

Sec. 2. This act shall become effective only after its approval by a majority of the board of county commissioners of Blue Earth county, and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 29, 1963.

CHAPTER 123—H. F. No. 211

An act relating to the department of agriculture; amending certain license laws administered by the department; amending Minnesota Statutes 1961, Sections 17.35, Subdivision 6; 31.185, Subdivision 2; 31.431, Subdivision 1; 32.075; 32.09; and 32.60.

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

Section 1. Minnesota Statutes 1961, Section 17.35, Subdivision 6, is amended to read:

Subd. 6. **Agriculture, licenses.** Before any person shall engage in business as a fur farmer he shall obtain a license therefor from the commissioner. An application for such license shall be made to the commissioner in writing, accompanied by a fee of \$5, stating the name of the applicant, the description of the premises upon which such business is to be conducted, the species of the domestic animals to be maintained and handled thereon, and such further information as the commissioner may require. The commissioner shall grant the application and issue a license after he has determined that the application is made in good faith and with intent to carry on the business described in the application, and that the facilities are adequate therefor. All licenses issued pursuant to this section shall expire on the 31st day of December of the year for which the same is issued. Any person to whom a license has been issued may upon application, obtain a renewal license upon payment of the annual fee of \$5, which application for renewal shall be made on or before ~~the 31st day of December~~ *January 1* of each year. If a license *renewal* is not applied for on or before ~~the 31st day of December~~ *January 1* of each year or within 30 days after such applicant has operated as a fur farmer, a penalty of ~~40~~ 25 percent of the license fee shall be imposed for each month thereafter; ~~provided that in no case shall the penalty exceed the amount of the license fee.~~ All moneys received in payment of license fees and penalties under this section shall be paid into the state treasury.

Sec. 2. Minnesota Statutes 1961, Section 31.185, Subdivision 2, is amended to read:

Changes or additions indicated by italics, deletions by strikeout.

Subd. 2. **Licenses.** Every person engaged in the business of operating a frozen food processing plant, or engaged as a processor, shall apply for a license therefor to the commissioner in such form and shall furnish such information as he may require. Each application shall be accompanied by a fee of \$10. This sum shall constitute the license fee in case license is granted. If the commissioner shall find that the applicant maintains a proper place for the storage of frozen foods, has proper cooling and freezing facilities, maintains a proper place and equipment for processing meats and meat products, and meets all sanitation requirements, the commissioner shall issue to the applicant a license therefor. Such license shall expire on the thirty-first day of December, following its issue and no license shall be issued for a longer term than one year, nor be transferable from one person to another or from the ownership to whom issued to another ownership or from one place to another place or location. If a license *renewal* is not applied for on or before January 1st of each year ~~or within 30 days after the applicant has operated as a frozen food processing plant or processor~~ a penalty of ~~40~~ 25 percent of the license fee shall be imposed ~~for each month thereafter; provided that in no case shall the penalty exceed the amount of the license fee.~~ The provisions of this subdivision shall not apply to any person, place, or establishment operating under or subject to the Federal Meat Inspection Act of March 4, 1907 (34 U.S. Stat. 1260) and Amendments thereto.

Sec. 3. Minnesota Statutes 1961, Section 31.431, Subdivision 1, is amended to read:

31.431 Licensing; rules and regulations. Subdivision 1. Every person doing an annual gross business of more than \$400 and engaged in the business of a food handler, except those who handle only pre-packaged food, shall obtain from the commissioner a license for each establishment or mobile unit which is being operated by a food handler, which license shall state the name and address of the food handler, where such business is being engaged in, or the headquarters of the mobile unit, and the category for which he is being licensed. Applications for licenses shall be made to the commissioner upon such forms as provided by the commissioner, which application shall state the name and address of the applicant, the name and address where such business is being conducted or such mobile unit is headquartered, the nature of the business he is engaged in, and such other pertinent information as the commissioner shall require. Each application shall be accompanied by a fee of \$5; except that applications from licensees who are additionally licensed under the provisions of section 157.03 shall be accompanied by a fee of \$1.50. The commissioner and the hotel inspection division under section

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157.03, may issue a joint license in a manner to be agreed upon to applicants who are licensed under sections 31.411 to 31.491, and section 157.03. The joint license shall be issued upon the payment of the amount of the two licenses under sections 31.411 to 31.491, and under section 157.03. All licenses shall expire annually and no license shall be issued for a term longer than one year. The commissioner may divide persons required to be licensed under this section into such groups by geographical location, type of operation, or other methods of classification, as he believes will best promote the economical, effective, and convenient execution of this section and shall determine on what day of each year licenses in each group shall expire. He may change such groups or methods of classification from time to time. A licensee, the period of whose group is shortened by such grouping or change thereof, shall pay only such proportion of the annual license fee as the shortened period bears to one year and receive credit on the fee for the next license year for any overpayment, and if the period of a group is lengthened, a licensee shall pay additional fees proportionate to the time by which it is lengthened. Such license shall be posted or displayed in a conspicuous place at the establishment so licensed. If a license *renewal* is not applied for on or before the expiration date after such applicant has manufactured, processed, sold or offered for sale, exposed for sale or had in possession with intent to sell food within this state, a penalty of ~~ten~~ 25 percent of the license fee shall be imposed for each month thereafter; provided that in no case shall the penalty exceed the amount of the license fee. All such license fees and penalties collected by the commissioner shall be deposited into the state treasury.

