

# MINNESOTA STATUTES 1975 SUPPLEMENT

## WAREHOUSES 231.01

If any authority to operate as a local cartage carrier, is held by a corporation, any sale, assignment, pledge or other transfer of such stock interest in the corporation which will accomplish a substantial or material change or transfer of the majority ownership of said corporation, as exercised through its stockholders, shall be reported in the manner prescribed in accordance with the rules and regulations of the department within 30 days after said sale, assignment, pledge or other transfer of stock. The department shall then make a finding whether or not said stock transfer does, in fact, constitute a sale, or other transfer of the permit of said corporation to a new party or parties and, if they so find, then the continuance of the permit issued to said corporation shall only be upon the corporation's complying with the standards and procedures otherwise imposed by this section.

The department shall allow a bona fide transfer of a permit, ex parte without hearing where the transferee of said permit is in fact a member or members of the transferor's immediate family. For the purpose of this paragraph immediate family shall consist only of the lawful spouse, adult child or children, brother or sister of the transferor. A transfer pursuant to this paragraph shall include:

(1) transfer to a corporation the stock of which is wholly owned by the transferor or the members of his immediate family.

(2) transfer to a partnership or partner consisting solely of the immediate family as defined in this paragraph.

[1975 c 313 s 16-18]

### 221.64 Registration fee; exemptions.

Such registration as herein provided shall be granted upon petition, without hearing, upon payment of an initial filing fee in the amount of \$25. Upon petition, and payment of said fee if applicable, the department of public service shall furnish to the registration holder a distinguishing identification stamp for each motor vehicle included in said registration which stamp shall at all times be carried in the registered vehicle of the registration holder. For each identification stamp issued, the department shall collect a fee of \$5 to be deposited in the state treasury, provided that a lesser fee may be collected pursuant to the terms of reciprocal agreements between the department and the regulatory bodies of other states or provinces of the dominion of Canada.

[1975 c 313 s 19]

## CHAPTER 231. WAREHOUSES

Sec.  
231.01 Definitions.

Sec.  
231.02 Supervision over warehousemen.  
231.16 Warehouseman to obtain license.

### 231.01 Definitions.

[For text of subs 1 to 4, see M.S.1974]

**Subd. 5. Warehouseman.** The term "warehouseman," as used in this chapter, means and includes every corporation, company, association, joint stock company or association, firm, partnership, or individual, their trustees, assignees, or receivers appointed by any court, controlling, operating, or managing within this state directly or indirectly, any building or structure, or any part thereof, or any buildings or structures, or any other property, and using the same for the storage or warehousing of goods, wares, or merchandise for compensation, or who shall hold himself out as being in the storage or warehouse business, or as offering storage or warehouse facilities, or advertise for, solicit or accept goods, wares, or merchandise for storage for compensation, but shall not in-

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## 231.01 WAREHOUSES

clude persons, corporations, or other parties operating grain or cold storage warehouses.

[1975 c 313 s 20]

[For text of subds 6 to 8, see M.S.1974]

## 231.02 Supervision over warehousemen.

The department shall have general supervision of all warehousemen doing business and shall keep itself informed as to the manner and method in which their business is conducted. It shall examine such business and keep itself informed as to its general condition, capitalization, rates and other charges, its rules and regulations, and the manner in which the plants, equipment, and other property owned, leased, controlled, or operated, are constructed, managed, conducted, and operated, not only with reference to the adequacy, security, and accommodation afforded to the public by their service, but also in respect to the compliance with the provisions of this chapter or with the orders of the department.

[1975 c 313 s 21]

## 231.16 Warehouseman to obtain license.

Every person desiring to engage in the business of warehouseman, before engaging therein, shall be licensed annually by, and shall be under the supervision and subject to the inspection of, the department. Written application under oath in such form as shall be prescribed by the department shall be made to the department for license, specifying the city in which it is proposed to carry on the business of warehousing, the location, size, character, and equipment of the buildings or premises to be used by the warehouseman, the kind of goods, wares, and merchandise intended to be stored therein, the name of the person or corporation operating the same, and of each member of the firm or officer of the corporation, and any other facts necessary to satisfy the department that the property proposed to be used is suitable for warehouse purposes and that the warehouseman making the application is qualified to carry on the business of warehousing. Should the department decide that the building or other property proposed to be used as a warehouse is suitable for the proposed purpose and that the applicants are entitled to a license, notice of such decision shall be given the interested parties and, upon the applicants filing with the department the necessary bond, as provided for in this chapter, the department shall issue the license provided for, upon payment of the license fee, as in this section provided. A warehouseman to whom a license is issued shall pay for such license a fee based on the storage capacity of the warehouse as follows:

