

CHAPTER 986—S. F. No. 597

An act relating to wild animals; changing the fee for a license to harvest wild rice; eliminating the licensing exemption of certain persons; establishing a separate processor's license; amending Minnesota Statutes 1967, Section 98.46, Subdivisions 3, and 18 as amended.

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

Section 1. Minnesota Statutes 1967, Section 98.46, Subdivision 3, is amended to read:

Subd. 3. **Conservation; wild rice; licenses.** The fees ~~fee~~ for ~~the following~~ a license to harvest wild rice, to be issued to residents only, shall be: \$4.

(1) To harvest wild rice, \$3.

(2) ~~No license shall be required of any person under 16 years of age. No license shall be required of a recipient of old age assistance or members of his immediate family. Identification cards shall be issued without fee to any such recipient and to each member of the family. The term "immediate family" shall include husband and wife and minor children having their abode and domicile with the parent or legal guardian.~~

Sec. 2. Minnesota Statutes 1967, Section 98.46, Subdivision 18, as amended by Laws 1969, Chapter 149, Section 1, is amended to read:

Subd. 18. Fees for the following licenses, to be issued to either residents or nonresidents shall be:

(1) For a wild rice dealer's license to buy wild rice within the state for resale to anyone except consumers, or to sell wild rice imported from outside the state to anyone within the state except consumers, ~~or to process for resale by the processor to anyone wild rice not harvested by the processor himself,~~ \$50 if the amount of wild rice bought; ~~or sold or processed~~ by the licensee within the year covered by the license does not exceed 50,000 pounds, \$200 if such amount exceeds 50,000 pounds. For the purposes hereof the weight of wild rice in its raw state shall govern; ~~and two and one half pounds of raw rice shall be deemed equivalent to one pound of processed rice. All raw rice purchased by a dealer shall be reported in accordance with clauses (3), (4), (5), and (6) of this subdivision.~~

(2) *For a wild rice processor's license, which may be issued to an individual, partnership, or corporation, to process for resale by the processor wild rice purchased from a licensed dealer or imported*

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

from outside the state and not harvested by the processor himself, \$200. All licensed processors shall report the raw rice purchased and the processed rice produced in accordance with clauses (3), (4), and (6) of this subdivision and shall estimate the amount of processed wild rice derived from sources outside the state and from domestic production.

(2) (3) Every application for a license under this subdivision shall be made on oath in writing in such form as the commissioner shall prescribe, stating the amount of wild rice, whether raw or processed, bought, sold, or processed by the applicant during the calendar year preceding the year for which the license is sought, the amount which the applicant estimates he will buy, sell, or process under the license, and such other pertinent information as the commissioner may require. The license fee shall be paid in advance, based on such estimate, subject to adjustment as hereinafter provided; provided, that no license shall be issued for any year based on a lesser amount of wild rice than was bought, sold, or processed by the applicant during the preceding calendar year.

(3) (4) Every licensee under this subdivision shall keep a correct and complete book record in the English language of all wild rice bought, sold, or processed by him during the period covered by his license, showing the date of each transaction, the names and addresses of all other parties thereto, and the amount of wild rice involved, whether raw or processed. Every such record shall be open for inspection by the commissioner, the ~~director~~ *coordinator* of wild rice ~~harvesting~~, or any conservation officer or agent of the commissioner at all reasonable times. Every such licensee shall transmit to the commissioner within ten days after the end of each calendar month during the period covered by the license a written report, in such form as the commissioner shall prescribe, signed by the licensee, stating the total amount of wild rice bought, sold, or processed by him during such calendar month, whether raw or processed.

(4) (5) No *dealer* licensee under this subdivision shall at any time buy, sell, or process any wild rice for which a license is required hereunder in excess of the amount covered by his license. In case a licensee shall desire to buy, sell, or process any wild rice in excess of such amount, he shall before doing so make application for a supplemental license covering the increased amount of wild rice involved, and such license shall be issued to him upon payment of the prescribed fee therefor, less credit for the fees paid for the previous license or licenses issued to him hereunder for the same calendar year. Upon the issuance of such supplemental license, such previous license or licenses shall be surrendered to the commissioner.

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(5) (6) The wilful making of a false statement in any application for a license under this subdivision or in any report required hereunder, or the wilful making of a false entry in any record required hereunder, or any other violation of or failure to comply with any provision of this subdivision shall be a misdemeanor, punishable as provided by Minnesota Statutes, Section 97.55, Subdivision 1. Upon conviction of any person of any offense under this subdivision, any license hereunder then held by him shall immediately become null and void, and no such license shall be issued to him for one year after the date of such conviction.

Approved June 6, 1969.

CHAPTER 987—S. F. No. 773

An act relating to judicial pensions; imposing penalties for excess payments; and requiring the collection thereof; amending Minnesota Statutes 1967, Section 490.102, Subdivision 2.

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

Section 1. Minnesota Statutes 1967, Section 490.102, Subdivision 2, is amended to read:

Subd. 2. **Courts; judicial pensions; excess payments.**

(a) If, at the time of retirement, he has attained the age of at least 70 years and he has served for 15 years as such judge, or as such judge and as judge of a court of record, he shall receive for the remainder of his life, one-half the compensation allotted to the office at the time of his retirement *or on July 1, 1967, whichever is greater.*

(b) If, at the time of retirement, he has attained the age of at least 65 years and he has served for 25 years as such judge, or as such judge and as a judge of a court of record, he shall receive for the remainder of his life, one-half of the compensation allotted for the office at the time of his retirement *or on July 1, 1967, whichever is greater.*

Except for per diem payments made pursuant to Minnesota Statutes, Section 484.62, and retirement pay adjustments pursuant to Minnesota Statutes, Section 490.025, Subdivision 2, it is unlawful for any public officer to pay a retired judge an amount greater than one half of the compensation allotted to the office of such retired judge at

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