

hereto, or, as to such state, in the event that either or both of the other two states parties hereto shall provide for the consummation of this compact by action of the governor, upon the entering into a compact signed by the governor of said state or states and the governor of this state substantially embodying the provisions of this compact. The governor of this state is hereby authorized to enter into such a compact.

**Sec. 2. Membership of commission.**—The three Commissioners from this state on the Tristate Waters Commission shall be appointed as follows: two of said Commissioners shall be appointed by the governor from residents of the Tristate Waters Area and shall serve for a term of two years. The third shall be the Commissioner of conservation.

**Sec. 3. Commissioners to receive per diem and expenses.**—Each Commissioner shall be reimbursed for actual expense in attending the meetings of the Commission and in performing his duties as such Commissioner and ten dollars per diem for each day of actual service.

**Sec. 4. Appropriations.**—There is hereby appropriated to pay this state's share of the expenses of the Commission for the period commencing with the passage of this act and ending June 30, 1938, the sum of \$1500 and for the fiscal year ending June 30, 1939, the sum of \$1500.

Approved April 15, 1937.

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#### CHAPTER 235—H. F. No. 884

*An act to prevent unfair competition and unfair trade practice in service trades under certain conditions.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Unfair competition and trade practices prohibited.**—That upon application to the Governor of the State of Minnesota for relief from unfair competition and unfair trade practices arising from competition essentially and preponderantly intra-state, resulting in unemployment, economic distress and disorganization of service trades engaged in rendering and performing personal services upon a person or persons and licensed and regulated as such by the state, for the safeguard and protection of the public health from infection or contagion of communicable diseases, the Governor, upon approval

thereof, is hereby authorized, empowered and directed to investigate, ascertain, declare and prescribe reasonable rules, regulations, or standards, to prevent such unfair competition and unfair trade practices, to establish standards of maximum hours of labor, minimum rates of pay and working conditions, whenever a variance therefrom would constitute unfair competition and unfair trade practices, to create trade areas with due regard to the proximity to state lines and differentiation between metropolitan and rural areas, and to make such provisions in relation to the enforcement thereof as he may from time to time determine, provided, however, the term "personal services" as used in this act shall not include the services of a person duly licensed or registered by the State of Minnesota to practice any of the healing arts.

**Sec. 2. Application—rules.**—Such application shall be made by not less than sixty-five percent of all persons, firms and corporations engaged in such service trades in any municipality or subdivision of the state, or in any trade area created under the provisions of this act. Such rules, regulations or standards to prevent unfair competition and unfair trade practices shall be prescribed and approved by the Governor after such reasonable public notice and hearing as he shall specify and if he finds: (1) that such rules, regulations or standards are not designed to promote monopolies or to eliminate or oppress such service trades and will not operate to discriminate against them and will tend to effectuate the policy of this act, (2) that such rules, regulations or standards are not inequitable and the interests of the consumers and the general public will be protected, and (3) that such rules, regulations or standards are necessary for the stabilization of the business of such service trades, the Governor may, as a condition of approval of any such rules, regulations or standards, impose such conditions for the protection of consumers, competitors, employes and others, and in the furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such rules, regulations or standards as in his discretion is deemed necessary to effectuate the policy declared in this act.

**Sec. 3. Shall be bound by rules.**—Upon the approval of any such rules, regulations or standards covering such service trades, all persons, firms or corporations engaged in such trade or business shall, as to the trade or business carried on by them, be bound by such rules, regulations or standards adopted or approved by the Governor, subject, however, to modification, amendment or termination thereof as the Governor may deem necessary to effectuate the purpose of this act.

**Sec. 4. Assessments for expense.**—Every rule, regulation or standard prescribed or approved by the Governor shall contain provisions for assessing against and collecting from all persons, firms and

corporations, subject to the rules, regulations or standards as employer or employe, on a fair and equitable basis therein set forth, assessments sufficient for expenses incurred in connection with the promulgation of the rules, regulations or standards, and administration, to be paid to the State Treasurer as may be prescribed.

**Sec. 5. Orders of Governor to be reviewed by district court.**—All orders of the Governor prescribing, approving, disapproving, modifying, amending or terminating rules, regulations or standards shall be subject to review by any District Court of the state. In any such action, no injunction suspending the operation of the rule, regulation or standard, or any part thereof, during the pendency of the action shall be granted except upon the filing or approval by the court of a good and sufficient bond, running to the state and enforceable by the Governor, on behalf of all parties in interest, conditioned for the payment of all damages, loss of profits and of wages which may be sustained by any employer or employe affected by reason of such suspension, in the event the validity of the rule, regulation or standard shall be finally sustained.

**Sec. 6. District Courts may restrain and prevent violation of rules.**—The District Courts of the state are hereby vested with jurisdiction to prevent and restrain violation of any rule, regulation or standard to prevent unfair competition and unfair trade practices approved under this act, and it shall be the duty of the County Attorney of any county having jurisdiction to institute proceedings in equity to prevent and restrain such violations.

**Sec. 7. Violations a misdemeanor.**—Any person who violates any of the provisions of this act or who violates any duly adopted rule, regulation or standard, or who neglects, fails or refuses to comply with any notice duly issued by the Governor, or who fails, refuses or neglects to perform any duty imposed upon him by this act, shall be guilty of a misdemeanor and be punished accordingly.

**Sec. 8. Governor may appoint enforcement agents.**—The Governor may designate or appoint such agents, deputies, commissioners, or any department of the state, to administer and enforce every order, rule, regulation or standard prescribed or approved by him.

Approved April 16, 1937.

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CHAPTER 236—H. F. No. 29

*An act to amend Mason's Minnesota Statutes 1927, Section 5537, relating to wild animals and to the taking of big game.*

Be it enacted by the Legislature of the State of Minnesota: