

## CHAPTER 542—S. F. No. 889

*An act relating to certificates of discharge from the United States army, navy, and marine corps, and releases or transfers from active duty therein, recording of the same, the return thereof after recording, and amending Minnesota Statutes 1941, Section 386.20.*

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

Section 1. Minnesota Statutes 1941, Section 386.20, is hereby amended to read as follows:

386.20. **Certificates of discharge from U. S. service filed with register of deeds.** Certificates of discharge from the United States army, the United States navy, and the United States marine corps *and releases or transfers from active duty therein* may be recorded in the office of the register of deeds of any county in this state by the person to whom such discharge, release or transfer was issued *without the payment of any fee* to the register of deeds for recording the same. *Upon the request of the person having such instrument recorded, the register of deeds shall not stamp, mark or make any endorsement upon any such certificate of discharge, release or transfer, but after the recording thereof has been completed he shall return the certificate of discharge, release or transfer in the same condition in which he received it to the person who left it with him for record.*

Sec. 2. **Fees in certain counties.** *In any county where the compensation of the register of deeds consists of fees only, the register of deeds shall be entitled to a fee of 60 cents for recording such instrument, which shall be paid by the county upon presentation of a verified claim by the register of deeds.*

Approved April 23, 1945.

## CHAPTER 543—S. F. No. 900

*An act relating to agricultural seeds, amending Minnesota Statutes 1941, Section 21.01, Subdivision 4 as amended by Laws 1943, Chapter 576, Section 1; Section 21.02, Subdivisions 1, 6 and 7; Section 21.08; Section 21.10; Section 21.101, Subdivisions 1, 2 and 3 as amended by Laws 1943, Chapter 352, Section 2; Section 21.225, Subdivision 1 as amended by Laws 1943, Chapter 313, Section 3; and Section 21.24, Subdivision 1;*

*and repealing Section 21.01, Subdivision 18; Section 21.101, Subdivisions 4 and 5; Section 21.102; Section 21.23; and Section 21.24, Subdivision 3.*

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

Section 1. Minnesota Statutes 1941, Section 21.01, Subdivision 4 as amended by Laws 1943, Chapter 576, Section 1, is amended to read as follows:

**21.01. Definitions.** Subdivision 4. The word "kind" means variety, sort, or species, indicating the commonly accepted name of such seed, *and all percentages of agricultural seed or purity on the seed labels shall include only those kinds named and in the proportion in which each is present; provided that if the word "type" is used in connection with the kind of seed, all of the pure seed shall be of that type, not less than 90% of which shall be of the particular kind or variety designating the type. Names, terms or descriptions, that create a misleading impression as to the origin, history, botany, quality, performance or any other characteristic of the seed shall not be used on any seed label or in any oral, written or printed statement or advertising of such seed.*

Sec. 2. Minnesota Statutes 1941, Section 21.02, Subdivision 1, is amended to read as follows:

**21.02. Powers of commissioner.** Subdivision 1. **Rules and regulations; investigations.** The commissioner shall execute *the agricultural seed sections of this chapter*, and to that end he may make and enforce such rules and regulations as in his judgment shall be necessary; *such rules and regulations shall be promulgated by writing or printing them separately or in connection with the printed seed laws for distribution to seed dealers and others who are interested.* He shall investigate the sale, transportation, distribution and adaptation of agricultural seeds; the subject of weed seeds and other matters pertaining to seeds; and to that end may require information from county agents, dealers in agricultural seeds, transportation companies, local weed inspectors and experiment stations as to the presence of inert matter and of weed seeds or any other foul seeds and their control in the localities where such officials or persons reside or have jurisdiction. He, or his agents or assistants, may enter and have free access at all reasonable hours upon and into any premises or structure to make examination of any seeds, whether such seeds are upon the premises of the owner of such seeds or on other premises, or in the possession of any warehouse, elevator, *seed house*, or railway or other transportation company, or any other place

where seeds are stored or sold, and upon the tendering of payment therefor at the current value thereof, may take any sample or samples of such seed by sampling methods approved by the commissioner. He shall employ such agents and assistants as are necessary to execute the requirements of the agricultural seed sections of this chapter, none of whom, except those who are employed on a regular full-time basis, shall come within or be governed by the provisions of the act creating the department of civil service or any amendments thereof, and fix their compensation.

Sec. 3. Minnesota Statutes 1941, Section 21.02, Subdivision 6, is amended to read as follows:

Subd. 6. Fees for tests. The commissioner shall collect a fee or fees, as herein provided for making tests, analyses, or determination of seeds, and the amounts of such fee or fees shall at his discretion be received by him before or after any report of seeds examined shall be given to the person sending the same; except that any person may send as many as five such samples during any one year and receive report of same after examination has been made, without paying the required fee. All fees and moneys collected shall be deposited in the state treasury, as other departmental receipts are deposited, but shall constitute a separate account known as the seed act account, which is hereby created, set aside, and appropriated as a revolving fund to assist in meeting the expense of inspection, laboratory, and other services rendered as herein provided.

Sec. 4. Minnesota Statutes 1941, Section 21.02, Subdivision 7, is amended to read as follows:

Subd. 7. Schedule of fees. The fee or fees to be paid as herein referred to for each and every germination test shall be 50 cents.

For pure seed analysis and determination the fee or fees shall be:

- (1) 50 cents each for wheat, oats, barley, rye, emmer, vetch, beans, cane, corn, flax, peas, sudan grass, buckwheat, cereal mixtures and noxious weed seeds examinations;
- (2) 75 cents each for millet, alfalfa, red clover, sweet clover, rape, timothy, rye grass, alsike clover and reed canary grass;

- (3) \$1.00 each for white clover, all mixtures of clovers, orchard grass, *fescues*, wheat grasses, and *timothy and clover mixtures*;
- (4) \$2.00 each for blue grasses, redtop and bent grasses;
- (5) \$3.00 each for lawn mixtures.

