

CHAPTER 53—H. F. No. 874

An act to legalize certain proceedings for the issuance of bonds in cities of the third class.

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

Section 1. **Proceedings and bonds legalized.**—Where any city of the third class has heretofore initiated proceedings for the issuance of bonds, and has heretofore held an election upon the question of issuing the same, and had advertised for bids and received and accepted bids for the sale of said bonds, such proceedings and the election thereunder are hereby legalized and validated as against any claim that the notice of election was not posted for the length of time or in the number of places required by law or by charter provision, if such notice of election was posted at least ten days before the election, in at least three public places in said city, and as against the objection that the maturities of said bonds were not determined by the governing body prior to the advertisement for bids or receipt of bids thereon, if such maturities were stated in the bid of a successful bidder and agreed to by the governing body in accepting the same.

Approved March 19, 1935.

CHAPTER 54—S. F. No. 247

An act to amend Section 8, Chapter 108, Laws of 1927, as amended by Section 8, Chapter 365, Laws of 1931, to regulate nursery inspection, and the licensing of non-resident nurserymen.

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

Section 1. **Dealers certificates.**—That Section 8, Chapter 108, Laws of 1927, be amended to read as follows:

“Section 8. (a)—Any person, firm or corporation before offering for sale nursery stock not grown by said person, firm or corporation, must obtain from the state inspector of nurseries a dealer's certificate unless otherwise granted a regular certificate of inspection, such dealer's certificate to be granted to such person, firm or corporation for nursery stock purchased from any inspected nursery or for foreign nursery stock inspected in this state. Such dealer's certificate must be obtained whether or not such nursery stock is actually owned by said person, firm or corporation except that this pro-

vision shall not apply to any bona fide agent of a nursery or bona fide agent of a dealer in nursery stock. The certificate or duplicate copy thereof shall be displayed in a prominent manner at each place where such nursery stock is offered for sale. All dealer's certificates shall expire September 15 of each year. The fee for issuing dealer's certificate as provided herein shall be \$10.00 and an additional fee of \$5.00 shall be paid for each additional branch store or other premises where such nursery stock is offered for sale by said person, firm or corporation, except that any landscape gardener or landscape architect before offering for sale such nursery stock shall obtain a dealer's certificate upon payment of a fee of \$5.00. *Provided that nothing in this Act shall be construed as exempting any nursery branch or chain stores from the provisions of Chapter 213, Session Laws of Minnesota for 1933, and acts amendatory thereof.* Only such persons, firms or corporations who plant all the nursery stock they furnish or sell to their clients shall be entitled to secure a certificate as a landscape gardener or landscape architect.

"(b)—Provided, that before such certificate is granted, the person, firm or corporation requesting the same shall furnish a sworn affidavit that said person, firm, or corporation will buy and sell only nursery stock which has been inspected by an official state inspector and that said person, firm or corporation will maintain with the state inspector of nurseries a list of all sources from which nursery stock is secured.

"(c)—*Non-resident nurserymen and dealers desiring to solicit or accept orders for nursery stock in the state shall, upon complying with all other provisions of Chapter 108, Session Laws 1927, as amended thereto, and all rules and regulations promulgated thereunder and upon payment of the registration fee in the like amount to any fee charged by his state to out-of-state nurserymen, agents or dealers, be entitled to a certificate permitting such persons to solicit or accept orders for nursery stock in this state.*

"(d)—*Notwithstanding the provisions of paragraph (c) of this section, the state entomologist may enter into reciprocal agreements with the responsible officers of other states under which nursery stock owned by nurserymen or dealers of such states may be sold or delivered in this State without the payment of a Minnesota registration fee, provided like privileges are accorded to Minnesota nurserymen, dealers, or agents in such other states, and provided, further, that the State Entomologist shall find that such other states before issuing their certificates, require inspections equal to those*

required under the Minnesota law and provided further, that the state entomologist may enter into reciprocal agreements with the responsible officers of other states under which nursery stock owned by nurserymen or dealers of such states may be sold or delivered in this State without furnishing bond, without special permit tags of all descriptions, without filing of special invoice, without fumigation of stock, without making special inspection at time of shipping, without signing of special statements concerning locations of stock, or without any other kind of special inspection other than that necessary for complying with the regular filing of the accepted certificate of inspection.

“(e)—If any of the exemptions provided for in paragraph (d) of this section shall be held invalid by any court of competent jurisdiction, the class or classes held to be invalidly exempted shall forthwith become subject to the provisions of paragraph (c) as if no exemptions had been provided for.

“(f)—All agents selling nursery stock, or soliciting orders for nursery stock shall secure from the state entomologist and carry an agent's certificate bearing a copy of the certificate held by the principal. Said agent's certificate shall be issued only to agents authorized in writing or upon request of their principal.”

Approved March 20, 1935.

CHAPTER 55—S. F. No. 429

An act subdividing certain villages into election districts.

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

Section 1. Election districts created.—The village council of each village that is separated from the town for election purposes, which according to the last state or federal census has a population between 3,000 and 3,700 inhabitants and which has an assessed value between \$750,000 and \$1,500,000 and which contains an area of at least one square mile, shall divide, consolidate and rearrange said village into parts for voting purposes, from time to time, so that the number of voters in each part shall be substantially equal and not to exceed six hundred. Such changes shall be made by resolution of the village council adopted at least 90 days before the next ensuing election and sixty days' posted notice shall be given before the same shall take effect.

Approved March 20, 1935.