

CHAPTER 395

AGRICULTURAL ASSISTANCE, DEVELOPMENT

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395.01 DEMONSTRATION FARM; ASSISTANCE.

The board of county commissioners of any county in the state is hereby authorized and empowered to appropriate out of the general revenue fund of the county, such a sum of money, not exceeding \$200 annually, as they may deem advisable for the purpose of assisting to maintain a demonstration farm of the county under the supervision of the department of agriculture of the University of Minnesota. The expenses incurred by the department of agriculture in supervising the farm, and such other expenses as determined upon by the board of county commissioners in operating the farm, are to be paid out of the appropriation.

History: 1911 c 69 s 1 (730)

395.02 EXPERIMENT FARM.

Upon application from the board of county commissioners of any county in this state which owns and operates a farm of 80 acres or more, whether as a poor farm or otherwise, such farm may be designated by the board of regents of the state university as a county experiment farm under supervision of the department of agriculture of the University of Minnesota and the county board of such county is hereby authorized to appropriate out of the county revenue fund an amount not exceeding \$1,000 annually for use in conducting experimental work on such farm.

History: 1911 c 69 s 2 (731)

395.03 SUPERINTENDENT.

Any county experiment farm designated under sections 395.01 to 395.03 shall be operated and managed by a superintendent appointed by the county board under the direction and supervision of the Minnesota college of agriculture.

History: 1911 c 69 s 3 (732)

395.035 AID TO POULTRY ASSOCIATIONS.

The county board of any county is hereby authorized to appropriate annually moneys from the county treasury, not otherwise appropriated, in a sum not exceeding \$100 to aid any poultry association organized and existing in the county; provided, the poultry association holds at least one annual poultry exhibit and pays premiums thereat in at least the amount of the appropriation.

History: 1929 c 256 s 1 (738-17 1/2)

395.04 EXHIBITS AT STATE FAIR.

The board of county commissioners of any county in the state, for the purpose of assisting to maintain an exhibit of the products of the county at the Minnesota

state fair, is hereby authorized and empowered to appropriate out of the general revenue fund of the county such a sum of money as they may deem advisable not exceeding \$500 annually, exclusive of and in addition to such sums of money as may be received by the county as premiums or prizes at the state fair for that year.

All moneys derived from premiums or prizes for such county exhibit at the state fair shall be paid into the treasury of the county.

History: 1907 c 99 s 1; 1909 c 26 s 1; 1917 c 139 s 1 (733)

395.05 APPOINTMENT OF PERSON TO SUPERVISE.

The county commissioners of any county appropriating money as provided in section 395.04 shall, at the same meeting, or some subsequent meeting, appoint a suitable person who shall be a resident of the county to supervise and have full charge of the exhibit and of the disbursement of the appropriation. The compensation of the person shall be fixed by the county commissioners at the same meeting at which the person is appointed, such compensation to be paid out of the appropriation made for the exhibit.

History: 1907 c 99 s 2 (734)

395.06 APPROPRIATION; BOND.

The appropriation shall be paid in on the county auditor's warrant to the person in charge of the exhibit upon his filing a good and sufficient bond with the auditor in double the amount of the appropriation, conditioned that he shall properly disburse such appropriation for the purpose intended, and make true account thereof to the board of county commissioners as provided in section 395.07. The bond shall have two freehold sureties and be approved by the auditor.

History: 1907 c 99 s 3 (735)

395.07 STATEMENT TO BOARD.

The person in charge of the exhibit shall render a detailed statement to the board of county commissioners of all expenditures made by him in maintaining such exhibit, which statement shall be rendered not later than November 1st of the year in which the exhibit is made. If the statement shall show that any part of the appropriation is unexpended, such balance shall be paid into the treasury of the county. Upon the approval of the report by the board of county commissioners, such person shall be relieved and discharged from all liability under the bond provided for in section 395.06.

History: 1907 c 99 s 4 (736)

395.08 ECONOMIC AND AGRICULTURAL DEVELOPMENT.

The board of county commissioners of any county in this state may appropriate annually out of the general revenue fund of the county, a sum of money not to exceed \$25,000 for any one county. The sum appropriated shall be paid to any incorporated development society or organization of this state which, in the opinion of the board, will use the money for the best interests of the county in promoting, advertising, improving, or developing the economic and agricultural resources of the county.

