license.

If such licensee has become liable to more than one person by reason of breaches of the conditions of the bond and the amount of the bond is insufficient to pay the entire liability to all persons entitled to the protection of the bond, the penalty of the bond as against the sureties shall be apportioned among the several claimants. Nothing in this section shall apply to anyone purchasing seed grain for his own use or to any person who engages in the purchase of grain for his own use or consumption; but the word "use" or the word "consumption," as used herein, shall not be construed to mean or include the sale of such grain at retail or wholesale; provided that nothing herein contained shall apply to persons, firms or corporations or their employees buying or selling grain in any chamber of commerce, board of trade, or grain exchange.

Any public local grain warehouseman or such purchaser

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of grain operating without first obtaining such license shall be deemed guilty of a misdemeanor; each day of such operation shall constitute a separate offense for which such public local grain warehouseman, or purchaser of grain, shall forfeit to the state \$50 and such operation may be enjoined upon complaint of the commission.

This act takes effect July 1, 1961.

Approved April 14, 1961.

CHAPTER 340—H. F. No. 974

[Coded in Part]

An act relating to the registration and taxation of mobile homes; amending Minnesota Statutes 1957, Sections 168.011, Subdivision 8, as amended; 168.012, as amended; and 273.13, Subdivision 3, as amended by Chapter 562, Laws of 1959.

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

Section 1. Minnesota Statutes 1957, Section 168.011, Subdivision 8, as amended by Chapter 562, Section 1, Laws 1959, is amended to read:

Subd. 8. **House trailer; mobile home.** (a) "House trailer" means any trailer or semi-trailer designed and used for human living quarters, *and meeting all of the following qualifications:*

(1) *Is not used as the residence of the owner or occupant;*

(2) *Is used for temporary living quarters by the owner or occupant while engaged in recreational or vacation activities;*

(3) *Is towed on the public streets or highways incidental to such recreational or vacation activities.*

The term "house trailer" ~~and~~ shall not include bunk-houses, so-called, temporarily mounted on trailers, and mobile homes. Such bunk-houses, exclusive of the trailer and mobile homes, shall be listed and taxed as personal property as provided by law.

(b) "Mobile home" means any trailer or semi-trailer

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