

MINNESOTA POTATO DEVELOPMENT COMMISSION

O R D E R

The Minnesota Potato Development Commission, under provisions of the Potato Improvement, Marketing and Advertising Act, Laws 1951, Chapter 543, as amended, hereby makes the following orders, including findings of fact:

1. A petition properly signed was filed with the Commission praying that the County of Lake of the Woods, the Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area Number Two of the State of Minnesota be designated as an area in which the provisions of said Chapter 543 should be applicable.

2. The Commission had reason to believe that the issuance of proposed orders Numbers 1 and 2 set forth in paragraph 8 would tend to affect the declared policy of said Chapter 543.

3. Notice of public hearing was duly given, as required by Chapter 543, Section 6, Subdivision 3 and Section 7, Subdivision 3. Hearing was held on October 18, 1955, at 8 o'clock p.m. at the Williams High School Auditorium, Williams, Minnesota, at which time the growers and other interested persons appeared and were heard upon all matters pertaining to the granting or denial of such petition and upon the issuance of the proposed Commission's orders.

4. It appeared from the evidence adduced at said hearing that the proposed area was suitable to the application of Chapter 543, and the proposed Commission's orders would tend to affect the declared policy of said chapter.

5. The Commission made and filed an order to this effect.

6. The Commission did, on December 28, 1955, give published notice that a referendum of growers of the proposed area would be conducted on February 9 and 10, 1956, between the hours of 9:00 a.m. and 5:00 p.m. on each of said days, under Section 6, Subdivision 3 and Section 7, Subdivision 4.

7. The growers balloting at Williams, Minnesota and Baudette, Minnesota in said area did, by a vote of 29 to 6, cast ballots in favor of making said area subject to the application of Chapter 543, and did, by a vote of 25 to 7, cast ballots in favor of the proposed Commission's Order Number 1 and did, by a vote

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of 24 to 11, cast ballots in favor of the proposed Commission's Order Number 2.

8. The Commission ordered that said section of Area Number 2 should be subject to the application of Laws 1951, Chapter 543, known as the Potato Improvement, Marketing and Advertising Act. The Commission ordered that Order Number 1 reading as follows:

"Subdivision 1. IT IS ORDERED, There is hereby fixed and established a fee of one cent per hundredweight on all potatoes produced and sold or shipped within the County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2 of the State of Minnesota, from and after July 1, 1956, and every person engaged in the production, processing or shipping of potatoes in the said County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2 is directed to pay said fee to the area control board. The said fee shall be paid by the person who first ships or sells said potatoes within the said County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2; provided, however, that the act of any producer in transporting potatoes grown by the respective producer to a grading, storing, or loading point in the said County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2 for the purpose of having said potatoes thus graded, stored, or loaded for shipment shall not constitute an act of shipping in determining who is the person who first ships or sells potatoes and is liable for the payment of the fee. In determining the person who must pay said fee the shipping will be deemed to take place when the potatoes are loaded at any place within said Area No. 2 in a railroad car, truck or other conveyance in which the potatoes are to be transported for sale or otherwise. When the proper fee has once been paid on any lot of potatoes the same shall not be subject to any further payment of fee.

"Subdivision 2. The Commission shall by regulations provide for the manner and method of collecting said fees.

"Subdivision 3. All moneys collected from said fees shall be paid to the control board of the said County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2 and shall be used by the Control Board for the purpose of paying all necessary expenses incurred under this order and in carrying out the purpose and objects of Session Laws, 1951, Chapter 543."

and Order Number 2 reading as follows:

"IT IS ORDERED, That in the County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2 of the State of Minnesota, no cull potatoes, (any potatoes which because of quality, condition or size, fail to meet any of the standard classifications described in the Official United States or Minnesota Regulations as applied to potatoes) shall be sold or offered for sale or shipment on the commercial market except such potatoes as carry the official tag, or other designation of the Minnesota State Seed Certification Department and except such potatoes as fail to meet such standard classifications solely because of hollow heart, or scab and except by permission of the control board because of undue hardship. The control board may prescribe such regulations as are necessary to insure that cull potatoes offered for sale as livestock feed are delivered only

to bona fide livestock growers or feeders within the said County of Lake of the Woods and Townships of Laona and Oaks of Roseau County and the Township of Williams of Koochiching County of Area No. 2."

apply to said section of Area Number Two.

9. These orders shall become effective from and after 12:01 a.m. the first day of July, 1956, until such time as repealed.

10. The Commission directed that Order Number 1 and Order Number 2 set forth in paragraph 8 be posted and published as prescribed by Section 9, Subdivision 3 of Chapter 543.

MINNESOTA POTATO DEVELOPMENT COMMISSION

*Herman F. Skyberg*  
HERMAN F. SKYBERG, Chairman

*Byron G. Allen*  
BYRON G. ALLEN, Secretary

Dated at East Grand Forks, Minnesota  
this 18th day of May, 1956.

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
MAY 23 1956  
*Joseph L. Larson*  
Secretary of State

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