

## CHAPTER 84—H. F. No. 183

(AMENDING SECTIONS 233.13, 233.14, 233.15, 233.16, 233.21  
MINNESOTA STATUTES 1941.)

*An act to create a board of grain appeals, providing for appointments thereto and removals therefrom; the powers and jurisdiction thereof and salaries; repealing Mason's Minnesota Statutes of 1927, Sections 5031, 5032, 5033, 5034, 5035, 5036 and 5037; and amending Section 5042.*

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

**Section 1. Board of grain appeals—members—appointment—salaries.**—There is hereby created a board of grain appeals, the office of which shall be located in Minneapolis. The board shall consist of three members to be appointed by the Governor as hereinafter provided; shall have the same qualifications as grain inspectors; and shall hold office until their successors are appointed and qualified.

The salaries of the members of such board shall be fixed by the Railroad and Warehouse Commission and approved by the Governor, and such salaries and the necessary expenses of such board shall be paid out of the grain inspection fund on the order of the commission.

**Sec. 2. Terms of office of appointees—bond.**—On or before the first day of August, 1943, one of such members shall be so appointed for the term of one year; one for the term of two years; one for the term of three years, and thereafter appointments there-to shall be for the full term of three years. The Governor may remove any member for cause and fill any vacancy for an unexpired term. Before entering on the duties of the office, each appointee shall give bond to the state with surety to be approved by the Governor in the sum of \$1,000 conditioned for the faithful discharge of the duties of the office. The surety shall be a surety company authorized to transact business in the State of Minnesota.

**Sec. 3. Official title—meetings of Board.**—The official title of such board shall be "The Minnesota Board of Grain Appeals" and it shall have jurisdiction over all grain appeal cases brought before it.

The board shall meet annually on or before June 15, and establish the grades of all grain subject to state inspection which shall be known as the "Minnesota grades", and all grain received at any public warehouse shall be graded accordingly. Such grade

shall not be changed before the next annual meeting without the concurrence of at least two members of the board. At the time of establishing "Minnesota grades" it shall be the duty of such board to establish such rules and regulations as such board shall deem necessary for the carrying out of the provisions and purposes of this act; and shall publish such rules and regulations in such manner as the commission shall approve. In establishing the grades, in addition to the physical qualities of the grain, there shall be taken into consideration the milling and bread-producing quality of all grain products used as human food. The Board shall determine the grade and dockage, if any, of all grain in all cases where appeals from the decisions of the Chief Inspector have been taken and for such purpose they may request fresh samples of such grain to be furnished direct to the Board. Dockage shall be considered as being of two classes. First, that having value and second, that having no value. At the annual meeting the Board shall ascertain and determine what dockage contained in grain is of value and publish a list thereof in connection with the publication of said Minnesota grades. Any foreign content of the grain shall not be considered in establishing the grade. The Board shall render assistance and advice to the Chief Inspector of grain so as to enable him to instruct the Deputy Inspectors of grain in accordance with the decision and work of the Board. Whenever grain containing dockage of value is sold to any public, local warehouse or mill, terminal warehouse, or to any flour mill located in St. Paul, Minneapolis, or Duluth, or any other point within the State of Minnesota, which is now or may hereafter be designated as a terminal point, such sale shall not be considered to include such dockage of value, but such dockage shall be paid for at its market value or shall be returned to the vendor of said grain at the option of the vendee.

Sec. 4. **Law amended.**—Mason's Minnesota Statutes of 1927, Section 5042, is hereby amended to read as follows:

"5042. **Appeals—procedure.**—Any owner, consignee or shipper of grain, or any warehouseman, who is dissatisfied with the inspection of grain by any chief or deputy inspector may appeal from his decision to the nearest grain inspection board by filing notice of such appeal with the chief deputy inspector and paying a fee, to be fixed by the commission, which shall be refunded if the appeal is sustained. Such deputy inspector shall forthwith transmit the notice to said board of *grain* appeals. The decision of said board, fixing the grade of such grain shall be final."

Sec. 5. **Laws repealed.**—Mason's Minnesota Statutes of 1927, Sections 5031, 5032, 5033, 5034, 5035, 5036 and 5037 are hereby repealed.

Sec. 6. **Effective August 1, 1943.**—This act shall take effect and be in force on and after the first day of August, 1943.

Approved February 27, 1943.

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CHAPTER 85—H. F. No. 300

*An act relating to tax levy for revenue purposes in counties having a population of not less than 17,000 and not more than 19,000 inhabitants according to the last federal census, and containing not less than 16 nor more than 18 whole or fractional townships and having an assessed valuation of not less than \$6,500,000 nor more than \$10,000,000, exclusive of moneys and credits, and containing an area of not less than 500 square miles nor more than 600 square miles; and providing for such tax levies to be in excess of present limitations.*

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

Section 1. **Tax levy for revenue purposes in certain counties.**  
—Tax levy for Revenue Purpose in Certain Counties. In any County in this State, now or hereafter having a population of not less than 17,000 nor more than 19,000 inhabitants according to the last federal census, and containing not less than 16 nor more than 18 whole or fractional townships and having an assessed valuation of not less than \$6,500,000 nor more than \$10,000,000 exclusive of moneys and credits, and containing an area of not less than 500 square miles nor more than 600 square miles, the Board of County Commissioners may levy taxes annually for general revenue purposes at such rate and in such an amount in excess of existing limitations as will produce sufficient revenue to defray County expenses, payable out of the revenue fund, provided, however, that the annual levy shall not exceed the sum of \$65,000.

Approved February 27, 1943.

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CHAPTER 86—H. F. No. 367

(AMENDING SECTION 65.01 MINNESOTA STATUTES 1941.)

*An act relating to the standard fire insurance policy, amending Mason's Minnesota Statutes of 1927, Section 3512.*