

# MINNESOTA STATUTES 1953 ANNOTATIONS

## 326.56 EMPLOYMENTS LICENSED BY STATE

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agencies and contractors are not affected by the President's Proclamation No. 2714, proclaiming a cessation of hostilities as of December 31, 1946. OAG Nov. 24, 1948 (310).

Section 326.55 has not been amended or repealed and is still in effect; and the registrants are exempt from payment of renewal fees if they are still in the armed service of the United States, or employed outside of the 48 states and the District of Columbia as a civilian employee engaged in national defense work. OAG Feb. 16, 1948 (310).

Provision for the exemption of soldiers and sailors from payment of renewal and registration fees is in force and effect as of Jan. 5, 1951. OAG Jan. 5, 1951, (310).

## 326.56 LICENSES, CERTIFICATES OF REGISTRATION; RENEWALS

HISTORY. 1951 c 301 s 1, 2.

Members of the armed forces of the United States and certain persons employed outside the United States in an employment essential to the prosecution of any war or any national defense are exempted from the payment of certain license fees, provided they come within the provisions of section 326.56. OAG March 31, 1952 (310).

## CHAPTER 327

### HOTELS, PUBLIC RESORTS

#### HOTELS

#### 327.07 FRAUD

HISTORY. 1874 c 52 s 3; 1875 c 111 s 1; GS 1878 c 124 s 23; Penal Code s 317; GS 1894 s 6611, 7999; 1905 c 325 s 1; RL 1905 s 5164; 1919 c 511 s 6; MS 1927 s 7318, 10548.

Obtaining meals in a private residence without paying therefor is not a violation of section 327.07. OAG Dec. 5, 1949 (133-B-35).

#### 327.08 PROOF OF FRAUD

HISTORY. 1919 c 511 s 7; GS 1923 s 7319, 10459; MS 1927 s 7319, 10459.

#### 327.09 EQUAL RIGHTS IN HOTELS

HISTORY. 1885 c 224 s 1, 2; GS 1878 Vol. 2 (1888 Supp) c 124 s 203, 204; GS 1894 s 8002, 8003; 1897 c 349; 1899 c 41; RL 1905 s 2812; GS 1913 s 6082; GS 1923 s 7321; MS 1927 s 7321; 1943 c 579 s 1.

Constitutionality of the proposed Minnesota Fair Employment Practices Act. 32 MLR 349.

Segregation and the Equal Protection Clause. Brief for the Committee of Law Teachers Against Segregation in Legal Education filed in *Sweatt v Painter*, 358 US 865, 70 SC 153. 34 MLR 289.

Equal protection; racial discrimination in urban redevelopment. 34 MLR 334.

Racial segregation in the use of athletic and recreational facilities. 36 MLR 399.

The Negro in the Supreme Court. 35 MLR 625.

Racially restrictive covenants. 35 MLR 625.

Federal fourteenth amendment; Harlan. 37 MLR 173.

Segregation; consequences; a social science statement. 37 MLR. 427.

While regulations may be adopted prohibiting the sale of 3.2 beer and intoxicating liquor to spendthrifts and improvident persons among the Indians, it is lawful to sell malt liquors to a person of Indian blood who has adopted the manners and customs of civilization. OAG June 14, 1949 (217-F-3).

An Indian who has adopted the language, customs, and habits of civilization cannot be excluded from the right to purchase liquor. OAG April 12, 1948 (218-J-9).

## **TOURIST CAMPS**

### **327.10 TOURIST CAMP OPERATOR, DUTIES**

HISTORY. 1937 c 186 s 1; 1951 c 428 s 16.

### **327.11 GUEST, REGISTRATION**

HISTORY. Amended, 1951 c 428 s 17.

## **TRAILER COACH PARKS**

### **327.14 DEFINITIONS**

HISTORY. 1951 c 428 s 1.

A trailer park may not be located and maintained within a residential district. The trailer is a mobile unit and not a dwelling within the meaning of the zoning ordinance. OAG March 3, 1952 (59-A-32).

The fees required to be paid by an occupied trailer in a trailer coach park are not in lieu of motor vehicle or personal property taxes. Where the required fee imposed upon the occupied trailer coach is not collected from the occupants by the licensee of the trailer coach park, the licensee's license may be revoked. OAG Nov. 30, 1952 (238-I).

The trailer coach park law is not applicable to premises where only one trailer is kept or maintained. OAG June 19, 1953 (238-I).

### **327.15 LICENSE FOR TRAILER COACH PARK**

HISTORY. 1951 c 428 s 2.

A county agricultural association receiving financial aid from the state under section 38.02, is not a municipality as defined in Laws 1951, Chapter 428, Section 1, Subdivision 4, and is required to obtain a trailer coach park license as required by section 2 of said Act. OAG May 22, 1952 (238-I).

The board of park commissioners of the city of Minneapolis is a municipality as defined in Laws 1951, Chapter 428, Section 1, relating to trailer coach parks, and it is not required to obtain a license or bond under section 2 of said Act. OAG May 22, 1952 (238-I).

