

CHAPTER 561—H. F. No. 1313

An act to define coverage of performance bonds required of wholesale dealers of produce; amending Minnesota Statutes 1953, Section 27.04, as amended.

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

Section 1. Minnesota Statutes 1953, Section 27.04, as amended by Laws 1955, Chapter 233, Section 1 and Chapter 846, Section 1, 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 commissioner a corporate surety bond to the state of Minnesota to be approved by the commissioner, the amount and form thereof to be fixed by the commissioner, conditioned for the faithful performance of his duties as a dealer at wholesale; provided, that any and all bonds heretofore executed and filed with the commissioner by dealers at wholesale containing substantially the requirements of sections 27.04 and 27.05 are hereby confirmed and approved, for the observance of all laws relating to the carrying on of the business of a dealer at wholesale, for the payment when due of the purchase price of produce purchased by him when notice of default is given the commissioner within 30 days after the due date; provided, that the bond shall not cover transactions wherein it appears to the commissioner that a voluntary extension of credit has been given on the produce by the seller to the licensee beyond the due date, for the prompt settlement and payment of all claims and charges due the state for services rendered or otherwise, for the prompt reporting of sales, as required by law, to all persons consigning produce to the licensee for sale on commission, and the

prompt payment to the persons entitled thereto of the proceeds of such sales, less lawful charges, disbursements, and commissions. The bond shall cover all wholesale produce business, *1. transacted within this state; 2. transacted in part within this state and the states and provinces contiguous with this state; 3. transacted in part within this state and other states which give the same or similar protection as provided by this section,* and the license, or a certified copy thereof, shall be kept posted in the office of the licensee at each place within the state where he transacts business. All licenses shall expire May 31 of each year. The fee for each license shall be \$12.50, and for each certified copy thereof \$1. When the licensee shall sell, dispose of, or discontinue his business during the lifetime of his license he shall, at the time such action is taken, notify the commissioner, in writing, and shall upon demand produce before the commissioner a full statement of all assets and liabilities as of the date of transfer or discontinuance of the business.

All moneys collected from license fees shall be deposited in the state treasury.

Approved April 20, 1957.

CHAPTER 562—H. F. No. 1329

[Not Coded]

An act relating to the salary of the mayor and council in certain cities of the fourth class.

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

Section 1. Salaries, mayor and councilmen, certain cities fourth class. In any city of the fourth class having a population of more than 7,700 and less than 7,800 according to the 1950 federal census and located in a county having a population of more than 20,000 and less than 21,000, the city council may by resolution fix the salary of the mayor and councilmen at not to exceed \$400 per annum for each officer and the council shall cause notice thereof to be given to the voters of such city in the notice of the annual city election in the manner prescribed by Minnesota Statutes, Section 415.05, and if authorized by the electorate at such election the mayor and each member of the council shall be entitled to be paid as salary out of the city treasury the sum so authorized by the electorate.

Approved April 20, 1957.