For the purpose of carrying out the provisions of this section, the commissioner shall designate the proper charge to be made for seeds not herein mentioned and sent to him for test, analysis, and determination.

Sec. 5. Minnesota Statutes 1941, Section 21.08, is amended to read as follows:

21.08. **Seizures.** The commissioner shall seize or cause to be seized and held any lot, parcel, package, or bulk of agricultural seeds or mixtures of same found in violation of any of the *agricultural seed* provisions of *this chapter*, or any rule or regulation thereunder, until the law or such rules and regulations have been complied with or the violation otherwise disposed of, as otherwise provided in *this chapter*, and no action or claim for damage shall be allowed or shall be sustainable against the commissioner or anyone acting under his direction or authority in respect thereto.

Sec. 6. Minnesota Statutes 1941, Section 21.10, is amended to read as follows:

21.10. **Reports of commissioner.** The commissioner shall make a biennial report to the governor upon the work performed under the *agricultural seed* sections of *this chapter*, and shall publish, at least once each year, the results of the investigations and the examinations, analyses, and tests of any samples of agricultural seeds or mixtures of same which do not comply with the *agricultural seed* sections of *this chapter*, together with any other information regarding any agricultural seed that he may deem advisable.

Sec. 7. Minnesota Statutes 1941, Section 21.101, Subdivision 1 as amended by Laws 1943, Chapter 352, Section 2, is amended to read as follows:

21.101. **Tags and stamps.** Subdivision 1. **Furnished.** For the purposes of defraying the costs of inspection of agricultural seeds in this state, the commissioner shall furnish tags or *stamps* in form and character as shall be adequate for the purposes and in the manner hereinafter described.

Sec. 8. Minnesota Statutes 1941, Section 21.101, Subdivision 2 as amended by Laws 1943, Chapter 352, Section 2, is amended to read as follows:

Subd. 2. **Kinds and colors.** It shall be the duty of every vendor selling, offering or exposing agricultural seed, except cereals, for sale in Minnesota to have attached to each original container *thereof, except of uncleaned seed*, a tag or stamp prescribed and prepared by the commissioner and sold to the vendor at the prices described in *subdivision 3, provided that the cost of all such tags or stamps attached to containers of seed shall be added to the selling price of the seed by all wholesalers thereof. Provided, however, that seed sold by one wholesaler to another wholesaler need not have the sales tag attached.*

Sec. 9. Minnesota Statutes 1941, Section 21.101, Subdivision 3 as amended by Laws 1943, Chapter 352, Section 2, is amended to read as follows:

Subd. 3. **Prices.** The prices to be paid by vendors for the tags or *stamps* shall be at the following rates:

- 100 to 160 pound containers — 5 cents each
- 60 to 99 pound containers — 4 cents each
- 30 to 59 pound containers — 3 cents each
- 15 to 29 pound containers — 2 cents each
- ½ to 14 pound containers — 1 cent each

*except samples of 7 pounds or less in weight which are given free to consumers for trial planting, or given or sold to vendors for display or advertising purposes only.*

Sec. 10. Minnesota Statutes 1941, Section 21.225, Subdivision 1 as amended by Laws 1943, Chapter 313, Section 3, is amended to read as follows:

21.225. **Record of hybrid seed corn varieties.** Subdivision 1. A record of each hybrid seed *field* corn variety *to be tested for days necessary for maturity, or to be sold*, including the zone in Minnesota to which it is adapted shall be filed by *January 1* of each year by the originator or owner thereof with the commissioner, and for each such filing the commissioner shall collect a fee of \$2.00. Annually thereafter *the originator or owner shall by January 1 apply for and receive from the commissioner a renewal of such filing for a fee of \$1.00 each for each year during which any hybrid seed corn of said varieties is to be sold in Minnesota.* Such fees shall be deposited with the state treasurer, as other departmental receipts are

deposited and shall constitute and be a part of the separate account known as the "seed act account" created by Mason's Minnesota Statutes of 1927, Sections 3957-1 to 3957-12, inclusive, as amended. *The number or name used to designate any hybrid seed field corn in the registration thereof shall be the only variety name of all seed corn covered by or sold under such registration and renewal thereof.*

Sec. 11. Minnesota Statutes 1941, Section 21.24, Subdivision 1, is amended to read as follows:

**21.24. Violations; penalties.** Subdivision 1. Any person violating any of the provisions of *the agricultural seed sections of this chapter* shall be guilty of a misdemeanor *for the first offense; and, upon conviction, shall be fined not less than \$10.00 and the costs of such prosecution, not more than \$100.00 and the costs of such prosecution, or, in default in payment thereof, shall be imprisoned in the county jail for not less than ten, nor more than 90, days. Upon the second or any subsequent conviction, such person shall be guilty of a gross misdemeanor and shall be fined not less than \$25.00 and the costs of such prosecution, nor more than \$500.00 and the costs of such prosecution, or, in default in payment thereof, shall be imprisoned in the county jail for a period of not less than 30, nor more than 150, days.*

Sec. 12. **Repeal.** Minnesota Statutes 1941, Section 21.01, Subdivision 18; Section 21.101, Subdivisions 4 and 5; Sections 21.102 and 21.23; and Section 21.24, Subdivision 3, are hereby repealed.

Sec. 13. **Effective date.** This act shall take effect July 1, 1945.

Approved April 23, 1945.

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#### CHAPTER 544—S. F. No. 908

*An act regulating the charges which may be made by banks, trust companies or national banks for certain installment loans.*

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

**Section 1. Banks; installment loans; interest in advance.** Any bank or trust company organized under the laws of this