

trict subject to local taxation as last finally equalized prior to the issuance of such bonds, divided by the total amount of the net indebtedness of the district on the date of and including said bonds.

Sec. 3. Remedial. It is expressly found and determined that this act is remedial in nature, being necessary to protect the financial credit of such school districts and to provide for the construction of facilities adequate for the education of children in such districts, and this act shall be in full force and effect from and after its passage and approval.

Sec. 4. Limitation. This act shall not apply to or affect any action or appeal now pending in which the validity of any such proceedings or of any such bonds is called in question.

Approved March 23, 1955.

CHAPTER 231—S. F. No. 576

An act relating to agriculture; increasing money payment to Minnesota Experiment Station; amending Minnesota Statutes 1953, Section 21.54, Subdivision 3.

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

Section 1. Minnesota Statutes 1953, Section 21.54, Subdivision 3, is amended to read:

Subd. 3. Field corn, tests of varieties. After the registration of any variety, the director of the Minnesota Experiment Station shall test the same for one year and annually thereafter at his discretion in the appropriate zones and determine the number of days necessary for maturity. To assist in defraying the expenses of the Experiment Station in making such tests, there shall be transferred annually from the seed act account to the Agricultural Experiment Station the sum of \$12,500.

Approved March 23, 1955.

CHAPTER 232—H. F. No. 523

An act relating to inspecting and grading produce, investigating complaints as to wholesale produce dealers; amending Minnesota Statutes 1953, Sections 27.07, 27.13, 27.15, 27.19, 27.20.

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

Section 1. Minnesota Statutes 1953, Section 27.07, is amended to read:

27.07 **Grades established.** The commissioner shall have power to establish grades on all produce and when deemed necessary shall provide for inspecting and grading produce subject to sale at such marketing points within the state as the commissioner may designate, and provide for the issuing of certificates of inspection showing the grade, quality, and conditions of the produce, and may charge and collect a reasonable fee therefor, a schedule thereof to be adopted and published from time to time. Such certificates of inspection shall be prima facie evidence in all courts of this state as to the grade, quality, and condition of the produce at the time the inspection was made. When any person having produce desires to have it inspected he may apply to the commissioner for the service of an inspector and, if it appear to the commissioner that the volume of the produce is sufficient to justify the request, he may grant the service upon terms and conditions to be fixed by him. Any inspection service so ordered and maintained shall be self-supporting. The commissioner may require a deposit, prior to the establishment of the inspection service, in amount equal to the costs thereof as estimated by him and he may further require that such deposits be renewed, from time to time, in such manner that a permanent account shall be maintained, sufficient at all times to pay the costs of such inspection service for a period of not less than 15 days in advance. Moneys placed in the hands of the commissioner for this purpose shall be placed in a separate account, to be known as the produce inspection account, and the sums such persons shall contribute to each account shall be kept separate on the books of the commissioner. No money shall be paid from this account for inspection services rendered to any person in excess of the moneys on hand accredited to his account. This money shall be deposited in the state treasury in the same manner as other departmental receipts are deposited, credited to the account herein created, and paid out only upon order of the commissioner. When any such agreement shall terminate by action of either party thereto, the commissioner shall withdraw from such account the full amount of all such bills payable for services rendered and return to the depositor any moneys remaining to his credit at the time such agreement terminates. Any sums deposited in the state treasury under the provisions of sections 27.01 to 27.19 are hereby appropriated for the purposes set forth therein.

Sec. 2. Minnesota Statutes 1953, Section 27.13, is amended to read:

27.13 Investigation of complaints. The commissioner is authorized to receive complaints against any persons dealing in, shipping, transporting, storing, or selling produce, and shall have authority to make any and all necessary investigations relative to the handling of, or storing, shipping, or dealing in produce at wholesale and he shall, at all times, have access to all buildings, yards, warehouses, storage and transportation facilities in which any produce is kept, stored, handled or transacted. For the purpose of enforcing the provisions of sections 27.01 to 27.19, the commissioner shall have the authority, upon complaint being filed with him for any alleged violation of the provisions thereof, or the regulations issued thereunder, or upon information furnished by an inspector of the department of agriculture, dairy and food, *to suspend while violation continues, or revoke any license issued by him upon ten days' notice to the licensee and an opportunity to be heard. Where the public interest requires it the commissioner may suspend a license after such notice pending hearing and decision.* He shall have, and is hereby granted, full authority to issue subpoenas requiring the attendance of witnesses before him, with books, papers, and other documents, articles, or instruments, and to compel the disclosure by such witnesses of all facts known to them relative to the matter under investigation, and shall have full authority to administer oaths and to take testimony; and the commissioner shall thereafter give the complainant a written report of the investigation. Such report shall be prima facie evidence of the matters therein contained. All parties disobeying the orders or subpoenas of the commissioner shall be guilty of contempt as in proceedings in district courts of the state and may be punished in like manner.

