

be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated to the commissioner for each of the fiscal years ending June 30, 1926, and June 30, 1927, for the purpose of carrying out the provisions of this act, and the said Game and Fish Commissioner, whenever he deems necessary for the propagation and conservation of fish, may construct dams, dykes, or embankments, install fish screens, construct and maintain connecting water channels or make similar improvements in any of the waters of this State, or any streams connecting such waters and may acquire any land or any interest or easement in land he deems necessary for such purpose by donation, purchase or condemnation proceedings and to impound or store any unmarketable fish taken under this chapter and shall take such measures as to prevent their escape, and the Game and Fish Commissioner is authorized, if he deems it advisable, to purchase and plant such aquatic plants suitable for the waters so to be planted, and to secure by purchase fish eggs and fish fry for distribution in waters which have been seined or fished under this chapter and for payment of game warden supervision and other necessary help in executing the provisions of this chapter, and also for the preservation and propagation of game and fish. Provided, however, that no contract shall be entered into or no obligation incurred by the Commissioner under this chapter in excess of money herein provided.

Sec. 8. **Certain laws repealed.**—Sections 5594 and 5600, General Statutes 1923, and Chapter 393, General Laws 1921 (not referred to in General Statutes 1923), are hereby repealed.

Approved April 25, 1925.

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#### CHAPTER 409—H. F. No. 880.

*An act to provide for the protection and conservation of certain wild plants and imposing penalties for the violation of the provisions of this act.*

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

Section 1. **Protection for certain wild flowers.**—No person within the State of Minnesota knowingly shall buy, sell, offer or expose for sale, the state flower (*Cypripedium reginae*) or any species of lady slipper (*Cypripedae*) or any member of the orchid family trillium of any species, lotus (*Nelumbo lutea*), gentian (*Gentiana*), arbutus (*Epigaea repens*), or any species of lilies (*Lilium*), or any thereof, dug, pulled or gathered from any public land, or from the land of any private owner without the written consent of such owner or other occupant of such land.

Sec. 2. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor.

Approved April 25, 1925.

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CHAPTER 410—H. F. No. 1032.

*An act relating to the reimbursement to counties for moneys expended by them through townships, boroughs, villages or cities subsequent to April 19, 1923, in permanently improving roads described in Article 16 of the Constitution of the State of Minnesota, and providing for the disbursement of moneys so reimbursed.*

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

**Section 1. Reimbursement by the state of certain funds advanced by counties.**—That the State of Minnesota hereby agrees to reimburse, out of the trunk highway fund and only out of that fund, to the extent and in the manner hereinafter provided, all counties for moneys expended by them under the provisions of this act in permanently improving roads described in Article 16 of the Constitution of the State of Minnesota as the same have heretofore been or will hereafter be definitely located and designated by the commissioner of highways.

**Sec. 2. Purpose of reimbursement—Restrictions.**—The moneys paid out by any county to any township, borough, village or city in reimbursing such township, borough, village or city for so permanently improving roads or any part thereof described in said Article 16, under contracts therefor entered into by such township, borough, village or city heretofore and subsequent to April 19, 1923, shall for the purpose of reimbursement under the provisions of this act be regarded and dealt with as moneys expended by said county in permanently improving such roads or any part thereof, provided such work shall have been done in accordance with plans and specifications approved by the commissioner of highways prior to the commencement of work under such contract; but such reimbursement shall be made only to the extent of the proportionate cost of an eighteen-foot roadway upon such road, exclusive of gutters and curbs. The amount of such reimbursement shall be the reasonable value of such improvement, and shall be on the basis of the prevailing cost at the time of construction of the type of pavement now in general use by the Minnesota Highway Department on Trunk Highways according to the Minnesota highway department's standard specifications therefor, including engineering expense, on the basis of prevailing costs at the time of the letting of such contract, but the amount of such reimbursement shall in no case exceed the amount expended for said improvement, including engineering expense.

**Sec. 3. Commissioner to determine amount.**—Before any