

ity of purchase to the locality of manufacture or locality of sale of such milk, cream, or butterfat, shall be deemed guilty of unfair discrimination; and, upon conviction thereof, shall be punished by a fine not exceeding \$100.00, or by imprisonment in the county jail for not exceeding 90 days.

Sec. 2. Minnesota Statutes 1953, Section 32.12, is amended to read:

32.12 Higher price. *Subdivision 1.* Proof that any person, firm, copartnership, or corporation has paid a higher price for milk or cream or butterfat in one locality or to one person in the same locality than to another, or to another person in the same locality, after due allowance for the reasonable cost of transportation has been made, shall be prima facie evidence of the violation of section 32.11.

Subd. 2. Wherever the transportation cost actually paid for hauling cream shall be 2 cents or more per pound for butterfat therein contained, and 15 cents per one hundred pounds for transportation of whole milk, such transportation charge shall be deemed a compliance with the terms of section 32.11 as to reasonable cost of transportation.

Subd. 3. It shall not be unfair discrimination for any person to pay, in any section, locality, community, city, or village in this state, a price equal to that actually paid on the same day by any bona fide competitor in such place for milk, cream or butterfat of the same kind, quality and grade, provided such price is paid in a good faith effort to meet such competition, but the burden of proving such facts shall be upon the person charged with violation of section 32.11.

Approved April 25, 1955.

CHAPTER 877—S. F. No. 1561

[Coded]

An act relating to the sale of seeds; amending Laws 1955, Chapter 221, Section 4.

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

Section 1. Laws 1955, Chapter 221, Section 4, is amended to read:

Sec. 4. [21.503] **Other seed certification agencies.** The official seed certification agency for other jurisdictions

shall be determined, and the identity thereof filed as a public record in the office of the Commissioner of Agriculture, Dairy, and Food. Such determination shall be made by the Commissioner of Agriculture, Dairy, and Food and the Director of the Minnesota Agricultural Experiment Station.

Approved April 25, 1955.

CHAPTER 878—S. F. No. 1605

[Coded]

An act relating to adjudication of tort and contract claims against the state.

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

Section 1. [3.66] **Definitions.** Subdivision 1. For the purposes of this act the terms defined in subdivisions 2 to 7 have the meanings ascribed to them.

Subd. 2. "Commission" means the state claims commission established by section 3.

Subd. 3. "Claim" means a claim authorized to be heard by the commission in accordance with this act.

Subd. 4. "Approved claim" means a claim found by the commission to be one that should be paid under the provisions of this act.

Subd. 5. "Award" means the amount recommended by the commission to be paid in satisfaction of an approved claim.

Subd. 6. "Clerk" means the clerk of the state claims commission.

Subd. 7. "State agency" means a state department, board, commission, institution, or administrative agency of the state government; but does not include any political or local subdivision of the state regardless of any state aid that might be provided.

Sec. 2. [3.67] **Controversies arising out of contracts.** Subdivision 1. When a controversy arises out of any contract entered into by any state agency through established procedure in respect to which a person would be entitled to bring suit against the state, if the state were suable, where no claim has been made against it, the state hereby waives immunity from suit in connection with such controversy. The state here-