Sec. 3. Minnesota Statutes 1953, Section 27.15, is amended to read:

27.15 Cooperation with other authorities. The commissioner may cooperate with the United States department of agriculture and with other federal authorities and with the state and municipal authorities of this and other states, and do and perform such acts and things as may be necessary and proper in carrying out the purpose of sections 27.01 to 27.19.

Sec. 4. Minnesota Statutes 1953, Section 27.19, is amended to read:

27.19 Violations, penalties. Any person subject to the provisions of sections 27.01 to 27.19 who shall:

(1) Operate or advertise to operate as a dealer at wholesale without a license; or

(2) Make any false statement or report as to the grade, condition, markings, quality, or quantity of produce received or delivered, or act in any manner so as to deceive the consignor or purchaser thereof; or

(3) Refuse to accept any shipment contracted for by him, unless such refusal is based upon the showing of a state inspection certificate secured with reasonable promptness after the receipt of such shipment showing that the kind and quality of produce is other than that purchased or ordered by him; or

(4) Fail to account for produce or to make settlement therefor within the time herein limited; or who shall violate or fail to comply with the terms or conditions of any contract entered into by him for the purchase or sale of produce; or

(5) Purchase for his own account any produce received on consignment, either directly or indirectly, without the consent of the consignor; or

(6) Issue any false or misleading market quotations, or who shall cancel any quotations during the period advertised by him; or

(7) Make or collect any commission or charge in excess of that shown in his schedule filed with the commissioner; or

(8) Increase the sales charges on produce shipped to him by means of "dummy" or fictitious sales; or

(9) Receive produce from foreign states or countries for sale or re-sale, either within or without the state, and give the purchaser the impression, through any method of advertising or description, that the produce is of Minnesota origin; or

(10) Whoever shall violate any provisions of sections 27.01 to 27.19 *inclusive*, or any rule or regulation made or published thereunder by the commissioner, shall be guilty of a misdemeanor and his license may be forthwith suspended, revoked, or canceled by the commissioner, upon ten days' notice and opportunity to be heard; but, upon conviction of any such offense, or upon conviction *in any federal court* for violation of the federal statutes relative to the fraudulent use of the mails, or *conviction in any court* of other criminal acts *under any federal food or drug statute, or any statute of this state administered by the commissioner of agriculture, dairy and food*, pertaining to the conduct of his business, the commissioner *may* forthwith revoke and cancel the license of the person so convicted.

Sec. 5. Minnesota Statutes 1953, Section 27.20, is amended to read:

27.20 Enforcement. The commissioner shall be charged with the enforcement of the provisions of sections 27.01 to 27.19 and of the rules and regulations made and published thereunder. Upon complaint made it shall be the duty of the county attorney to prosecute all cases arising in his county for violation of sections 27.01 to 27.19, or of the rules or regulations made and published thereunder. The commissioner and his duly authorized agents and inspectors appointed for the purpose of enforcing the provisions of sections 27.01 to 27.19 shall have the power of police officers in this enforcement.

Sec. 6. This act shall become effective on June 1, 1955.

Approved March 28, 1955.

CHAPTER 233—H. F. No. 509

An act relating to commission schedules, license fees, bonds and complaints as to wholesale produce dealers; amending Minnesota Statutes 1953, Sections 27.04, 27.05 and 27.06.

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

Section 1. Minnesota Statutes 1953, Section 27.04, is amended to read:

27.04 Licenses, fees, bonds. License to engage in the business of a dealer at wholesale within the state shall be issued by the commissioner to such reputable persons as apply therefor, pay the prescribed fee, and comply with the conditions herein specified.

The application shall be in writing, accompanied by the prescribed fee and under oath, and shall set forth the place or places where the applicant intends to carry on the business for which the license is desired, the estimated amount of business to be done monthly, the amount of business done during the preceding year, if any, the full names of the persons constituting the firm, in case the applicant is a copartnership, the names of the officers of the corporation and where incorporated, if a corporation, and a financial statement showing the value and character, in a general way, of the assets and the amount of liabilities of the applicant.

The applicant shall execute and file with the commission-