

Subd. 7. **APPEAL.** The commissioner or any other aggrieved party may appeal to the district court of appeals from any order entered under this chapter as in the manner prescribed in section 487.39 other civil cases.

Upon perfection of the appeal, the return shall be filed forthwith. The district court of appeals shall hear the appeal within 45 days after service of the notice of appeal. This appeal shall not suspend the operation of the order appealed from until the appeal is determined, unless otherwise ordered by the district court of appeals. Notwithstanding any contrary provision in section 487.39, an appeal may be taken from the determination of a district court judge to the supreme court without leave of the supreme court.

Sec. 15. **EFFECTIVE DATE.**

This act is effective August 1, 1983 and applies to commitment proceedings under chapter 253B commenced on or after that date.

Approved June 14, 1983

CHAPTER 349 — S.F.No. 320

An act relating to agriculture; making certain changes in the law relating to fertilizer inspection, registration, and labeling; prescribing penalties; amending Minnesota Statutes 1982, sections 17.713, subdivision 7; 17.714, subdivision 1; 17.715, subdivision 1; 17.718, subdivision 1; 17.725, subdivisions 1 and 2; and 17.728, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 17.713, subdivision 7, is amended to read:

Subd. 7. **GRADE.** "Grade" means the percentage of total nitrogen, available phosphorus or phosphoric acid, and soluble potassium or soluble potash stated in whole numbers in the same terms, order and percentages as in the guaranteed analysis; provided, however, that fertilizer materials, bone meals, manures, and similar raw materials may be guaranteed in fractional units, and specialty fertilizers may be guaranteed in fractional units of less than one percent of total nitrogen, available phosphorus or phosphoric acid, and soluble potassium or soluble potash.

Sec. 2. Minnesota Statutes 1982, section 17.714, subdivision 1, is amended to read:

Subdivision 1. **REGISTRATION FEE; CERTAIN ITEMS.** Fertilizer brands and grades sold only as small package items or represented and labeled as specialty fertilizer; and soil and plant amendments sold with recommendations

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

for commercial agricultural use, shall be registered at the fee set forth in and a fee paid pursuant to section 17.717, subdivisions 3 and 4. Fees paid for registration made in this manner shall be in lieu of any other license or tonnage fees.

Sec. 3. Minnesota Statutes 1982, section 17.715, subdivision 1, is amended to read:

Subdivision 1. **LICENSED PERSONS.** A person who manufactures, blends, mixes, or otherwise manipulates commercial fertilizer material and a person who stores or distributes bulk fertilizer for resale shall obtain a license from the commissioner for each fixed location within the state where these operations are performed.

Sec. 4. Minnesota Statutes 1982, section 17.718, subdivision 1, is amended to read:

Subdivision 1. **SEMIANNUAL STATEMENT.** Each licensed distributor of commercial fertilizer under section 17.717, subdivision 1, and each registrant of a commercial fertilizer, soil amendment, or plant amendment under section 17.717, subdivisions 3 and 4, shall file with the commissioner on forms furnished by the commissioner, a semiannual statement for the periods ending December 31 and June 30 setting forth the number of net tons of each grade of commercial fertilizer, soil amendment, or plant amendment distributed in this state during the reporting period. The report shall be due on or before the 30th of the month following the close of each reporting period of each calendar year. The inspection fee at the rate stated in section 17.717, subdivision 5 shall accompany the statement. For the tonnage report that is not filed or the payment of inspection fees that is not made within 30 days after the end of the reporting period, a penalty of ten percent of the amount due, with a minimum penalty of \$10, shall be assessed against the licensee or registrant, and the total amount of fees due, plus penalty, shall constitute a debt and may be recovered in a civil action against the licensee or registrant. The assessment of this penalty shall not prevent the department from taking other actions as provided in this chapter. The commissioner may by regulation require additional reports for the purpose of gathering statistical data relating to fertilizer, soil amendments, and plant amendments distribution in the state.

Sec. 5. Minnesota Statutes 1982, section 17.725, subdivision 1, is amended to read:

Subdivision 1. **FOR ADMINISTRATION.** The commissioner may ~~pre-~~scribe and, after public hearing following due public notice, adopt temporary or permanent rules relating to the manufacture, sale, distribution, tonnage reporting, labeling, storage, and handling of commercial fertilizers and soil amendments and plant amendments or other soil additives necessary to carry into effect the full intent and meaning of sections 17.711 to 17.729.

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Sec. 6. Minnesota Statutes 1982, section 17.725, subdivision 2, is amended to read:

Subd. 2. **LIMING MATERIALS.** The commissioner may ~~make and publish~~ adopt rules governing the labeling, registration, and distribution of liming materials ~~as are~~ sold for agricultural purposes, including: limestone (carbonates), sulfates, slags (silicates), burned lime (oxides), and hydrated lime (hydroxides). Such products shall not, ~~however, be deemed fertilizers, soil amendments or plant amendments~~ be subject to ~~the registration and any~~ tonnage fees stated in sections 17.711 to 17.729 under section 17.717, subdivision 4. No registration fee may be imposed on any distributor who sells liming materials only at retail to customers.

Sec. 7. Minnesota Statutes 1982, section 17.728, subdivision 4, is amended to read:

Subd. 4. **PENALTY.** Any person convicted of violating a provision of sections 17.711 to 17.729 or any rule adopted under section 17.725, is guilty of a misdemeanor. Any person convicted of another violation of the same provision or rule upon a subsequent prosecution within one year of the original conviction is guilty of a gross misdemeanor.

Approved June 14, 1983

CHAPTER 350 — S.F.No. 338

An act relating to motor vehicles; maintaining the maximum interest rate on certain loans under the Motor Vehicle Retail Installment Sales Act at the current rate; amending Minnesota Statutes 1982, section 168.72, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 168.72, subdivision 2, is amended to read:

Subd. 2. (a) The time price differential authorized by sections 168.66 to 168.77 in a retail installment sale for a class 1 motor vehicle as defined by subdivision 1, which is sold between April 4, 1980 and July 31, ~~1983~~ 1985, shall not exceed \$10 per \$100 per year.

(b) This subdivision supersedes the provisions of subdivision 1, clause (a), regarding the lawful time price differential rate for class 1 motor vehicles, from April 4, 1980 until July 31, ~~1983~~ 1985. A motor vehicle retail installment sale contract that provides for a time price differential authorized by this subdivision continues to be enforceable in accordance with its terms until the indebtedness is fully satisfied.

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