

**32.645 DAIRY PRODUCTS:**

tion thereof, be punished by a fine of not more than \$1,000, or 30 days imprisonment in the county jail, or both. For each subsequent offense, in addition to any fine or imprisonment imposed under this subdivision, upon conviction thereof, the commissioner of agriculture shall revoke or withhold issuing to such offender any license required under the provisions of sections 28A.04, 28A.14, 32.56, and 32.59, and in such case of revocation of license the commissioner shall not issue any license for the operation of such frozen food manufacturing plant for a period of one year from the date of such revocation.

[1973 c 35 s 14]

[For text of subd., 2, see M.S.1971]

**CHAPTER 32B. DAIRY PROMOTION ACT**

Sec. 32B.04	Board of directors; creation, membership.	Sec. 32B.09	Refund of fees; milk marketing program.
32B.06	Suspension or termination of milk promotional order.		

**32B.04 Board of directors; creation, membership**

[For text of subds. 1 to 3, see M.S.1971]

Subd. 4. The board of directors shall meet within 15 days after their election has been certified by the commissioner. The commissioner and board of directors shall formulate a promotional order establishing a program for research and development to promote the marketing of milk and milk products including but not limited to marketing, research, processing, distribution and advertising. The order shall provide for the method of collecting fees from milk producers in Minnesota to finance the proposed activities and the fees shall not exceed one percent of the market value of the product sold by the producer. The exact fee must be stated in the promotional order and can be changed only by a referendum vote, conducted in the same manner as the promotional referendum. For the first two years of this promotional order, the fee shall not exceed one half of one percent of market value of the product sold by the producer. The commissioner, with the advice and consent of the board of directors shall hold a public hearing on the promotional order and shall thereafter conduct a referendum on the final promotional order. For purposes of voting in a referendum on a final order, the vote in the name of a cooperative association of producers shall be deemed the vote of all producer-members of that cooperative association. The commissioner with the advice and consent of the board of directors shall schedule and specify procedures for the referendum. A ballot prepared by the board of directors and the commissioner of agriculture shall be sent by each cooperative to its member and non-member producers with a return envelope addressed to the commissioner of agriculture. The ballot shall indicate that the cooperative association intends to vote in favor or in opposition to the question. In the case of member-producers the ballot shall indicate expiration date of the ballot and state that if not returned by said date, the ballot shall be considered to be the vote of the association. The ballot shall be returned to the commissioner of agriculture. A cooperative association shall not be required to bloc vote its producers but in such event it shall inform each producer of its decision and provide each producer with an individual referendum ballot with a return envelope addressed to the commissioner of agriculture.

Each private processor shall file a list of producers who market their production with said private processor with the commissioner. The commissioner of agriculture will mail each producer who markets through a private processor an individual ballot with a return envelope addressed to the commissioner of agriculture. These ballots shall be returned to the commissioner. The commissioner shall count and tabulate all ballots. The promotional order shall become effective if approved by a majority of those voting in the referendum. The promotional order shall provide amongst other things for the

LIVESTOCK SANITATION 37.03

collection of fees from producers by the first buyer. Fees collected shall be expended only for the specific purpose for which collected.

Each cooperative and private processor shall file with the commissioner a list of producers, who market the bulk of their production with said cooperative or private processor.

[1973 c 751 s 1]

[For text of subd. 5, see M.S.1971]

**32B.06 Suspension or termination of milk promotional order**

[For text of subd. 1, see M.S.1971]

Subd. 2. A subsequent referendum, using initial voting procedures, shall be held prior to January 1, 1980, and each five years thereafter. The order shall terminate at the end of the calendar year, if a majority referendum vote is negative.

[1973 c 751 s 2]

[For text of subd. 3, see M.S.1971]

**32B.09 Refund of fees: milk marketing program**

Any producer may by the use of forms furnished by the commissioner of agriculture have the fee paid pursuant to sections 32B.01 to 32B.13 refunded to him, provided such request for refund is received in the office of the commissioner within six months following the payment of such fee. The date of payment of such fee shall be defined as the date of producer settlement by the first buyer to the producer.

[1973 c 751 s 3]

**CHAPTER 35. LIVESTOCK SANITATION**

Sec.  
35.832 Repealed.

**35.832** [Repealed, 1973 c 501 s 2]

**CHAPTER 37. STATE AGRICULTURAL SOCIETY**

Sec.  
37.03 Membership.

**37.03 Membership**

Its membership shall be confined to citizens of this state and shall be composed as follows:

(1) Three delegates to be chosen annually by each agricultural society or association in the state which shall maintain an active existence, hold annual fairs, and be entitled to share in the state appropriation under the provisions of section 38.02. If any such society or association fails to choose delegates, then the president, secretary and treasurer thereof shall, by virtue of their offices, be the delegates from such society or association. Each delegate from such a society or association shall be entitled to one-half vote at the regular or special meetings, where two fairs now established and receiving state aid are in operation in one county.

(2) One delegate from each county in the state in which no county or district agricultural society exists to be appointed by the county board of the county.

(3) Individuals, who by reason of eminent services in agriculture, horticulture, or in the arts and sciences connected therewith, or of long and faithful service in the society, or of benefits conferred upon it, may, by two-thirds vote at any annual meeting, be elected as honorary members. The number of these honorary members shall not, at any time, exceed its present membership; provided, that not more than one honorary member shall be elected annually. Each honorary member shall be entitled to one vote.