

Subd. 4. Any waiver by the customer of the provisions of sections 1 to 10 shall be deemed contrary to public policy and shall be void and unenforceable.

Subd. 5. Any person who has been injured by a violation of sections 1 to 10 by an invention developer, by any false or fraudulent statement, representation or omission of material fact by an invention developer or by failure of an invention developer to make all the disclosures required by sections 1 to 10 may bring a civil action against the invention developer for the damages sustained together with costs and disbursements, including reasonable attorney's fees. The court in its discretion may increase the award of damages to an amount not to exceed three times the damages sustained or \$2,500, whichever is greater.

Subd. 6. Failure to make the disclosures required by section 5 shall render any contract subsequently entered into between the customer and the invention developer voidable by the customer.

Subd. 7. In addition to the penalties provided in subdivisions 1 to 6, any invention developer who is found to have violated sections 1 to 10 shall be deemed in violation of Minnesota Statutes, Section 325.79, Subdivision 1, and the provisions of Minnesota Statutes, Section 325.907 shall apply.

Sec. 10. [325A.10] CITATION. Sections 1 to 10 may be cited as the Invention Services Act.

Approved May 26, 1977.

CHAPTER 289—H.F.No.1079

An act relating to agriculture; seeds; changing the basis for listing restricted noxious weed seeds on labels; prohibiting certain acts; increasing fees; amending Minnesota Statutes 1976, Sections 21.48, Subdivision 3; 21.49, Subdivision 1; 21.53, Subdivision 3; and 21.54, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 21.48, Subdivision 3, is amended to read:

Subd. 3. **AGRICULTURE; SEEDS; LABELS; WEED CONTENT.** For agricultural seeds:

(1) Commonly accepted name of (A) kind, or (B) kind and variety, of each agricultural seed component in excess of five percent of the whole, and the percentage by weight of each in the order of its predominance.

(2) Lot number or other lot identification.

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(3) Origin, if known, of alfalfa, red clover, and field corn. If the origin is unknown, that fact shall be stated.

(4) Percentage by weight of all weed seeds, which shall not exceed one percent.

(5) The name and number of each kind of restricted noxious-weed seeds per pound.
 (A) Per ounce in Agrostis species (red top and bent grass), Agropyron species (wheat grass), alfalfa, Bermuda grass, brome grass, clovers (Alsike, crimson, red, sweet, ladino, birdsfoot trefoil, and white), Dallis grass, fescues, flax, foxtail, millet, lespedezas, orchard grass, Poa species (blue grass), reed canary grass, Rhodes grass, rye grass and other agricultural seeds of similar size and weight, or mixtures within this group and (B) per pound in barley, buckwheat, oats, proso, rye, sorghum, sudan grass, vetches, wheat and other agricultural seeds of a size and weight similar to or greater than those within this group, or any mixtures within this group or between members of this group and members of any other group.

(6) Percentage by weight of agricultural seeds (which may be designated as "other crop seeds") other than those required to be named on the label.

(7) Percentage by weight of inert matter.

(8) For each named agricultural seed:

(A) Percentage of germination, exclusive of hard seed.

(B) Percentage of hard seed, if present.

(C) The calendar month and year the test was completed to determine such percentages.

(9) Name and address of the person who labeled the seed, or who sells the seed within this state or in lieu thereof a code number which has been registered with the commissioner.

(10) A hybrid seed corn label shall also state:

(A) Whether the corn is the product of a single cross, a three-way cross, or a double cross, or a blend of these.

(B) The state in which it was grown.

(C) The variety name.

(D) For each grain variety of hybrid seed field corn, the zone and day classification as determined by the originator or owner. Said day classification shall approximate the number of days of growing season necessary from emergence of the corn plant of said variety above ground to maturity and shall conform to the day classification established by the director of the Minnesota agricultural experiment station for the designated zone.

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If recommended for other than grain production, the tag or label shall state "for forage" and carry the approximate zone classification. For the purposes of this section, silage blends shall be considered for grain production.

