
CHAPTER 87—S.F.No.543

An act relating to public local grain warehouses; providing for the filing and posting of storage rates and other charges assessed by public local grain warehousemen; prescribing the form of storage receipts; amending Minnesota Statutes 1974, Sections 232.06, Subdivisions 1, 4 and 5; and 232.07.

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

Section 1. Minnesota Statutes 1974, Section 232.06, Subdivision 1, is amended to read:

232.06 PUBLIC LOCAL GRAIN WAREHOUSES; RATES AND CHARGES; GRAIN RECEIVED FOR STORAGE; RECEIPT. Subdivision 1. **DISCRIMINATION PROHIBITED; CONTRACT FOR STORAGE.** Every person, firm, or corporation operating a public local grain warehouse licensed to store grain shall receive for storage, so far as the capacity of the warehouse will permit, all grain tendered him, without discrimination of any kind; provided such grain is sound and in a warehouseable condition ~~and of proper grade for delivery on terminal market contracts~~. Upon delivery of grain for storage a legal warehouse storage receipt shall be issued to the owner or his agent which shall state the place and date when the grain was received, the name of the owner of the grain, the kind and grade of the grain according to the official terms established by the Minnesota board of grain standards, or by the Secretary of Agriculture of the United States, the gross weight, dockage and net weight of the grain as per Minnesota standard weight ~~and in addition thereto such receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:~~

Charges for receiving, insuring, handling, storing and redelivering grain must be posted in a prominent place in the warehouse and filed with the Minnesota public service commission.

Each legal warehouse storage receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:

This grain is received, insured and stored through the date of the expiration of the annual licenses of this warehouse ; ~~which date must be plainly imprinted below; and terms expressed in the body of this receipt shall constitute due notice to the holder thereof of the expiration of the storage period. Excepting therefrom "an agreement for the renewal of such storage," the charges for receiving, insuring, handling and storing for the first ten days, or part thereof, shall be free. Storage after the first ten days shall be and hereby is fixed in the sum of one-twentieth of a cent per bushel per day for the storage period. Such charges shall be collected by the warehouseman upon presentation of~~

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the storage receipt for the sale or delivery of the grain represented by such receipt, or the termination of the storage period. It shall be and hereby is made unlawful for any person, firm, association or corporation to charge or collect a greater or lesser amount than the one herein fixed—filed with the commission. All charges shall be collected by the warehouseman upon presentation of the storage receipt for the sale or delivery of the grain represented by such receipt, or the termination of the storage period. This grain has been received and stored with grain of the same lawful grade. Upon the return of this receipt and payment or tender of a delivery charge per bushel of five cents for flax, four cents for soybeans, wheat and rye and three cents for each other grains, and of all other stated lawful charges accrued up to the time of said return of this receipt, the above amount, kind and grade of grain will be delivered within the time prescribed by law to the person above named or his order either from this warehouse, or if the owner so desires, in quantities not less than a carload in a public bonded warehouse at any terminal point upon the same line of railway within this state where state or federal inspection and weighing is in force, the grade and weight thereof to be determined by state or federal inspection and weighing as provided by law, and such grain to be subject to the usual freight, inspection, weighing and switching charges from any licensed and bonded warehouse within this state.

Sec. 2. Minnesota Statutes 1974, Section 232.06, Subdivision 4, is amended to read:

Subd. 4. **LIABILITY.** The person, firm, or corporation issuing such receipt shall be held liable to the owner for the delivery of the kind, grade and net quantity of grain called for by said receipts. The term "grain" shall include, but not be limited to, the following products: Wheat, corn, oats, rye, barley, flaxseed, speltz and soybeans.

Sec. 3. Minnesota Statutes 1974, Section 232.06, Subdivision 5, is amended to read:

Subd. 5. **PURCHASES, HOW MADE.** Such person, firm, or corporation shall purchase grain in conformity with the official grades of grain established from time to time by the state board of grain appeals—Minnesota board of grain standards or by the Secretary of Agriculture of the United States, except as otherwise provided in rules and regulations applicable thereto adopted by state or federal officials pursuant to law. The official grades so established and any change that may be made from time to time shall be posted in a conspicuous place in their warehouse.

Sec. 4. Minnesota Statutes 1974, Section 232.07, is amended to read:

232.07 FORM OF STORAGE RECEIPT. The form of receipt hereinafter set forth shall be printed on such storage receipt and shall be executed by the owner or his agent in case the grain represented

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thereby is redelivered or purchased by such public local grain warehouseman ; and said warehouseman shall record such purchase as to the total amount paid and the amount paid per bushel on the receipt record. :

Form of Receipt

Received from dollars net in full payment for the grain represented by this storage receipt. Gross price per bushel storage per bushel net price per bushel All blank spaces in this receipt were filled in before the same was signed by me, and I hereby certify that I am the owner of the grain for which this storage receipt was issued and that there are no liens, chattel mortgages or other claims against the grain represented by this storage receipt.

Signed

(Owner)

Dated 19

Nothing in this section contained shall be construed to affect in any manner the conditions of the storage contract specified in section 232.06.

Form of Receipt

Received from....., the sum of \$....., or bushels in full satisfaction of the obligation represented by this warehouse receipt.

Gross price per bushel \$.....

Storage per bushel \$.....

Net price per bushel \$.....

All blank spaces in this receipt were filled in before the same was signed by me, and I hereby certify that I am the owner of the commodity for which this storage receipt was issued, and that there are no liens, chattel mortgages, or other claims against the commodity represented by this warehouse receipt.

Accepted.....
warehouseman

Signed.....
Dated..... 19....

Signature of this form by the depositor constitutes a valid cancellation of the obligation embraced in the storage contract.

Sec. 5. This act shall expire on June 30, 1978.

Sec. 6. This act is effective on July 1, 1975.

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Approved May 2, 1975.

CHAPTER 88—S.F.No.649

[Coded in Part]

An act relating to agriculture; collective bargaining; agricultural marketing and bargaining associations; amending Minnesota Statutes 1974, Sections 17.694, Subdivision 5, and by adding a subdivision; and 17.697, Subdivision 1.

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

Section 1. Minnesota Statutes 1974, Section 17.694, is amended by adding a subdivision to read:

Subd. 4a. AGRICULTURE; MARKETING AND BARGAINING ASSOCIATIONS. Within 30 days of a decision by the commissioner denying accreditation to an association, the association may request a hearing before the commissioner. The commissioner shall then conduct a hearing to determine whether the association shall be accredited. This hearing shall be governed by the provisions of Minnesota Statutes, Sections 15.0418 and 15.0419. If the commissioner, after this hearing has been held, determines that the association should not be accredited, the association may appeal this decision in accordance with Minnesota Statutes, Sections 15.0424 and 15.0425. Only an association denied certification after such hearing may appeal under this chapter.

Sec. 2. Minnesota Statutes 1974, Section 17.694, Subdivision 5, is amended to read:

Subd. 5. Accreditation of the association by the commissioner shall be effective 30 days after ~~upon receipt by the association of the notice of accreditation from the commissioner~~.

Sec. 3. Minnesota Statutes 1974, Section 17.697, Subdivision 1, is amended to read:

17.697 BARGAINING DEFINED; NOTICE OF COMMENCEMENT OF NEGOTIATIONS; MEDIATION PROCEDURE. Subdivision 1. As used in sections 17.691 to 17.701, "bargaining" means the mutual obligation of a handler and an association or their designated representatives to meet at reasonable times and confer and negotiate in good faith. Negotiations may include all terms relative to trading between handlers and producers of the agricultural commodity such as:

- (a) prices and terms of sale
- (b) quality specifications

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