

punitive damages an additional amount not to exceed 50 percent of all moneys paid out or to be paid out. An action to recover such moneys shall be instituted unless the custodian determines that no recovery is possible. All moneys recovered shall be deposited in the general fund.

Sec. 2. Minnesota Statutes 1971, Section 176.183, Subdivision 2, is amended to read:

Subd. 2. Upon a warrant prepared by the commission and approved by the state auditor, and in accordance with the terms of the order awarding compensation, the state treasurer shall pay compensation to the employee or his dependent from the special compensation fund. The workmen's compensation commission shall certify to the state treasurer and to the legislature at the end of each biennium the total amount of compensation paid from the special compensation fund under ~~subdivision 1~~ subdivisions 1 and 1a, including the necessary expenses and salary which the attorney general incurs in investigating, defending and in maintaining any cause of action against any employer. The state treasurer shall upon proper certification reimburse the special compensation fund from the general fund the total amount certified as paid under this section, and the funds required for the purpose of making such reimbursement are hereby annually appropriated.

Approved May 24, 1973.

CHAPTER 751—H.F.No.1807

An act relating to agriculture, dairy promotion act; promotion of milk and milk products; voting on promotional orders by producer-members of a cooperative association; amending Minnesota Statutes 1971, Sections 32B.04, Subdivision 4; 32B.06, Subdivision 2; and 32B.09.

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

Section 1. Minnesota Statutes 1971, Section 32B.04, Subdivision 4, is amended to read:

Subd. 4. **AGRICULTURE; DAIRY PROMOTION ACT.** The board of directors shall meet within 15 days after their election has been certified by the commissioner. The commissioner and board of directors shall formulate a promotional order establishing a

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

program for research and development to promote the marketing of milk and milk products including but not limited to marketing, research, processing, distribution and advertising. The order shall provide for the method of collecting fees from milk producers in Minnesota to finance the proposed activities and the fees shall not exceed one percent of the market value of the product sold by the producer. The exact fee must be stated in the promotional order and can be changed only by a referendum vote, conducted in the same manner as the promotional referendum. For the first two years of this promotional order, the fee shall not exceed one half of one percent of market value of the product sold by the producer. The commissioner, with the advice and consent of the board of directors shall hold a public hearing on the promotional order and shall thereafter conduct a referendum on the final promotional order. For purposes of voting in a referendum on a final order, the vote in the name of a cooperative association of producers shall be deemed the vote of all producer-members of that cooperative association. The commissioner with the advice and consent of the board of directors shall schedule and specify procedures for the referendum. A ballot prepared by the board of directors and the commissioner of agriculture shall be sent by each cooperative to its member and non-member producers with a return envelope addressed to the commissioner of agriculture. The ballot shall indicate that the cooperative association intends to vote in favor or in opposition to the question. In the case of member-producers the ballot shall indicate expiration date of the ballot and state that if not returned by said date, the ballot shall be considered to be the vote of the association. The ballot shall be returned to the commissioner of agriculture. A cooperative association shall not be required to bloc vote its producers but in such event it shall inform each producer of its decision and provide each producer with an individual referendum ballot with a return envelope addressed to the commissioner of agriculture.

Each private processor shall file a list of producers who market their production with said private processor with the commissioner. The commissioner of agriculture will mail each producer who markets through a private processor an individual ballot with a return envelope addressed to the commissioner of agriculture. These ballots shall be returned to the commissioner. The commissioner shall count and tabulate all ballots. The promotional order shall become effective if approved by a majority of those voting in the referendum. The promotional order shall provide amongst other things for the collection of fees from producers by the first buyer. Fees collected shall be expended only for the specific purpose for which collected.

Each cooperative and private processor shall file with the commissioner a list of producers, who market the bulk of their production with said cooperative or private processor.

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Sec. 2. Minnesota Statutes 1971, Section 32B.06, Subdivision 2, is amended to read:

Subd. 2. A subsequent referendum, using initial voting procedures, shall be held prior to January 1, ~~1975~~ 1980, and each five years thereafter. The order shall terminate at the end of the calendar year, if a majority referendum vote is negative.

Sec. 3. Minnesota Statutes 1971, Section 32B.09, is amended to read:

32B.09 REFUND OF FEES: MILK MARKETING PROGRAM.

Any producer may by the use of forms furnished by the commissioner of agriculture have the fee paid pursuant to sections 32B.01 to 32B.13 refunded to him, provided such request for refund is received in the office of the commissioner within ~~60 days~~ six months following the payment of such fee. The date of payment of such fee shall be defined as the date of producer settlement by the first buyer to the producer.

Approved May 24, 1973.

CHAPTER 752—H.F.No.1659

[Coded]

An act prescribing policies and procedures for the selection, designation, planning, and regulation of areas of critical concern.

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

Section 1. **[116G.01] CRITICAL AREAS ACT; CITATION.**
This act shall be known as the critical areas act of 1973.

Sec. 2. **[116G.02] POLICY.** The legislature finds that the development of certain areas of the state possessing important historic, cultural, or esthetic values, or natural systems which perform functions of greater than local significance, could result in irreversible damage to these resources, decrease their value and utility for public purposes, or unreasonably endanger life and property. The legislature therefore determines that the state should identify these areas of critical concern and assist and cooperate with local units of government in the preparation of plans and regulations for the wise use of these areas.

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