Sec. 2. Minnesota Statutes 1976, Section 21.49, Subdivision 1, is amended to read:

21.49 UNLAWFUL ACTS. Subdivision 1. AGRICULTURAL SEED, SALE. It is unlawful for any person to sell agricultural or tree and shrub seed within this state if

(a) The test to determine the percentage of germination required by section 21.48 shall not have been completed within a nine-month period, immediately prior to such sale, exclusive of the calendar month in which the test was completed;

(b) It is not labeled in accordance with the provisions of sections 21.47 to 21.58, or contains a false or misleading label;

(c) False or misleading advertisement has been used in respect to its sale;

(d) It contains prohibited noxious-weed seeds;

(e) It contains restricted noxious-weed seeds in excess of two seeds per ounce, or 25 seeds per pound in those agricultural seeds as set out in section 21.48, subdivision 3, clause (5);

(f) It contains more than one percent by weight of all weed seeds;

(g) It is represented to be certified seed unless it has been produced, processed and labeled in compliance with the rules and regulations of an official or officially recognized seed certification agency;

(h) The sale violates the provisions of the Plant Variety Protection Act (U.S. Public Law 91-577; December 24, 1970) and rules and regulations issued pursuant thereto.

Sec. 3. Minnesota Statutes 1976, Section 21.53, Subdivision 3, is amended to read:

Subd. 3. FEES. The fee to be paid by vendors shall be determined from the following schedule of fees:

(a) Fees for stamp or tags:

100 to 160 pound container	7	<u>10</u> cents
60 to 99 pound container	6	<u>9</u> cents
30 to 59 pound container	5	<u>8</u> cents
15 to 29 pound container	4	<u>7</u> cents
1/2 to 14 pound container	3	<u>5</u> cents

(b) Fees on cereal grains and oil crops of flax and soybeans and seeds of vegetables grown for processing under the permit system shall be:

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Cereals: Each 100 pounds ~~4 cent~~ 2 cents

Peas, flax and soybeans: Each 100 pounds 3 5 cents

Sec. 4. Minnesota Statutes 1976, Section 21.54, Subdivision 2, is amended to read:

Subd. 2. **FIELD CORN VARIETIES; REGISTRATION FEE.** A record of each hybrid seed field corn grain variety to be sold in Minnesota shall be registered by February 1 of each year by the originator or owner thereof with the commissioner. The annual fee for such registration shall be ~~\$12.50~~ \$15 per variety. The record shall include the permanent designation of the hybrid as well as the day classification and zone of adaptation, as determined under subdivision 1, which the originator or owner declares to be the zone in which said variety is adapted. In addition, at the time of the first registration of a hybrid seed field corn grain variety, the originator or owner shall include a sworn statement that his declaration as to the zone of adaptation was based on actual field trials in said zone and that such field trials substantiate his declaration as to the day and zone classifications to which the variety is adapted. The number or name used to designate any hybrid seed field corn grain variety in the registration thereof shall be the only variety name of all seed corn covered by or sold under such registration.

Sec. 5. **EFFECTIVE DATE.** This act is effective July 1, 1977.

Approved May 26, 1977.

CHAPTER 290—H.F.No.1107

[Not Coded]

An act relating to natural resources; authorizing the commissioner of natural resources to sell certain lands in Itasca county; appropriating money.

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

Section 1. **CONVEYANCE OF STATE LAND; ITASCA COUNTY.** Subdivision 1. The state of Minnesota is the owner of Government Lot Five, Section Twenty-two, Township Sixty North, Range Twenty-four West, in Itasca county. Due to a survey error by the state, Bjorn and Aasta Vegheim built a house partly on this state property and partly on adjacent private property in the 1930's and have owned, occupied, and made improvements on the house since it was built.

Subd. 2. The commissioner of natural resources is hereby authorized to offer for sale and sell, in the same manner as provided for the sale of other trust fund lands, the following described land, except that the value of the improvements on the land shall be appraised separately. If, at the sale of the land Bjorn and Aasta Vegheim are the purchasers, they shall not be required to pay for the improvements but in lieu thereof, at the time of sale, they shall furnish an affidavit to the effect that the improvements were paid by them. The land which the commissioner may offer for sale and sell is described

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