

(2) *Is guilty of gross immorality or of a crime, except misdemeanors;*

(3) *Is unfit or incompetent by reason of negligence, habits or other causes;*

(4) *Is habitually intemperate or is addicted to the use of habit-forming drugs;*

(5) *Is mentally incompetent;*

(6) *Has wilfully or repeatedly violated any of the provisions of sections 148.29 to 148.294.*

Subd. 2. Before the board shall order any such suspension or revocation it shall cause an investigation to be made. It shall issue a citation under its seal, signed by the secretary, directing the licensee to show cause on a day certain why her license should not be suspended or revoked on the grounds specified therein. The licensee shall be given 20 days' notice of the hearing, and is entitled to representation by counsel. A stenographic record shall be kept of the proceedings. The action of the board in suspending or revoking a license hereunder is subject to review by the district court.

Subd. 3. Any practical nurse whose license is suspended or revoked may be reinstated or a new license issued to her when in the discretion of the board such action is warranted. The nurse shall pay all the costs of the proceedings resulting in the suspension or revocation of the license and reinstatement of a license and a fee of \$15.

Sec. 8. *This act shall take effect July 1, 1955.*

Approved April 20, 1955.

CHAPTER 618—S. F. No. 956

An act relating to county agricultural societies and associations; amending Minnesota Statutes 1953, Sections 38.01, 38.02, Subdivision 1, 2 and 3, 38.03; repealing Minnesota Statutes 1953, Sections 38.011, 38.012 and 38.06 to 38.11.

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

Section 1. Minnesota Statutes 1953, Section 38.01, is amended to read:

38.01 County agricultural societies. An agricultural society or association may be incorporated by citizens of any

county, or two or more counties jointly, but only one agricultural society shall be organized in any county. An agricultural society may sue and be sued in its corporate name; may adopt bylaws, rules, and regulations, alter and amend the same; may purchase and hold, lease and control any real or personal property deemed to promote the objects of the society, and sell and convey the same. This section shall not be construed to preclude the continuance of any agricultural society now existing nor the granting of aid thereto.

An agricultural society shall have jurisdiction and control of the grounds upon which its fairs are held and of the streets and grounds adjacent thereto during such fair, so far as may be necessary for such purpose. At or before the time of holding any fair, the president of the society may appoint, in writing, signed by him, as many persons to act as special constables as he may judge necessary, for and during the time of holding the same and for a reasonable time prior and subsequent thereto. These constables, before entering upon their duties, shall take and subscribe the usual oath of office, endorsed upon their appointment, and have and exercise upon the grounds of the society, and within one-half mile thereof, all the power and authority of constables at common law and, in addition thereto, may, within these limits, without warrant, arrest any person found violating any laws of the state, or any rule, regulation, or bylaw of the society, and summarily remove the persons and property of such offenders from the grounds and take them before any court of competent jurisdiction to be dealt with according to law. Each such peace officer shall wear an appropriate badge of office while acting as such.

Any person who shall wilfully violate any rule or regulation made by such societies during the days of a fair shall be guilty of a misdemeanor.

Sec. 2. Minnesota Statutes 1953, Section 38.02, Subdivision 1, is amended to read:

38.02 Aid, distribution. Subdivision 1. **Schedule.**
(1) All sums hereafter appropriated to aid county and district agricultural societies and associations shall be distributed to the following named agricultural societies or associations: Aitkin County Agricultural Society, Anoka County Agricultural Society, The Becker County Agricultural Society and Fair Association, Beltrami County Agricultural Association, The Benton County Agricultural Society, Big Stone County Agricultural Society, Blue Earth County Agricultural Association, Mankato Fair and Blue Earth County Agricultural Association, Brown County Agricultural Society, The Carlton County Ag-

