

CHAPTER 291—S. F. No. 1133

An act relating to the inspection of petroleum products and approval thereof before unloading; amending the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 3787-5.

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

Section 1. Inspection of petroleum products.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 3787-5, is hereby amended so as to read as follows:

"3787-5. No petroleum products subject to inspection under this act shall be unloaded, removed, stored, offered for sale, or used in this state, until they have been duly inspected and approved; provided, however, that petroleum products subject to inspection under this act brought into the state by boat or barge or other like form of transportation and delivered at a marine terminal in this state for storage, or brought into the state by pipe line and delivered at a pipe line terminal or tank farm in this state for storage, shall not be subject to inspection until the same shall have been loaded (1) into tank cars, ships or barges, tank trucks, tank wagons or other types of transportation equipment, containers or facilities at such marine or pipe line terminal or tank farm for ultimate destination within this state, or (2) placed in any tank or other container from which any sales or deliveries not involving transportation are made directly. It shall be the duty of each distributor at his own expense to give notice in manner and form prescribed by regulations of the Chief Oil Inspector immediately upon arrival of any shipments."

Approved April 17, 1939.

CHAPTER 292—S. F. No. 1145

An act relating to amendments to home rule charters, and amending Mason's Minnesota Statutes of 1927, Section 1286.

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

Section 1. Amendments to home rule charters—Elections.—Mason's Minnesota Statutes of 1927, Section 1286, is hereby amended so as to read as follows:

"1286. Subdivision 1. The board of freeholders may propose amendments to such charter, and shall do so upon the

petition of five per cent of the voters of the city. All petitions circulated with respect to a charter amendment shall be uniform in character and shall have attached thereto the text of the proposed amendment in full; except that in the case of a proposed amendment containing more than one thousand words, a true and correct copy of the same may be filed with the city clerk, and the petition shall then contain a summary of not less than 50 nor more than 300 words setting forth in substance the nature of the proposed amendment. Such summary shall contain a statement of the objects and purposes of the amendment proposed, and an outline of any proposed new scheme or frame work of government and shall be sufficient to inform the signers of the petition as to what change in government is sought to be accomplished by the amendment. The summary, together with a copy of the proposed amendment shall first be submitted to the charter commission for its approval as to form and substance, the commission shall within ten days after such submission to it, return the same to the proposers of the amendment with such modifications in statement as it may deem necessary in order that the summary may fairly comply with the requirements above set forth.

Subdivision 2. Petitions.—The signatures to such petition need not all be appended to one paper, but to each separate petition there shall be attached an affidavit of the circulator thereof as provided by this section. Each signer of any such petition paper shall sign his name in ink or indelible pencil and shall indicate after his name his place of residence by street and number, or other description sufficient to identify the place. There shall appear on each petition the names and addresses of five electors of the city, and on each paper the names and addresses of the same five electors, who, as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition. The affidavit attached to each petition shall be as follows:

State of

) ss

County of

..... being duly sworn, deposes and says that he, and he only, personally circulated the foregoing paper, that all the signatures appended thereto were made in his presence, and that he believes them to be the genuine signatures of the persons whose names they purport to be.

Signed

(Signature of Circulator)

Subscribed and sworn to before me

this day of 19 . . .

Notary Public (or other officer)

authorized to administer oaths

The foregoing affidavit shall be strictly construed and any affiant convicted of swearing falsely as regards any particular thereof shall be punishable in accordance with existing law.

Subdivision 3. May be assembled as one petition.—*All petition papers for a proposed amendment shall be assembled and filed with the charter commission as one instrument. Within ten days after such petition is transmitted to the city council, the city clerk shall determine whether each paper of the petition is properly attested and whether the petition is signed by a sufficient number of voters. The city clerk shall declare any petition paper entirely invalid which is not attested by the circulator thereof as required in this section. Upon completing his examination of the petition, the city clerk shall certify the result of his examination to the council. If he shall certify that the petition is insufficient, he shall set forth in his certificate the particulars in which it is defective and shall at once notify the committee of the petitioners of his findings. A petition may be amended at any time within ten days after the making of a certificate of insufficiency by the city clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The city clerk shall within five days after such amendment is filed, make examination of the amended petition, and if his certificate shall show the petition still to be insufficient, he shall file it in his office and notify the committee of the petitioners of his findings and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.*

Subdivision 4. Publication of proposed amendments.—*Amendments shall be submitted as in the case of the original charter, and the proposal shall be published for at least 30 days in not exceeding three newspapers of general circulation in such city. The form of ballot and mode of voting shall be similar to those used upon the adoption of such charter, the general nature of each amendment being briefly indicated. If three-fifths of those lawfully voting at such election shall declare in favor of any amendment so proposed, the same shall be certified, deposited and recorded, and shall take effect, as in the case of the original charter, provided that, if it be pro-*

posed that any amendment shall take effect at a specified time, it shall take effect as proposed."

Approved April 17, 1939.

CHAPTER 293—S. F. No. 1171

An act fixing the salary of county auditors in certain counties.

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

Section 1. Salary of County Auditors in certain counties.—In all counties of this state having a land area of more than 380 and less than 400 square miles, and having a population of more than 20,000, according to the last Federal census, the salary of the county auditor shall be \$3800.00 per annum, payable in equal monthly installments.

Sec. 2. Effective January 1, 1939.—This act shall take effect and be in force from and after January 1, 1939.

Approved April 17, 1939.

CHAPTER 294—S. F. No. 1172

An act to permit the incorporation of county agricultural societies; and to provide for appropriations thereto.

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

Section 1. Incorporation of County Agricultural Society—Appropriations.—In any county wherein an existing county agricultural society or association shall have discontinued holding annual county fairs, and wherein a county fair has been annually held for more than ten years immediately preceding the passage of this act, whether by said agricultural society or association or by some other organization, a second county agricultural society or association may be incorporated prior to the dissolution of the existing society or association, and when so incorporated it shall be entitled to receive all benefits and appropriations that other county agricultural societies and associations receive from the state, county or municipalities under existing laws; provided, however, that not more than two annual appropriations shall be made by the