History: 1913 c 77 s 1; 1919 c 205; 1921 c 128; 1929 c 295; 1933 c 174; 1945 c 136; 1971 c 188 s 1; 1980 c 487 s 15; 1982 c 381 s 1 (739)

395.09 MS 1967 [Local, St. Louis county]

395.10 MS 1967 [Local, St. Louis county]

395.11 MS 1967 [Local, St. Louis county]

395.12 MS 1967 [Local, St. Louis county]

395.13 MS 1967 [Local, St. Louis county]

395.14 SEED AND FEED LOANS.

Authority is granted to any county in the state to lend money to residents of the county who are citizens of the United States or resident aliens or who have declared their intention of becoming citizens of the United States, for the purpose of purchasing seed and feed for teams whenever there has been a total or partial failure of crops in the county, by reason of hail, flood, drought, fire, or other cause. Qualified residents must own, or hold under contract for deed, land previously under cultivation and cropped and in condition capable of being cropped during the ensuing year, but must be unable to procure seed for planting their land and feed for their teams while doing the planting and must be in imminent danger of losing their property. If not less than 25 resident freeholders of the county, before March first next following the crop failure, present to the auditor of the county a petition signed by them asking that the county lend money to residents suffering by reason of the crop failure, for the purpose of purchasing seed and feed, the auditor shall receive and file the petition and at once call a meeting of the county board to consider the petition. The county board shall, on or before the second Monday in March, next following, meet and consider the petition and may enter an order that the county lend, from its general fund, sums as it deems necessary for the purpose; however, the amount shall not, with the existing indebtedness of the county, exceed the amount of indebtedness fixed by the laws of this state.

History: 1917 c 21 s 1; 1919 c 49 s 1; 1984 c 609 s 25 (740)

395.15 APPLICATIONS TO COUNTY AUDITOR.

Any resident freeholder of such county may apply for seed and feed or either of them, for himself as follows: He shall file with the county auditor, on or before the second Monday in March, a written application therefor verified by him showing the following facts:

- (1) His name, residence, and the places where he has resided during the past five years;
- (2) All lands owned or occupied by him and his interest therein and the encumbrances, if any, thereon;
- (3) All personal property owned by him and the encumbrances, if any, thereon;
- (4) The number of acres he seeded and harvested last year and the number of bushels of grain threshed by him therefrom;
- (5) The description of land he desires to prepare for crop and seed, its condition and number of acres plowed and unplowed;
- (6) The number of horses and oxen owned by him and the encumbrances, if any, thereon;
- (7) The number of bushels and kind of seed desired and the number of bushels of feed required; and
- (8) That he is poor and unable to procure seed or feed from any other source.

History: 1917 c 21 s 2; 1919 c 49 s 2 (741)

395.16 COUNTY BOARD; WHEN TO RECEIVE APPLICATIONS.

The county auditor shall file and number the applications in the order received by him and call the county board to meet on the second Tuesday in March next following; and the board shall meet and consider these applications separately and in the order of their filing, and may grant such applications, in whole or in part, as appears to it just and proper. Not more than 200 bushels of wheat, or its equivalent in other seed, shall be furnished to any one person.

The county board is hereby granted authority, in its discretion, to direct the filing by the auditor of the petition provided for in section 395.14 after March 1st, and to receive applications for grain after the second Monday in March and to act upon such petition and application the same as if received prior to the respective dates provided in section 395.15.

The county board shall make an order specifying the names of persons and amounts allowed with the kind and quantities of seed and feed granted, and the county auditor shall issue and deliver to the applicant a warrant showing such allowance. Such warrant shall be for the purchase of such seed and feed and for no other purpose whatever, and shall be paid by the county treasurer only when there is endorsed on the back thereof a receipt signed by the applicant, acknowledging receipt by him from some reputable person, of the seed and feed therein specified.

History: 1917 c 21 s 3; 1917 c 154 (742)

395.17 COUNTY AUDITOR AND COUNTY ATTORNEY TO COUNSEL WITH BOARD.

The county auditor and county attorney are hereby required to attend all meetings of the county board provided in sections 395.14 to 395.24 and to carefully examine all applications filed under the provisions of sections 395.14 to 395.24 and shall give the board the benefit of all information they may have relative to the applicants, and shall counsel, advise, and assist the county board in the discharge of its duties under sections 395.14 to 395.24.

