

CHAPTER 16—S. F. No. 98

An act relating to nursing homes; providing for the enlargement and addition thereto and amending Minnesota Statutes 1957, Section 376.55, Subdivisions 2 and 3.

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

Section 1. Minnesota Statutes 1957, Section 376.55, Subdivision 2, is amended to read:

Subd. 2. **Establishment.** The county board of any county, or any group of counties acting jointly, may establish a nursing home as provided in sections 376.55 to 376.66, by converting suitable existing county-owned buildings, or by leasing suitable premises for a term of not to exceed 15 years with suitable provision in the instrument of leasing for additional terms of not to exceed 15 years exercisable at the election and option of the lessee or lessees, or by acquiring by gift, purchase, or condemnation proceedings instituted in the name of the county, or counties, a suitable site, and erecting suitable buildings thereon, and to equip, maintain, *enlarge or add thereto* the same as a nursing home for chronically ill and convalescent persons.

Sec. 2. Minnesota Statutes 1957, Section 376.55, Subdivision 3, is amended to read:

Subd. 3. **Transfer of funds.** The county board of any county in this state may transfer surplus funds from any fund except the road and bridge, sinking or drainage ditch funds for the purpose of establishing, *maintaining, enlarging, or adding to* a county nursing home. When surplus funds are not available for transfer, a county board may issue bonds to defray the cost of establishing a county nursing home, subject to the provisions of section 376.56.

Approved February 16, 1959.

CHAPTER 17—S. F. No. 106

An act relating to wholesale produce dealers; amending Minnesota Statutes 1957, Sections 27.04 and 27.19.

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

Section 1. Minnesota Statutes 1957, Section 27.04, is amended to read:

27.04 **Licenses; fees; bonds.** License to engage in the

business of a dealer at wholesale within the state shall be issued by the commissioner to such reputable persons as apply therefor, pay the prescribed fee, and comply with the conditions herein specified.

The application shall be in writing, accompanied by the prescribed fee and under oath, and shall set forth the place or places where the applicant intends to carry on the business for which the license is desired, the estimated amount of business to be done monthly, the amount of business done during the preceding year, if any, the full names of the persons constituting the firm, in case the applicant is a copartnership, the names of the officers of the corporation and where incorporated, if a corporation, and a financial statement showing the value and character in a general way, of the assets and the amount of liabilities of the applicant.

The applicant shall execute and file with the commissioner a corporate surety bond to the state of Minnesota to be approved by the commissioner, the amount and form thereof to be fixed by the commissioner, conditioned for the faithful performance of his duties as a dealer at wholesale for the observance of all laws relating to the carrying on of the business of a dealer at wholesale, for the payment when due of the purchase price of produce purchased by him when notice of default is given the commissioner within 30 days after the due date; provided, that the bond shall not cover transactions wherein it appears to the commissioner that a voluntary extension of credit has been given on the produce by the seller to the licensee beyond the due date; for the prompt settlement and payment of all claims and charges due the state for services rendered or otherwise, for the prompt reporting of sales, as required by law, to all persons consigning produce to the licensee for sale on commission, and the prompt payment to the persons entitled thereto of the proceeds of such sales, less lawful charges, disbursements, and commissions. The bond shall cover all wholesale produce business, (1) transacted within this state; (2) transacted in part within this state and the states and provinces contiguous with this state; (3) transacted in part within this state and other states which give the same or similar protection as provided by this section, and the license, or a certified copy thereof, shall be kept posted in the office of the licensee at each place within the state where he transacts business. *Every license shall expire one year from the date of the issuance of such license.* The fee for each license shall be \$12.50, and for each certified copy thereof, \$1. When the licensee shall sell, dispose of, or discontinue his business during the lifetime of his license he shall, at the time such

action is taken, notify the commissioner, in writing, and shall upon demand produce before the commissioner a full statement of all assets and liabilities as of the date of transfer or discontinuance of the business.

All moneys collected from license fees shall be deposited in the state treasury.

Sec. 2. Minnesota Statutes 1957, Section 27.19, is amended to read:

27.19 Violations; penalties. Any person subject to the provisions of sections 27.01 to 27.19 who shall:

(1) Operate or advertise to operate as a dealer at wholesale without a license; or

(2) Make any false statement or report as to the grade, condition, markings, quality or quantity of produce received or delivered, or act in any manner so as to deceive the consignor or purchaser thereof; or

(3) Refuse to accept any shipment contracted for by him, unless such refusal is based upon the showing of a state inspection certificate secured with reasonable promptness after the receipt of such shipment showing that the kind and quality of produce is other than that purchased or ordered by him; or

(4) Fail to account for produce or to make settlement therefor within the time herein limited; or who shall violate or fail to comply with the terms or conditions of any contract entered into by him for the purchase or sale of produce; or

(5) Purchase for his own account any produce received on consignment, either directly or indirectly, without the consent of the consignor; or

(6) Issue any false or misleading market quotations, or who shall cancel any quotations during the period advertised by him; or

(7) Increase the sales charges on produce shipped to him by means of "dummy" or fictitious sales; or

(8) Receive produce from foreign states or countries for sale or resale, either within or without the state, and give the purchaser the impression, through any method of advertising or description, that the produce is of Minnesota origin; or

(9) Whoever shall violate any provision of sections 27.01 to 27.19, or any rule or regulation made or published thereunder by the commissioner, shall be guilty of a misde-

meanor and his license may be forthwith suspended, revoked, or canceled by the commissioner, upon ten days' notice and opportunity to be heard; but, upon conviction of any such offense, or upon conviction in any federal court for violation of the federal statutes relative to the fraudulent use of the mails, or conviction in any court of other criminal acts under any federal food or drug statute, or any statute of this state administered by the commissioner of agriculture, dairy, and food, pertaining to the conduct of his business, the commissioner may forthwith revoke and cancel the license of the person so convicted.

Sec. 3. This act shall take effect on June 1, 1959.

Approved February 16, 1959.

CHAPTER 18—H. F. No. 94

An act relating to state parks; providing for permits and fees for driving motor vehicles therein; amending Minnesota Statutes 1957, Section 85.05, Subdivision 2.

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

Section 1. Minnesota Statutes 1957, Section 85.05, Subdivision 2, is amended to read:

Subd. 2. **Permits for motor vehicles.** No motor vehicle shall enter or be permitted to enter any state park, memorial state park, state recreational reserve or wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a *permit* which is provided for hereinafter. The commissioner of conservation shall procure *permits* in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, memorial state park, state recreational reserve or wayside over 50 acres in area. *Permits* for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued. Such *permits* in each category shall be numbered consecutively for each year of issue. A fee of \$1 shall be charged for each *permit* issued, except that *permits* of appropriate special design may be sold in lots of 25 or more to any organization at 25 cents per *permit* covering the use of a specified state park, memorial state park, state recreational reserve or wayside under such conditions as the commissioner may prescribe for a designated period of not more than two