

Sec. 3. Minnesota Statutes 1986, section 609.341, subdivision 14, is amended to read:

Subd. 14. "Coercion" means words or circumstances that cause the complainant reasonably to fear that the actor will inflict bodily harm upon, or hold in confinement, the complainant or another, or force the complainant to submit to sexual penetration or contact, but proof of coercion does not require proof of a specific act or threat.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective August 1, 1987, and apply to crimes committed on or after that date.

Approved May 21, 1987

CHAPTER 199—H.F.No. 1120

An act relating to grain grading and testing; providing that state grades and test results may be the basis for market price; amending Minnesota Statutes 1986, section 17B.05.

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

Section 1. Minnesota Statutes 1986, section 17B.05, is amended to read:

17B.05 DISPUTES ON GRADES, DOCKAGE; STATE ARBITRATION.

If ~~any dispute or~~ a disagreement arises between ~~the~~ a person receiving and ~~the~~ a person delivering grain in this state as to the proper grade ~~or~~, dockage, moisture content, protein content, or both, other factors used in establishing the market price of such the grain, an average sample of at least three quarts of said the grain in dispute may be taken by either or both of the parties interested. Said sample or The commissioner shall prescribe a procedure for taking samples and having the samples shall be certified to by both the owner and receiver person receiving and the person delivering the grain as being true samples of the grain in dispute on the day upon which the grain is delivered and sampled. Such samples shall must be forwarded prepaid in a suitable air-tight container containers, with the names and address addresses of both parties the person receiving and the person delivering the grain, to the head of the grain inspection program division of the Minnesota department of agriculture who shall, upon request, The head of the grain inspection division shall examine said grain samples submitted, and adjudge what determine the proper grade or, dockage, moisture content, protein content, or both, said and other factors used in establishing the market price of the samples of grain are entitled to under in accordance with the inspection rules and the standards established by the United States Department of Agriculture and the state of Minnesota. The test results must be

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based on the arithmetic mean of the samples submitted. If a person requesting the inspection asks for determination of some but not all of the factors that affect market price, the department shall perform only the requested tests on the samples. Before the results of the inspection are released to the A person requesting the inspection, said person shall make payment of must pay the required fee before the results of the inspection are released. The fee charged shall must be the same as that required for similar services rendered by the grain inspection program division. Payment for the grain involved in a disagreement must be made on the basis of grade, dockage, moisture content, protein content, and other market pricing factors certified by the department on samples submitted. An appeal of the determination made by the department may be made as provided under the United States Grain Standards Act, United States Code, title 7, section 79, subsection (c), and the Code of Federal Regulations, title 7, sections 800.125 to 800.140. A person receiving or delivering grain that is subject to this section is liable for damages resulting from not abiding by the determination made by the department. A person who violates this section is subject to penalties prescribed in section 17B.29.

Approved May 21, 1987

CHAPTER 200—H.F.No. 1515

An act relating to public offices; fixing resignation effective dates; prohibiting contingent resignations; permitting the submission and withdrawal of prospective resignations in certain circumstances; providing for appeals in statewide election contests; amending Minnesota Statutes 1986, sections 209.09; 351.01; and 480A.06, subdivision 1.

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

Section 1. Minnesota Statutes 1986, section 209.09, is amended to read:

209.09 APPEALS.

Subdivision 1. MOST CONTESTS. If the decision of the district court in any contest under this chapter is appealed, the appellant shall file in the district court a bond of \$500 for the payment of all costs incurred by the respondent if appellant fails on the appeal. Except for a statewide contest or a state legislative contest, the notice of appeal must be served and filed in the court of appeals in the case of a general election no later than ten days and, in the case of a primary, no later than five days after the entry of the district court's decision in the contest. The record on appeal must be made, certified, and filed in the court of appeals within 15 days after service of notice of appeal. The appeal may be brought on for hearing in the court at any time, upon notice from either party, as the court determines; and may be heard and determined summarily by the court.

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