

and temporary license to any such prior licensee, when, for any cause, the action of the Commission with respect to an application seasonably filed has not become final prior to the expiration of the period of such prior license. Such temporary and provisional license may be issued on such terms and conditions as the Commission may impose, and shall authorize the licensee to continue in business until final action with respect to his pending application and no longer, but in the case of a dissolution of a partnership by death, the surviving partner or partners may operate under the license of the partnership, until the time of its expiration, and the heirs or legal representatives of deceased persons may operate under the license of the persons so succeeded in possession by such heirs or legal representatives.

1935, ch. 310, sec. 13.

13. (A) All milk received and/or produced for sale within any marketing area established under the provisions of this Article shall be taxed not to exceed one cent for each one hundred pounds. In the case of a producer-distributor the entire amount shall be paid by him for the milk he produces and sells. In all other cases one-half of the amount shall be paid by the producer and one-half by the dealer to whom the producer sells his milk. The dealer shall collect the part of this tax due by the producer, and shall pay the total amount of said tax to the Commission not later than the 15th day of each month the amount due for the preceding month; and the books and records of all such dealers shall be open to inspection by the Commission at all times for the purpose of determining the amount of tax due.

(B) The Commission shall issue to each such dealer a license pursuant to the provisions of this Article, and the only charge shall be the tax set forth in sub-section (A) of this Section.

(C) All producers shipping or delivering milk to a market within the State on April 29, 1935, shall in consideration of the payment of the tax imposed in sub-paragraph (A) be issued a permit by the Commission without any additional charge, but all such producers shall by virtue thereof be subject to the provisions of this Article. Any producer who commences to distribute milk or to furnish milk to a dealer after April 29, 1935, must first secure from the Commission the permit required by this Section, and the Commission may refuse to grant such permit if, in the opinion of the Commission, a surplus of milk exists in the market affected.

(D) Milk sold and distributed outside of this State shall not be included in determining the amount due under the tax provided in this Section; unless the producers representing sixty-five per cent (65%) of the milk produced for fluid consumption for any one market outside of this State shall request the Board to assist them in the regulation of their market.

(E) Every retail store selling milk under the provisions of this Article shall pay an annual license of One Dollar for every location at which milk is so sold.