

Subd. 2. **Apiary.** "Apiary" means a place where one or more colonies of bees are kept, *together with all equipment used in maintaining and operating the same.*

Sec. 2. Minnesota Statutes 1949, Section 19.28, as amended by Laws 1951, Chapter 324, is amended to read:

19.28 **Abandoned apiary; possession, sale.** If any abandoned apiary continues as such for 60 days after the owner or operator thereof has been notified by the state entomologist to cease the abandonment and neglect thereof, the state entomologist shall take possession of such apiary and proceed to sell it at public auction. *A notice specifying the time and place of such auction sale, together with a description of the abandoned apiary, shall be served upon the owner in the manner as provided for the service of process in a civil action at least 10 days prior to such public auction.* Any person to whom such an apiary is sold at such public auction shall agree, as a condition of sale, to operate such apiary in a safe and proper manner and in accordance with accepted standards and the regulations of the state entomologist. No such abandoned apiary shall be sold at any such public sale to the owner or operator who abandoned and neglected it. *Every purchaser at such auction sale shall receive a certificate of purchase signed by the state entomologist reciting the description of the apiary purchased and the amount paid therefor.*

After deducting the expense of such public sale *and the unpaid balance upon all encumbrances or liens existing against the abandoned apiary sold, the balance of the proceeds thereof shall be paid to the owner of the apiary so sold.*

Approved March 13, 1953.

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## CHAPTER 114—S. F. No. 46

*An act relating to primary elections; amending Minnesota Statutes 1949, Section 212.46.*

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

Section 1. Minnesota Statutes 1949, Section 212.46, is amended to read:

**212.46 Elections; primary system** The council of any city of the second, third, or fourth class operating under a home rule charter may, by resolution or ordinance adopted at least four weeks before the date of any municipal election for city officers to be held therein, resolve or ordain that all municipal elections for city officers in the city shall be held and

conducted under the primary election system provided for hereby, and thereafter the mode of nomination and election of elective officers of the city to be voted for at any municipal election shall be as follows. The provisions of this chapter shall not apply to any city whose boundaries extend into more than one county of the state.

Approved March 17, 1953.

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#### CHAPTER 115—S. F. No. 83

*An act relating to school districts; division, transfer and conveyance of school property and apportionment of obligations upon change in boundaries; amending Minnesota Statutes 1949, Section 122.17.*

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

Section 1. Minnesota Statutes 1949, Section 122.17, is amended to read as follows:

**122.17 Division of funds, change of district.** Subdivision 1. **County board to make.** When the boundaries of any school districts are changed by formation of new districts, *by attachment of territory of dissolved or discontinued districts, by union of districts, annexation, enlargement, or otherwise*, the board of county commissioners shall make a division of all money, funds, credits, and property belonging to such districts and make an award of such money, funds, credits, and property to the districts affected by such change. The board of county commissioners shall apportion outstanding obligations other than bonded indebtedness as it may deem just and equitable.

**Subd. 2. Duties of auditor.** When the board of county commissioners has, by resolution, made a division of the money, funds, credits, and property belonging to such districts, the auditor of the county shall be required to make a division of all the money, funds, credits, and property evidenced by the records in his office pursuant to and as required by the resolution.

**Subd. 3. Dissolution order deemed conveyance of real estate.** When *any such division of school property includes real property belonging to any affected school districts or school territory the resolution* of the board of county commissioners making *such division* shall describe *such* real property, and said *resolution* shall be deemed a conveyance in fee of said real property to the district to which it was awarded. A certi-