

## CHAPTER 881—S. F. No. 742

*An act relating to the railroad and warehouse commission; relating to inspection, and licensing; amending Minnesota Statutes 1965, Sections 233.07, 233.08, 233.20, and 233.25.*

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

Section 1. Minnesota Statutes 1965, Section 233.07, is amended to read:

**233.07 Railroad and warehouse commission; inspection and licensing; inspection at terminal warehouse.** All grains received at a terminal warehouse shall be inspected and graded by a state or federal inspector at the time of its receipt, ~~provided such grain has not previously been inspected out of a warehouse at another terminal in Minnesota an inspector licensed by the United States Department of Agriculture under the provisions of the United States Grain Standards Act at the time of its receipt, provided such grain has not previously been inspected by an inspector so licensed, and further provided no inspection shall be required of grain being moved between elevators owned or operated by the same person, firm or corporation.~~ The right of reinspection and appeal is hereby expressly preserved to all interested parties. ~~All grain shall be inspected in like manner upon delivery from such warehouse. The charges for such inspection shall be paid by the warehouseman and added to the storage, and the chief inspector may recover such charges from the warehouseman.~~

Sec. 2. Minnesota Statutes 1965, Section 233.08, is amended to read:

**233.08 License.** No public terminal warehouse shall be operated or receive grain for storage, either to be mixed with the grain of other parties of like grade, or in separate bins, until the owners or parties in charge and operating such warehouse shall first obtain a license from the commission authorizing such warehouseman to operate such warehouse under the provisions of this chapter. All licenses issued or renewed annually shall expire at midnight on the 30th day of June next following the date of issuance or renewal. Before any such license shall be issued, written application under oath shall be made to the commission for license specifying the kind of warehouse, the nature of its construction, its capacity and location, the name of the firm or corporation operating the same and each member of the firm or officer of the corporation and such other facts as the commission may require shall be contained in such application. The application shall be acted upon with reasonable dispatch by the commission; and, if no reason exists for refusing the

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same, such license may be issued upon the payment of the fee of \$25 \$50 for each elevator. Such application shall be granted only upon the warehouseman furnishing to the commission a bond to the state of Minnesota, to be approved by the commission, in a penal sum to be fixed by the commission but not less than \$50,000 for each warehouse, which shall be conditioned for the faithful discharge of his duties as such warehouseman and full compliance with all the laws of the state and rules of the commission relative to the operation of public terminal warehouses and for the delivery to parties storing grain in such warehouses under the terms of this chapter of the grain or an equal amount of the same kind and grade so stored or the payment therefor of the value of such grain in case of failure to make such delivery. Such license may be revoked by the commission for violation of the law or any rule or regulation prescribed by the commission, but shall only be revoked upon a written notice or complaint specifying the charges and after a hearing had before the commission. A license may be refused to any warehouseman whose license has been revoked within the preceding year. All moneys collected for license fees shall be deposited with the state treasurer and credited to the grain inspection fund. If such warehouseman applies for a license for more than one warehouse in the same county, but one bond need be furnished but the same shall in all cases be in proportion to the capacity of such warehouses.

Sec. 3. Minnesota Statutes 1965, Section 233.20, is amended to read:

233.20 **Duty of inspectors.** Chief or deputy inspectors *appointed by the Minnesota Railroad and Warehouse Commission* shall inspect and grade all grain received at or shipped from any terminal warehouse in earload or boatload lots; and give a certificate of the inspection to the person entitled thereto; but such inspectors shall not be required to grade any grain which has provided such grain has not previously been inspected by a state inspector at another terminal in Minnesota; *under the provisions of the U. S. Grain Standards Act. They shall inspect other grain received at or shipped from any terminal warehouse if requested to do so by the warehouseman. They shall provide inspection service for inter-house transfers or when grain is "run for grade" within a house if requested by the warehouseman.* All rights and privileges covering reinspection and appeal in all such cases are hereby preserved to all interested parties. ~~Their decisions shall be conclusive as to the grade and dockage of such grain; and the certificate shall be evidence thereof; unless changed upon reinspection or appeal.~~

Sec. 4. Minnesota Statutes 1965, Section 233.25, is amended to read:

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233.25 **Weighmasters and weighers.** The commission shall appoint at each terminal point a state weighmaster and such weighers as may be necessary, who shall have the control of the weighing of all grain ~~subject to state inspection received at each terminal warehouse for sale or storage,~~ except when otherwise ordered by the party shipping the same, *and shall have the supervision of the other weighing of grain when requested by the operator of the facility desiring the service.* Every such weighmaster and weigher shall give bond to the state in the sum of \$5,000 conditioned for the faithful discharge of his duty.

Approved May 25, 1967.

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CHAPTER 882—S. F. No. 845

[Coded]

*An act creating a pollution control agency; creating an office of director thereof; prescribing their powers and duties; empowering the governor to act in an emergency; repealing Minnesota Statutes 1965, Sections 115.02, 144.38, 144.39, 144.40, and 144.41.*

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

Section 1. **[116.01] Water and air pollution; policy.** To meet the variety and complexity of problems relating to water and air pollution in the areas of the state affected thereby, and to achieve a reasonable degree of purity of water and air resources of the state consistent with the maximum enjoyment and use thereof in furtherance of the welfare of the people of the state, it is in the public interest that there be established a pollution control agency.

Sec. 2. **[116.02] Pollution control agency, creation.**  
 Subdivision 1. A pollution control agency, designated as the Minnesota pollution control agency, is hereby created. The agency shall consist of seven members appointed by the governor, by and with the advice and consent of the senate, each for a four year term beginning on February 15, and until his successor is duly appointed and qualifies. A vacancy in the office of a member of the agency shall be filled by the governor, but with the advice and consent of the senate, for the unexpired term.

Subd. 2. The first pollution control agency shall consist of two members whose term shall expire on February 15, 1969, two members whose term shall expire on February 15, 1970, one mem-

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**