

CHAPTER 612—H. F. No. 1483

[Coded in Part]

An act relating to inspection fees on commercial fertilizers and the licensing of distributors who blend commercial fertilizers; amending Minnesota Statutes 1957, Section 17.206, Subdivision 1, as amended by Laws 1959, Chapter 117, and by adding a new Subdivision.

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

Section 1. Minnesota Statutes 1957, Section 17.206, Subdivision 1, as amended by Laws 1959, Chapter 117, is amended to read:

17.206 Inspection fee. Subdivision 1. There shall be paid to the commissioner for all commercial fertilizers offered for sale, sold, or distributed in this state an inspection fee at the rate of five cents per ton; provided, that products sold to manufacturers or exchanged between them are hereby exempted when used exclusively for manufacturing purposes; and provided further that, on individual packages of commercial fertilizer containing 25 pounds or less there shall be paid in lieu of the annual registration fee of \$1 per brand and the five cents per ton inspection fee, an annual registration fee and inspection fee of \$25 for each brand and grade sold or distributed. If a person sells commercial fertilizer in packages of 25 pounds or less, and in packages over 25 pounds, the annual registration and inspection fee of \$25 shall apply only to those brands and grades sold in packages of 25 pounds or less, and those brands and grades sold in packages over 25 pounds shall be subject to the inspection fee of five cents per ton as provided in this section. Fees so collected shall be paid into the state treasury.

Sec. 2. Minnesota Statutes 1957, Section 17.206, is amended by adding a subdivision to read:

Subd. 3. Any distributor who blends or mixes fertilizer materials to a customer's order without a guaranteed analysis of the mixture in accordance with this section must first make application to obtain a license from the commissioner. The application for such a license shall be submitted in duplicate to the commissioner on forms furnished by the commissioner and shall be accompanied by a fee as herein prescribed which sum shall constitute the license fee in event the license is granted. If said distributor blends or mixes fertilizer materials at more than one fixed location, or by more than one mobile mechanical unit, then a license is required for

each such location and for each such mobile mechanical unit. The license shall be \$50 in the case of each location but in the case of mobile units each such unit owned and operated by any one distributor shall be licensed at a rate of \$50 for the first unit and \$25 for each such additional mobile unit. The license shall expire on June 30 of each year. Each licensee shall furnish the commissioner with a confidential written statement of the tonnage of each grade of fertilizer material sold by him in this state in his blending and mixing operation. Said statement shall cover the semiannual periods ending June 30 and December 31 of each year and shall be filed with the commissioner not later than 30 days (which may be extended on valid reason therefor an additional 30 days, on written request to the commissioner) after the close of each semiannual period. In lieu of the guaranteed analysis the licensee must furnish to each and every purchaser and consumer in written or printed form, an invoice or delivery ticket showing the net weight and guaranteed analysis of each and every one of the materials used, which shall accompany delivery.

The commissioner is authorized and empowered to cancel the license as herein provided upon satisfactory evidence that the licensee has used fraudulent and deceptive practices in the evasions or attempted evasions of the provisions of this section; provided that no license shall be revoked or refused until the licensee shall have been given a hearing by the commissioner.

Sec. 3. *This act becomes effective July 1, 1959.*

Approved April 24, 1959.

CHAPTER 613—H. F. No. 1705

[Not Coded]

An act relating to Itasca County; raising the tax levy for county agricultural societies.

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

Section 1. **Tax levy for county agricultural societies.** In Itasca county the county board may annually levy a tax of not to exceed one mill upon all property subject to taxation, for the purposes set forth in Minnesota Statutes, Section 38.27, Subdivision 1.

Sec. 2. This act shall become effective after its approval