

not approved by the state fire marshal shall be guilty of a misdemeanor.

Approved April 18, 1953.

CHAPTER 431—H. F. No. 384

An act relating to narcotics; amending Minnesota Statutes 1949, Sections 618.01, Subdivision 14; 618.01 by adding a new subdivision thereto, 618.08 and 618.21 and repealing Minnesota Statutes 1949, Section 616.13, relating to possession of Cannabis.

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

Section 1. Minnesota Statutes 1949, Section 618.01, Subdivision 14, is amended to read:

Subd. 14. **Narcotic drugs.** *“Narcotic drugs” means coca leaves, opium, cannabis, isonipecaine, amidone, isoamidone, ketobemidone, and every other substance neither chemically nor physically distinguishable from them; any other drugs to which the federal narcotic laws may now apply; and any other drug which is hereafter included under the federal narcotic law and found by the state board of health after reasonable notice and opportunity for hearing, to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine, from the effective date of determination of such finding by said state board of health.*

Sec. 2. Minnesota Statutes 1949, Section 618.01, is amended by adding a new subdivision thereto, reading:

[Subd. 23.] **Cannabis.** *“Cannabis” includes all parts of the plant Cannabis Sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.*

Sec. 3. Minnesota Statutes 1949, Section 618.08, is amended to read:

618.08 Preparations exempted; condition of exemption. Except as otherwise in this chapter specifically provided, this chapter shall not apply to the following cases:

Administering, dispensing, or selling at retail any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce, not more than one grain of codeine or of any of its salts, or not more than one-sixth grain of dihydrocodeinone or any of its salts.

The exemption authorized by this section shall be subject to the following conditions: (1) that the medicinal preparation administered, dispensed or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone; and (2) that such preparation shall be administered, dispensed, and sold in good faith as a medicine and not for the purpose of evading the provisions of this chapter. No person shall administer, dispense or sell, under the exemption of this section, any preparation included within this section, when he knows, or can by reasonable diligence ascertain, that such administering, dispensing or selling will provide the person to whom or for whose use such preparation is administered, dispensed or sold, within any 48 consecutive hours, with more than six grains of codeine or any of its salts, or more than one grain of dihydrocodeinone, or any of its salts.

Nothing in this section shall be construed to limit the quantity of codeine or of any of its salts that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this chapter.

Sec. 4. Minnesota Statutes 1949, Section 618.21, is amended to read:

618.21 Violations. *Subdivision 1. Any person violating any provisions of this chapter shall, upon a first conviction, be punished by a fine of not exceeding \$1,000 and by imprisonment in a state penal institution for not exceeding five years.*

Subd. 2. Any person violating any provisions of this chapter shall, upon a second conviction for the violation of this chapter, or if the person convicted has previously been convicted of any violation of the laws of the United States or of this or any other state, territory or district relating to narcotic drugs or marijuana, be punished by a fine of not exceeding \$2,000 and by imprisonment in a state penal institution for not less than five years or more than ten years.

Subd. 3. Any person violating any provisions of this chapter shall, upon a third or subsequent conviction for the violation of this chapter, or if the person convicted shall pre-

viously have been convicted two or more times in the aggregate of any violation of the laws of the United States or of this or any other state, territory or district, relating to narcotic drugs or marijuana, be punished by a fine of not exceeding \$3,000 and by imprisonment in a state penal institution for not less than ten years or more than 20 years.

Sec. 5. Minnesota Statutes 1949, Section 616.13, is repealed.

Approved April 18, 1953.

CHAPTER 432—H. F. No. 557

[Not Coded]

An act extending the route designated as the Theodore Christianson Memorial Drive; amending Laws 1949, Chapter 106, Section 1.

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

Section 1. Laws 1949, Chapter 106, Section 1, is amended to read:

Section 1. **Theodore Christianson Drive.** The following route in the vicinity of Dawson is named and designated "The Theodore Christianson Memorial Drive" in memory of the late Governor Theodore Christianson of Dawson, Minnesota, to-wit:

Beginning at a point on Constitutional Route No. 26, now marked Trunk Highway No. 12, at its intersection with Constitutional Route No. 66, now marked Trunk Highway No. 119, northerly of Appleton; thence extending in a southerly direction along Constitutional Route No. 66 to its intersection with Statutory Route No. 144, now marked Trunk Highway No. 119, at or near the south corporate limits of Appleton; thence extending southwesterly and southerly along said Statutory Route No. 144 to a point approximately six miles east of Madison; thence continuing southerly along present State Aid Road No. 4 to its intersection with Constitutional Route No. 12, now marked Trunk Highway No. 212, at or near the westerly limits of Dawson; thence easterly along Constitutional Route No. 12 to its intersection with present State Aid Road No. 4 in Dawson; thence continuing southerly along present State Aid Roads Nos. 4 and 19 to a point on Constitutional Route No. 48, now marked Trunk Highway No. 67.

Beginning at a point near the present junction of State Trunk Highway No. 40 and State Aid Road No. 6 in Lac qui