History: 1917 c 21 s 4 (743)

395.18 CONDITION OF THE CONTRACT.

The warrant provided for in section 395.16 shall not be delivered until the applicant shall have signed a contract in duplicate, attested by the county auditor, to the effect that the applicant, for and in consideration of the seed and feed specified received from the county, promises to pay to the county the amount allowed for the same, on or before the first day of October following, with interest at the rate of six percent per annum, that such amount shall be a first lien upon the crop raised from the seed and, in addition thereto, shall be taxable against the real property of the applicant for which seed and feed was furnished. The contract shall also contain a true description of the land upon which the applicant intends to and will sow and plant such seed, in due season next following, and shall specify that his written application shall be a part of this contract. The auditor shall forthwith file one of such duplicate contracts with the county recorder of the county, for which the applicant shall pay the required filing fee and file the other duplicate in his own office.

History: 1917 c 21 s 5; 1976 c 181 s 2 (744)

395.19 COUNTY TO HAVE LIEN UPON THE CROPS.

Upon the filing of the contracts provided for in section 395.18, the county shall acquire a just and valid lien upon the crops of grain raised each year by the person receiving the seed or feed, for the amount owing to the county upon the contract, as against all creditors, purchasers, or mortgagees, whether in good faith, or otherwise, and the filing of the contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of the lien, which shall continue in force until the amount covered by the contract is fully paid.

History: 1917 c 21 s 6 (745)

395.20 INDEBTEDNESS DUE OCTOBER 1, RATE OF INTEREST.

The amount of such indebtedness upon such contracts shall become due and payable on the first day of October in the year in which the seed or feed, or both, is furnished, together with interest on such amount from the date of the warrants issued therefor, at the rate of six percent per annum; and, if the indebtedness be not paid on or before the first day of November of that year it shall then be the duty of the auditor of the county to cause the amount of the indebtedness to be entered upon the tax list of the county, as a tax against the land owned by the applicant for whom the aid was furnished, to be collected as other taxes are collected under the laws of this state.

History: 1917 c 21 s 7 (746)

395.21 MARKETING OF GRAIN.

Each and every person who has received seed or feed, or both, under the provisions of sections 395.14 to 395.24, shall, as soon as his crops for the year wherein payment is to be made are harvested and threshed, market a sufficient amount of grain to pay the amount then due on his contract and pay the same over to the auditor of the county.

History: 1917 c 21 s 8 (747)

395.22 PENALTY FOR VIOLATION.

Any person who shall, contrary to the provisions of sections 395.14 to 395.24, sell, transfer, take, or carry away, or in any manner dispose of, the seed or feed, or any part thereof, furnished by the county under sections 395.14 to 395.24 or shall use or dispose of such seed or feed, or any part thereof, for any other purpose than that of planting or sowing with same as stated in his application and contract, or shall sell, transfer, take, or carry away, or in any manner dispose of, the crop or any part thereof, produced from the sowing or planting of such seed, before the same is paid for, shall be guilty of a misdemeanor; and upon conviction thereof shall pay a fine of not less than \$50 nor more than \$100 or may be imprisoned in the county jail for a term of not less than 30 nor more than 90 days, and shall pay all the costs of prosecution, and whoever under any of the provisions of sections 395.14 to 395.24 shall be found guilty of false swearing shall be deemed to have committed perjury and shall upon conviction suffer the pains and penalties of that crime. Upon the filing of the contract in the office of the county recorder, and the sowing of the seed obtained therefor, the title and right of possession to the growing crop and to the grain produced from the seed shall be in the county which shall have furnished the seed until the debt incurred for such seed or feed, shall have been paid, and any seizure thereof or interference therewith except by the applicant and those in his employ, for the purpose of harvesting, threshing, and marketing the same to pay such debt, shall be deemed a conversion thereof and treble damages may be recovered against the person so converting the same by the county furnishing such seed and feed.

History: 1917 c 21 s 9; 1976 c 181 s 2 (748)

395.23 DUTIES OF POLICE OFFICERS.

It shall be the duty of the constable and town clerk of a town and the members of the county board, sheriff, and county attorneys of any county furnishing seed or feed, having any knowledge of the violation of the provisions of sections 395.14 to 395.24, to file a complaint with a county or municipal court. The court shall issue a

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warrant for the arrest of the offender, and proceed to hear and determine the matter or to bind the offender over to appear before the grand jury, as the case may be.

History: 1917 c 21 s 10; 1983 c 359 s 61 (749)

395.24 PRO RATA DISTRIBUTION.

If more seed grain is applied for than can be supplied by the county board, a pro rata distribution shall be made by it among those who shall have been found entitled to the benefits of sections 395.14 to 395.24. The board shall have the right to refuse any application which it may deem improper to grant, and may revise their adjustment of applications at any time before final distribution.

History: 1917 c 21 s 11 (750)