

CHAPTER 318—S. F. No. 979

An act relating to wholesale produce dealers, amending Mason's Supplement 1940, Section 6240-18½.

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

Section 1. Law amended.—The Mason's Supplement 1940, Section 6240-18½, is hereby amended so as to read as follows:

6240-18½. **Dealers at wholesale.**—For the purposes of this act any person who shall buy or sell or contract to buy or sell, or who shall handle in wholesale lots for the purpose of resale, or who shall handle on account of or as an agent for another, any produce as herein defined, and any person who shall similarly engage in the business of assembling and trucking produce without an established place of business, shall be deemed a dealer at wholesale; provided that cooperative associations having not more than forty per cent (40%) of non-member patrons shall not be deemed dealers at wholesale within the meaning of this Act; *provided further, that no person shall be deemed a dealer at wholesale within this act who purchases, and pays, in cash, in full at the time of purchase, Minnesota seasonal grown products of the farm, orchard, vinyard, garden and apiary for transportation to destinations outside of this state and who within 72 hours thereafter transports the same to its destination outside of this state.*

Section 2. Provisions severable.—*The provisions of this act shall be separable, and if any provision or the application of any provision hereof shall be held unconstitutional, or invalid, it shall not effect any other provision or application thereof.*

Approved April 19, 1941.

CHAPTER 319—S. F. No. 1093

An act to legalize proceedings heretofore taken by villages in certain cases for the construction of sanitary sewers and treatment plant, the creation of a waterworks and sewer utility and the issuance of bonds payable solely from the earnings of such utility.

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

Section 1. Proceedings legalized—bond issue.—In all cases where the governing body of any municipality, having a population of not less than 1000 nor more than 2000 according to the last federal census and having a municipal waterworks system but not having a municipal sanitary sewer system, which municipality is located on the bank of a navigable river which flows through a Sanitary District organized pursuant to Laws of 1933, Chapter 341, has heretofore by resolution duly adopted created a waterworks and sewer utility and provided for the construction of sanitary sewers and treatment plant as a part of such utility and has determined to finance such construction wholly or in part by the issuance of revenue bonds payable from the net revenues of such utility, and the proposition of the construction of such sanitary sewers and treatment plant has been submitted to the voters of such village at a special election called for that purpose and not less than 70% of those voting thereon have voted in favor thereof, such proceedings are hereby legalized and said revenue bonds, when and if issued, shall be legal and binding obligations of such village in accordance with their terms.

Sec. 2. Payment of bonds.—Said revenue bonds shall be payable from the net revenues of the waterworks and sewer utility, but shall otherwise confer on the holders all the rights conferred by a negotiable instrument, and shall be sold in such manner as the governing body shall direct. The village shall be authorized to pay for services rendered to the village by said plant in accordance with the initial resolution.

Sec. 3. Village may construct sewage system without requiring bids.—Any such village shall be authorized to construct the sewer system and sewage disposal plant pursuant to agreement with the Works Progress Administration and without requiring public bids.

Sec. 4. Act remedial.—It is hereby determined that this Act is remedial in nature, being required in order to enable villages to take advantage of aid from the Works Progress Administration and to protect the public health and welfare of the inhabitants of said villages, and this Act shall be in full force and effect from and after its passage.

Sec. 5. Not to affect pending actions.—This Act shall not apply to any action or proceedings now pending in any courts in the State of Minnesota.

Approved April 19, 1941.