Storage capacity:	
(1) 20,000 square feet or less	\$150
(2) Over 20,000 square feet to and including 100,000 square feet	\$200
(3) Over 100,000 square feet to and including 200,000 square feet	\$250
(4) Over 200,000 square feet	\$300.

Such license may be renewed from year to year but shall never be valid for a period of more than one year, and always upon payment of the full license fee, as provided for in this section for such renewal; and no license shall be issued for any portion of a year for less than the full amount of the license fee, as provided for in this section. Each license obtained under this chapter shall be publicly displayed in the main office of the place of business of the warehouseman to whom it is issued. Such license shall authorize the warehouseman to carry on the business of warehousing only in the one city or town named in the application and in the buildings therein described. The department, without requiring an additional bond and license, may issue permits from time to time to any warehouseman already duly licensed under the provi-

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## PUBLIC LOCAL GRAIN WAREHOUSES 232.06

sions of this chapter to operate an additional warehouse in the same city or town for which his original license was issued during the term thereof, upon his filing an application for such permit in such form as shall be prescribed by the department.

License may be refused for good cause shown and revoked by the department for violation of law or of any rule or regulation by it prescribed, upon notice and after hearing.

[1975 c 313 s 22]

### CHAPTER 232. PUBLIC LOCAL GRAIN WAREHOUSES

Sec.  
232.06 Grain received for storage; receipt.

Sec.  
232.07 Form of storage receipt.

#### 232.06 Grain received for storage; receipt.

**Subdivision 1. Discrimination prohibited; contract for storage.** Every person, firm, or corporation operating a public local grain warehouse licensed to store grain shall receive for storage, so far as the capacity of the warehouse will permit, all grain tendered him, without discrimination of any kind; provided such grain is sound and in a warehouseable condition. Upon delivery of grain for storage a legal warehouse storage receipt shall be issued to the owner or his agent which shall state the place and date when the grain was received, the name of the owner of the grain, the kind and grade of the grain according to the official terms established by the Minnesota board of grain standards, or by the Secretary of Agriculture of the United States, the gross weight, dockage and net weight of the grain as per Minnesota standard weight.

Charges for receiving, insuring, handling, storing and redelivering grain must be posted in a prominent place in the warehouse and filed with the Minnesota public service commission.

Each legal warehouse storage receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:

This grain is received, insured and stored through the date of the expiration of the annual licenses of this warehouse and terms expressed in the body of this receipt shall constitute due notice to the holder thereof of the expiration of the storage period. It shall be and hereby is made unlawful for any person, firm, association or corporation to charge or collect a greater or lesser amount than the one filed with the commission. All charges shall be collected by the warehouseman upon presentation of the storage receipt for the sale or delivery of the grain represented by such receipt, or the termination of the storage period. This grain has been received and stored with grain of the same lawful grade. Upon the return of this receipt and payment or tender of all charges accrued up to the time of said return of this receipt, the above amount, kind and grade of grain will be delivered within the time prescribed by law to the person above named or his order either from this warehouse, or if the owner so desires, from any licensed and bonded warehouse within this state.

[For text of subs 2 and 3, see M.S.1974]

**Subd. 4. Liability.** The person, firm, or corporation issuing such receipt shall be held liable to the owner for the delivery of the kind, grade and net quantity of grain called for by said receipts. The term "grain" shall include, but not be limited to, the following products: Wheat, corn, oats, rye, barley, flaxseed, speltz and soybeans.

**Subd. 5. Purchases, how made.** Such person, firm, or corporation shall purchase grain in conformity with the official grades of grain established from time to time by the Minnesota board of grain standards or by the Secretary of Agriculture of the United States, except as otherwise provided in rules and regulations applicable thereto adopted by state or federal officials pursuant to law. The official grades so established and any change that may be made from