A license for trailer coach park is non-transferable and unassignable. Anyone applying for a trailer coach park license for the first time must apply for a first annual primary license and pay the fee required therefor. OAG Aug. 20, 1952 (238-I).

The state department of health is without authority to revoke or suspend the license for a trailer coach park regardless of the reason therefor. The authority to revoke or suspend a license rests in the court. OAG Aug. 20, 1953 (238-I).

Owners of premises upon which trailer coaches are maintained by others must obtain trailer coach park licenses. Mining companies must procure a trailer coach

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license if they provide the facilities required by Laws 1951, Chapter 428. OAG April 27, 1953 (238-I).

**327.16 APPLICATION**

**HISTORY.** 1951 c 428 s 3.

Laws 1951, Chapter 428, Section 4, Subdivisions 1, 2, apply to municipalities. Section 3, subdivision 3, and sections 6 and 9 do not apply to municipalities. OAG Feb. 18, 1952 (238-I).

A license for a trailer coach park is non-transferable and unassignable and anyone applying for a trailer coach park license the first time must apply for a first annual primary license and pay the fee required therefor. OAG Aug. 20, 1952 (238-I).

The applicant for a trailer coach park license who after inspection and investigation is denied a license by the board of health, is not entitled to a refund of the application fee. OAG July 15, 1952 (238-I).

**327.17 TRAILER COACH FEES**

**HISTORY.** 1951 c 428 s 4.

The fees required to be paid by occupied trailer coaches in a trailer coach park are not in lieu of taxes. Where the required fees imposed upon an occupied trailer coach are not collected from the occupants thereof by the licensee of the trailer coach park, the latter's license may be revoked. OAG Nov. 30, 1951 (238-I).

Laws 1951, Chapter 428, Section 4, Subdivisions 1, 2, apply to municipalities. Section 3, subdivision 3, and sections 6 and 9 do not apply to municipalities. OAG Feb. 18, 1952 (238-I).

The words "county-wide relief within the county" relating to the distribution of the \$1.50 monthly fee collected from each occupied trailer coach, refer to a county operating under the county system of poor relief. OAG April 16, 1952 (238-I).

**327.18 LICENSES; REVOCATION, SUSPENSION**

**HISTORY.** 1951 c 428 s 5.

**327.19 LICENSES REQUIRED**

**HISTORY.** 1951 c 428 s 6.

**327.20 RULES**

**HISTORY.** 1951 c 428 s 7.

**327.21 DUTIES OF STATE DEPARTMENT OF HEALTH**

**HISTORY.** 1951 c 428 s 8.

**327.22 BOND**

**HISTORY.** 1951 c 428 s 9.

When the licensee fails to remit fees required to be collected and paid by him there is a breach of the covenants of his official bond. When such fees are not paid, the duty of collecting them is upon the agency to which such fees are required to be paid. No duty rests upon the state department of health. OAG Aug. 20, 1953 (238-I).

**327.23 CONSTRUCTION OF TERMS; MUNICIPAL PARKS**

**HISTORY.** 1951 c 428 s 10.

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## HAWKERS, PEDDLERS, TRANSIENT MERCHANTS 329.04

### 327.24 ENFORCEMENT

HISTORY. 1951 c 428 s 11.

### 327.25 OPERATION, PART OF YEAR

HISTORY. 1951 c 428 s 12.

### 327.26 NO LOCAL LICENSES

HISTORY. 1951 c 428 s 13.

### 327.27 FIRE PREVENTION

HISTORY. 1951 c 428 s 14.

### 327.28 UNLAWFUL PARKING OF TRAILER COACHES

HISTORY. 1951 c 428 s 15.

## CHAPTER 328

### CHAIN STORES AND MAIL ORDER COMPANIES

328.01-328.16 Obsolete.

## CHAPTER 329

### HAWKERS, PEDDLERS, TRANSIENT MERCHANTS

329.01 Renumbered 329.099.

### HAWKERS, PEDDLERS

#### 329.02 LICENSE REQUIRED

HISTORY. 1909 c 248 s 2; 1911 c 121 s 1; GS 1913 s 6089; GS 1923 s 7328; MS 1927 s 7328.

An optometrist visiting different communities in a mobile unit and practicing optometry in said unit, who sent out cards to patients announcing days and hours on which he would be in a given community, and would serve patients as they came without prior appointment, was not a "peddler" within the said community even though he had a definite home office elsewhere. OAG Dec. 19, 1950 (329-D).

#### 329.03 LICENSE, APPLICATION AND ISSUANCE

HISTORY. 1909 c 248 s 3; 1911 c 121 s 2; GS 1913 s 6090; GS 1923 s 7329; MS 1927 s 7329.

#### 329.04 FEES

HISTORY. 1909 c 248 s 2; 1911 c 121 s 3; GS 1913 s 6091; GS 1923 s 7330; 1925 c 227; MS 1927 s 7330.