

MINNESOTA STATUTES 1975 SUPPLEMENT

GRAIN INSPECTION; WEIGHING, SAMPLING 17B.15

sections 15.0424 and 15.0425. Only an association denied certification after such hearing may appeal under this chapter.

Subd. 5. Accreditation of the association by the commissioner shall be effective upon receipt by the association of the notice of accreditation from the commissioner.

[1975 c 88 s 1,2]

[For text of subds 6 and 7, see M.S.1974]

17.697 Bargaining defined; notice of commencement of negotiations; mediation procedure.

Subdivision 1. As used in sections 17.691 to 17.701, "bargaining" means the mutual obligation of a handler and an association or their designated representatives to meet at reasonable times and confer and negotiate in good faith. Negotiations may include all terms relative to trading between handlers and producers of the agricultural commodity such as:

- (a) prices and terms of sale
- (b) quality specifications
- (c) quantity to be marketed by acreage or weight
- (d) transactions involving products and services utilized by one party and provided by the other party
- (e) check off procedures pursuant to assessments levied by the association, not to exceed one-half of one percent of the gross value of the producers annual production contract are collected by handlers from proceeds to producers within the bargaining unit and paid to the association.

[1975 c 88 s 3]

[For text of subds 2 and 3, see M.S.1974]

17.724 Repealed, 1975 c 227 s 10

CHAPTER 17B. GRAIN INSPECTION; WEIGHING, SAMPLING, AND ANALYSIS ACT

Sec.
17B.15 Fees for inspection and weighing.

Sec.
17B.19 Repealed.

17B.15 Fees for inspection and weighing.

Subdivision 1. The fees for inspection and weighing shall be fixed by the commissioner and be a lien upon the grain. If the grain is in transit, such fees shall be paid by the carrier and treated as advance charges, and, if received for storage, such fees shall be paid by the warehouseman, and added to the storage charges.

All moneys so collected and all fines and penalties for violation of any provision of this chapter shall be paid into the state treasury.

Subd. 2. The commissioner is directed to adjust his schedule of fees before the end of each fiscal year to provide that the initial charge made for services to be rendered during the next fiscal year shall be sufficient to provide an income during the latter fiscal year equal to the amount of the expenditures for that year for salaries, overtime, expenses, which shall include without limitation, an amount for state retirement and social security contributions. If the income from the fees provided for herein during any fiscal year is more than 103 percent of the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the amount of that expenditure less the amount of the excess over 103 percent of the expenditures first referred to herein. If the income from the fees provided for herein during any fiscal year is less than the expenditures for that year, the commissioner in adjusting his schedule of fees for use in the next fiscal year shall fix the fees to produce income in the

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amount of such expenditure for the latter year plus the amount of the difference between the expenditure for the year first referred to herein and the total income from the fees during that year, and plus three percent of the total expenditure for both the latter and the first year referred to herein. The schedule of fees shall provide that any elevator, mill, or other business requesting a weighing or inspection service, shall pay a minimum charge per hour for each employee requested or assigned. Any fees earned by the employee shall be credited against the charge made therefor. The minimum charge shall be assessed only after taking into consideration all fees earned and all hours charged. Excess fees earned over hours charged shall be carried forward from month to month during any one fiscal year. When deemed necessary by the commissioner, a charge for actual overtime costs may be made.

[1975 c 204 s 70]

17B.19 [Repealed, 1975 c 227 s 10]

CHAPTER 18. PLANT AND ANIMAL PEST CONTROL

Sec.		Sec.	
18.012	Policy. [New]	18.54	Local sales and miscellaneous.
18.022	Insect pests, plant diseases, bee diseases, and destructive or nuisance animals.	18.55	Reciprocity with other states.
18.023	Shade tree disease control.		
18.032	License; records, fees.		
18.53	Greenhouse certification.		

18.012 Policy.

The purpose of this local pest control act is to authorize subdivisions of state government to establish and fund their own programs to control pests that may be detrimental to the health and welfare of man or animals and to the environment. To assure that these local programs are conducted in a safe and proper manner, these programs must be formulated and conducted in accordance with the directions and recommendations prescribed by the commissioner.

[1975 c 180 s 1]

18.022 Insect pests, plant diseases, bee diseases, and destructive or nuisance animals.

[For text of subs 1 to 7, see M.S.1974]

Subd. 8. Rules and regulations. The commissioner may make reasonable rules and regulations after a public hearing, in a manner provided by law, to properly carry out the purposes of this section and section 18.012.

Subd. 9. Rules and regulations. The commissioner may adopt rules and regulations in accordance with sections 15.0411 to 15.0422 prescribing control measures to be used to prevent the spread of shade tree diseases and shall include the following: (a) a definition of shade tree, (b) qualifications for inspectors, (c) methods of identifying diseased shade trees, (d) procedures for giving reasonable notice of inspection of private real property, (e) measures for the treatment and removal of any shade tree which may contribute to the spread of shade tree disease, and (f) such other matters as shall be determined to be necessary by the commissioner to prevent the spread of shade tree disease and enforce the provisions of this section. The rules and regulations of the commissioner shall apply in a county, city or town unless the county, city or town adopts an ordinance or resolution pursuant to subdivision 6 which is determined by the commissioner to be more stringent than the rules and regulations of the commissioner. The rules and regulations of the commissioner or the more stringent ordinance or resolution of the city, county or town shall apply to all state agencies and special purpose districts which own or control land within any county, city or town exercising the powers granted in this section.