

*than the appraised value thereof. Provided, however, that the forestry practices to be followed in the cutting of said timber shall be approved by the conservation commissioner.*

Approved April 16, 1941.

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#### CHAPTER 279—H. F. No. 1215

*An act enlarging the powers of the water, light, power, and building commission in villages having a population of not less than 1,750, nor more than 2,000 inhabitants, and an assessed valuation of real and personal property of not less than \$2,000,000, nor more than \$3,000,000.*

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

**Section 1. Water, light and building commission in certain villages.**—In all villages in this state having a population of not less than 1750 and not more than 2000 inhabitants and having an assessed valuation of real and personal property of not less than \$2,000,000 nor more than \$3,000,000, in which there is existing at the present time a water, light, power and building commission, pursuant to Mason's Minnesota Statutes of 1927, Section 1852 to 1860, inclusive, or any acts amendatory thereof or supplementary thereto, the said commission, in addition to the general duties and powers as outlined in Mason's Minnesota Statutes 1927, Section 1852 to 1860, inclusive, as amended, shall have and possess the additional powers and duties set forth in this act.

**Sec. 2. Duties.**—It shall be the duty of the said commission and it is hereby empowered to collect, water, light, heat, power, gas and rent charges from patrons, exclusive of the village, and pay the same into a fund to be known and designated as "Water and Light Fund." The said commission shall have exclusive control of said fund and of all collections made by said commission. It shall be the duty of the commission to have full, absolute and exclusive control of the operation and management of the water, light, power, gas and heating plants in said villages and to pay for the operation thereof out of the said water and light fund. The said commission shall, out of the said water and light fund purchase all necessary material and employ all necessary help in the general management, operation and conduct of its business including extensions and additions to systems, provided, that this shall

not restrict or extend the powers of the village and commission to provide replacements, additions or extensions to these systems from other funds.

**Sec. 3. To set aside reserve fund.**—It shall be the duty of the said commission, on the first day of each month, commencing November 1, 1941, to set aside into a "Reserve Fund" a sum equal to one-twelfth of not less than one and one-fourth per cent of the replacement value of the fixed assets, which sum shall, in any event be equal to six per cent of the gross receipts collected by the said commission during the preceding month. Said reserve fund shall be used by said commission only for the purpose of replacing existing buildings, plants, systems and stationary equipment for which the reserve is established. The said commission is hereby prohibited from using any such reserve fund for any other purpose.

Provided, however, the fixed assets of the commission for the purpose of this section shall not include buildings used by other departments of the village and no reserve shall be created for the replacement of any such buildings. Only such buildings as are principally used and necessary in the operation or administration of water, light, power, gas and heating plants may be replaced from said reserve fund, and no revenue received from the operation thereof may be used for the maintenance of any other buildings of the village.

The commission shall have authority to invest, and it shall invest, the reserve fund and operating surpluses, in amounts to be determined by the commission, in such securities as permitted by the state board of investments of the state of Minnesota or in certificates of indebtedness and duly authorized bonds of said village. All income earned by such securities shall belong to and become a part of the reserve fund. When such fund equals a total of 75 per cent of the replacement value of the fixed assets of the commission, it will no longer be necessary to add the monthly sum specified above. When such sum falls below the 75 per cent of the replacement value of the fixed assets, the commission will thereupon renew the placing into such reserve fund the monthly payments specified above. The commission shall require any bank in which any of its funds are deposited to give bond as required of banks acting as depositories of municipal funds.

**Sec. 4. Limitation of act.**—Nothing in this act shall be construed to limit or extend the powers of the village to levy as provided by Mason's Minnesota Statutes of 1927, Sections 1245 to 1247 inclusive, or to be in lieu of such levies, nor

shall be construed to limit or extend the powers or limitations with respect to levies for or expenditures from other funds by the village or commission for the operation of the water and light department, or for replacements, additions or extensions to such system from such funds.

**Sec. 5. Change in population not to affect act.**—Any village which is now subject to the provisions of this act shall remain subject thereto notwithstanding subsequent changes in population or valuation.

**Sec. 6. Effective October 1, 1941.**—This act shall take effect commencing October 1, 1941.

Approved April 16, 1941.

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#### CHAPTER 280—H. F. No. 1355

*An act relating to hybrid seed corn; amending Mason's Supplement 1940, Sections 3957-22 and 3957-24.*

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

**Section 1. Law amended.**—Mason's Supplement 1940, Section 3957-22, is hereby amended to read as follows:

**"3957-22. Specifications for hybrid seed corn.**—It shall be unlawful for any person to sell, offer or expose for sale within the state of Minnesota any seed corn as "hybrid" unless the said seed answers to and complies with the definition of hybrid seed corn contained in Section 1 hereof; and unless there is attached to each sack, bag, or other container of such corn a label specifying that the corn contained therein is the product of either a single cross, a three-way cross or a double cross, as the case may be; and said label shall state the year, county and state in which said hybrid corn was raised and state approximately the number of days of growing season required from emergence of the corn plant above the ground to maturity in the section in Minnesota where said corn is intended to be grown, as hereinafter provided. *Effective August 1, 1941, in determining such number of days, the findings of the Minnesota experimental station shall govern.*

**Sec. 2. Law amended.**—Mason's Supplement 1940, Section 3957-24, is hereby amended to read as follows:

**"3957-24. Record of hybrid seed corn varieties.**—*Subdivision 1. Effective August 1, 1941, a record of each hybrid*