

**17.718 AGRICULTURE; COMMERCIAL FERTILIZERS; PENALTIES; TONNAGE REPORT.** Subdivision 1. Each licensed distributor of commercial fertilizer under section 17.717, subdivision 1, and each registrant of commercial fertilizer or soil conditioner under section 17.717, subdivision 2, shall file with the commissioner on forms furnished by the commissioner, a semiannual statement for the periods ending December 31 and June 30 setting forth the number of net tons of each grade of commercial fertilizer or soil conditioner distributed in this state during such reporting period. The report shall be due on or before the 30th of the month following the close of each reporting period ~~and upon such statement shall pay of each calendar year.~~ The inspection fee at the rate stated in section 17.717, ~~subdivision~~ subdivisions 3, 4 and 5 shall accompany the statement. For the tonnage report that is not filed or the payment of inspection fees that is not made within 30 days after the end of the reporting period, a penalty of ten percent of the amount due, with a minimum penalty of \$10, shall be assessed against the licensee or registrant, and the total amount of fees due, plus penalty, shall constitute a debt and may be recovered in a civil action against the licensee or registrant. The assessment of this penalty shall not prevent the department from taking other actions as provided in this chapter. The commissioner may by regulation require additional reports for the purpose of gathering statistical data relating to fertilizer and soil conditioner distribution in the state.

~~If the tonnage report is not filed and the payment of inspection fee is not made within 30 days after the end of the reporting period, a collection fee amounting to ten percent, with a minimum of \$10, of the amount shall be assessed against the licensee or registrant, and the total amount of fees due shall constitute a debt and may be recovered in a civil action against the licensee or registrant.~~

Approved May 19, 1973.

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## CHAPTER 382—S.F.No.496

[Not Coded]

*An act relating to the city of Gilbert; placing new police officers of the city of Gilbert under the public employees retirement association.*

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

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

Section 1. **GILBERT, CITY OF; POLICE RETIREMENT ASSOCIATION.** Notwithstanding any law to the contrary, any person employed by the city of Gilbert as a police officer after December 31, 1972 shall be a member of the public employees retirement association and not of the police pension fund established by Laws 1957, Chapter 687, as amended.

Sec. 2. This act is effective upon approval by the city council of the city of Gilbert and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 19, 1973.

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**CHAPTER 383—S.F.No.523**

[Coded]

*An act relating to hearing aids; permitting sales only upon the recommendation of persons licensed to practice medicine; providing a penalty.*

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

Section 1. [145.43] **HEARING AIDS; RESTRICTIONS ON SALES.** Subdivision 1. **DEFINITION.** "Hearing Aid" means any instrument or device designed for or represented as aiding defective human hearing, and its parts, attachments, or accessories, including but not limited to ear molds. Batteries and cords shall not be considered parts, attachments, or accessories of a hearing aid.

Subd. 2. **PRESCRIPTION OR WRITTEN RECOMMENDATION REQUIRED.** No hearing aid shall be sold by any person in this state except upon the prescription or other written and signed recommendation of an authorized person who is neither employed by, or in a business relationship with, a seller of hearing aids. For purposes of this section, "authorized person" means an audiologist, otolaryngologist, otologist, or licensed medical doctor. "Audiologist" means an individual who holds a master's degree or doctor's degree in audiology from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools or an equivalent accrediting association. Any person selling a hearing aid as provided in this section shall maintain for not less than one year, in a file under the name of the person to whom the hearing aid was sold, a true copy of the prescription or other written recommendation, as provided herein, upon which such sale was made. Nothing in this act shall apply to

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