

days. All fees collected shall be deposited in a state park maintenance fund which is hereby created in the state treasury and shall be used solely for maintenance and operation of state parks for which purposes they are hereby appropriated. Such *permits* shall be issued by such employees of the division of state parks as the commissioner of conservation may designate in writing and as hereinafter provided.

Approved February 19, 1959.

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### CHAPTER 19—H. F. No. 133

*An act relating to certain licenses issued by the Commissioner of Agriculture, Dairy and Food; providing a penalty for failure to procure a license; amending Minnesota Statutes 1957, Sections 17.35, Subd. 6; 31.185, Subd. 2; 32.075; 32.09; and 33.05.*

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

Section 1. Minnesota Statutes 1957, Section 17.35, Subdivision 6, is amended to read:

Subd. 6. 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 15th day of December of each year. *If a license is not applied for on or before the 15th day of December of each year or within 30 days after such applicant has operated as a fur farmer, a penalty of 10 per cent 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 1957, Section 31.185, Subdivision 2 is amended to read:

Subd. 2. Licenses. Every person engaged in the business of operating a frozen food locker 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 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 locker plant or processor a penalty of 10 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 1957, 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 is not applied for on or before January 1st 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 per cent 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 li-

license fees and penalties received by the commissioner shall be paid into the state treasury.

Sec. 4. Minnesota Statutes 1957, Section 32.09 is amended to read:

**32.09 Creameries, condenseries, milk plants, cheese factories; licenses.** No creamery, cheese factory, condensery, or milk plant for the manufacture of butter or other dairy products, or any cream station maintained for the purpose of purchasing, collecting, or storing cream or milk to be used in the manufacture of butter or cheese or other dairy products 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 creamery, cheese factory, condensery, milk plant, or cream station 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 creamery, cheese factory, condensery, milk plant, or cream station. *If a license 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 10 per cent 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. 5. Minnesota Statutes 1957, Section 33.05 is amended to read:

**33.05 Oleomargarine, licenses.** No person, firm, or corporation shall, by himself or itself, or by his or its agent or servant, nor shall any officer, agent, servant, or employee of any person, firm, or corporation, manufacture, sell, ship, con-

sign, offer for sale, expose for sale, or have in possession with intent to sell, oleomargarine, without first having obtained a license granted by the commissioner, who shall provide a suitable blank form of application for the use of the applicant. The fee for license shall be \$3, and it shall expire June 30th next after its issue and no license shall be issued for a longer term than one year and it shall not be transferable from one person to another person, or from the ownership to whom issued to another ownership. A separate license shall be procured for each place from which sale is made, and shall be posted at all times at such place. *If a license is not applied for on or before July 1st of each year or within 30 days after such applicant has manufactured, sold, shipped, consigned, offered for sale, exposed for sale, or had in possession with intent to sell oleomargarine, within this state, a penalty of 10 per cent 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.*

Approved February 19, 1959.

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#### CHAPTER 20—H. F. No. 167

*An act relating to occupational disease under the Workmen's Compensation Act; amending Minnesota Statutes 1957, Section 176.011, Subdivision 15, and Section 176.66, Subdivision 3.*

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

Section 1. Minnesota Statutes 1957, Section 176.011, Subdivision 15, is amended to read:

Subd. 15. **Occupational disease.** "Occupational disease" means a disease arising out of and in the course of employment peculiar to the occupation in which the employee is engaged and due to causes in excess of the hazards ordinary of employment and shall include undulant fever. Ordinary diseases of life to which the general public is equally exposed outside of employment are not compensable, except where such diseases follow as an incident of an occupational disease, or where the exposure peculiar to the occupation makes such disease an occupational disease hazard. A disease arises out of the employment only if there be a direct causal connection between the conditions under which the work is performed and if the occupational disease follows as a natural incident