Sec. 4. Minnesota Statutes 1961, Section 32.075, is amended to read:

32.075 Term of license; transferability; fees and penalties. Every license issued by the commissioner shall be for a period ending on the thirty-first day of December next following, and shall not be transferable. The fee for each such annual license or renewal thereof shall be \$3 and shall be paid to the commissioner before any license or renewal thereof is issued. If a license *renewal* is not applied for on or before January 1 of each year ~~or within 30 days after the applicant has operated as a competent and qualified grader to test milk and cream~~; a penalty of ~~10~~ 25 percent of the license fee shall be imposed for each month thereafter; provided that in no case shall the penalty exceed the amount of the license fee. All license fees and penalties received by the commissioner shall be paid into the state treasury.

Sec. 5. Minnesota Statutes 1961, Section 32.09, is amended to read:

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32.09 Dairy plant licensing. No dairy plant or other establishment in which dairy products or goat milk, as defined in section 32.391, subdivision 1, are manufactured, processed, or handled, or for transportation, shall be operated in this state unless a license therefor shall be issued and be in force, as provided in sections 32.09 and 32.10. The owner, operator, or lessee of any such plant or establishment shall apply to the commissioner for such license upon such form and shall furnish such information as he may require. The application shall be accompanied by a fee which shall be based upon the butterfat intake of the applicant during the year ended on the last day of the month next preceding the date of application, as follows: If the butterfat intake for such period is 200,000 pounds or less, \$10; if the butterfat intake for such period is more than 200,000 pounds, \$25 for each place to be licensed, which shall be paid into the state treasury. If the commissioner finds that such applicant maintains a proper place, with sufficient and proper machinery and equipment for the manufacture of butter or cheese or other dairy products, or for maintaining a cream station as required by law in this state and the rules and regulations of the commissioner, he shall issue the license so applied for. All such licenses shall expire on June thirtieth, of each year, unless sooner revoked as provided in section 32.10. A separate license shall be required and the prescribed fee shall be paid for each such plant or establishment. If a license *renewal* is not applied for on or before July 1st of each year ~~or within 30 days after such applicant has operated as a creamery; cheese factory; condensery; milk plant or cream station,~~ a penalty of ~~40~~ 25 percent of the license fee shall be imposed for each month thereafter; ~~provided that in no case shall the penalty exceed the amount of the license fee.~~

Sec. 6. Minnesota Statutes 1961, Section 32.60, is amended to read:

32.60 Expiration of licenses. Such license or certificate of registration shall expire on the ~~thirty-first~~ 30th day of ~~December~~ April following its issue, and no license or certificate of registration shall be issued for a longer term than one year, and shall not be transferable from one person to another, or from the ownership to whom issued to another ownership, or from one place to another place or location.

Sec. 7. **Effective date.** *Except as provided in this section, this act takes effect on July 1, 1963. Section 5 takes effect on July 1, 1964. The provisions of section 6 of this act relating to the date of expiration of licenses take effect on January 1, 1964. Notwithstanding the provisions of section 6 of this act to the contrary, the commissioner shall issue the licenses required by section 6 for 16*

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months for the period beginning January 1, 1964, and ending April 30, 1965. The commissioner shall charge a fee of one and one-third of the usual license fee for the period from January 1, 1964, to April 30, 1965.

Approved March 29, 1963.

CHAPTER 124—H. F. No. 277

[Not Coded]

An act relating to annual salaries of the county auditor, county treasurer, and county commissioners of Waseca county.

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

Section 1. **Waseca county; auditor's, treasurer's, and county commissioners' salaries.** Notwithstanding the provisions of any other law to the contrary, the board of county commissioners of Waseca county shall set the salary of the county auditor and the county treasurer at not less than \$5,500 nor more than \$6,500 per annum and the salary of each county commissioner at not less than \$1,800 nor more than \$2,400 per annum, and that the salaries so determined shall be retroactive to the date January 1, 1963. These salaries shall be in addition to such compensation as is otherwise provided by law.

Sec. 2. The salary as provided in section 1 hereof shall constitute a base salary. The board of county commissioners, if they so elect, may increase said base salary on the basis of the cost of living salary adjustments, heretofore or hereafter granted, as provided in Minnesota Statutes, Section 375.43, and acts amendatory thereof or supplementary thereto.

Sec. 3. This act shall become effective when approved by a majority of the board of county commissioners of Waseca county and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 29, 1963.

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