gricultural and Industrial Association, Carver County Agricultural Society of Waconia, Cass County Agricultural Society, Chippewa County Fair Association, The Chisago County Agricultural Society, Clay County Fair and Agricultural Association of Barnesville, Clay County, Minnesota, Clearwater County Agricultural Society, Cook County Agricultural Society, Cottonwood County Agricultural Society, Crow Wing County Fair Association, Dakota County Agricultural Society, The Dodge County Agricultural and Mechanical Society, Douglas County Agricultural Association, Faribault County Agricultural Society, Fillmore County Agricultural Society, Freeborn County Agricultural Society, Goodhue County Agricultural Society and Mechanic Institute, Cannon Valley Fair Association, Grant County Agricultural Association, Hennepin County Agricultural Society, Houston County Agricultural Society, Hubbard County Agricultural Association, Shell Prairie Agricultural Association, The Isanti County Agricultural Society, Itasca County Agricultural Association, The Fair Association of Jackson County, Minnesota, Kanabec County Agricultural Society, Kandiyohi County Fair Association, Kittson County Agricultural Society, the St. Vincent Union Industrial Association, Koochiching County Agricultural Association, Northern Minnesota District Fair Association, Lac qui Parle County Agricultural Society, Lake of the Woods County Fair Association, Lake County Agricultural Society, The Le Sueur County Fair Association, The Lincoln County Agricultural Society and County Fair Association, Lyon County Agricultural Society, McLeod County Agricultural Association, Mahnommen County Agricultural Society, Marshall County Agricultural Association, Martin County Agricultural Society, Meeker County Agricultural Society, The Mille Lacs County Agricultural Society, Morrison County Agricultural Association, The Morrison County Agricultural Society, Mower County Agricultural Society, The Murray County Agricultural Society, Nicollet County Agricultural Society, Nobles County Fair Association, The Agricultural Society of Norman County, Minnesota, Olmsted County Agricultural Association, Otter Tail County Agricultural Society and Fair Association, Perham Agricultural Society, The Pennington County Agricultural Society, Incorporated, Pine County Agricultural Society, Pipestone County Agricultural Society, The Polk County Agricultural Fair Association, Northwestern Minnesota Agricultural Association, Pope County Agricultural Society, Ramsey County Agricultural Society, Red Lake County Agricultural Society, Redwood County Agricultural Society, The Renville County Agricultural Society, Rice County Agricultural Society, Agricultural Society of Rock County, The Roseau County Agricultural Society, The Saint Louis County Agricultural Fair Association, South St. Louis

County Fair Association, Scott County Agricultural Society, Scott County Good Seed Association, The Sherburne County Agricultural Society, Sibley County Agricultural Association, Agricultural Society of Stearns County, Steele County Agricultural Society, Stevens County Agricultural Society, Swift County Fair Association, Todd County Agricultural Society, Traverse County Agricultural Association, The Wabasha County Agricultural Fair Association, Wadena County Agricultural Society, Waseca County Agricultural Society, Washington County Agricultural Society, Watonwan County Agricultural Society, Wilkin County Agricultural Society, Winona County Agricultural and Industrial Association, Wright County Agricultural Society, The Yellow Medicine County Fair Association, pro rata, upon condition that each of them has complied with the conditions specified in clause (2).

(2) To be eligible to participate in such distribution, each such agricultural society or association (1) shall have held an annual fair for each of the three years last past, unless prevented from doing so because of a calamity or an epidemic declared by the local or state board of health to exist; (2) shall have an annual membership of 25 or more; (3) shall have paid out to exhibitors for premiums awarded at the last fair held a sum not less than the amount to be received from the state; (4) shall have published and distributed not less than three weeks before the opening day of the fair a premium list, listing all items or articles on which premiums are offered and the amounts of such premiums and shall have paid premiums pursuant to the amount shown for each article or item to be exhibited; provided that premiums for school exhibits may be advertised in the published premium list by reference to a school premium list prepared and circulated during the preceding school year; and shall have collected all fees charged for entering an exhibit at the time the entry was made and in accordance with schedule of entry fees to be charged as published in the premium list; (5) shall have paid not more than one premium on each article or item exhibited, excluding championship or sweepstake awards, and excluding the payment of open class premium awards to 4 H Club exhibits which at this same fair had won a first prize award in regular 4 H Club competition; (6) shall have submitted its records and annual report to the public examiner on a form provided by the state auditor, on or before the first day of November of the current year.

(3) All payments authorized under the provisions of this chapter shall be made only upon the filing by the public examiner with the state auditor of a certificate of examination, in which the public examiner shall certify that he has caused

an examination to be made of the records and accounts of the agricultural society or association making application for state aid and that it has in every respect complied with the requirements of this chapter. The certificate shall also state the total amount of premiums paid by the society or association. *As used herein the term premium shall mean the cash award paid to an exhibitor for the merit of an exhibit of livestock, livestock products, grains, fruits, flowers, vegetables, articles of domestic science and articles made by school pupils, or the cash award paid to the merit winner of events such as 4 H Club or Future Farmer Contest, Youth Group Contests, school spelling contests and school current events contests, the award corresponding to the amount offered in the advertised premium list referred to in Schedule 2 of this subdivision. Payments of awards for horse races, ball games, musical contests, talent contests, parades, and for amusement features for which admission is charged, are specifically excluded from consideration as premiums within the meaning of that term as used herein.* Upon receipt of the certificate of examination by the public examiner, it shall be the duty of the state auditor to draw his voucher in favor of the agricultural society or association for the amount to which it is entitled under the provisions of this chapter, which amount shall be computed as follows: On the first \$750 premiums paid by each society or association, such society or association shall receive 100 percent reimbursement; on the second \$750 premiums paid, 80 percent; on the third \$750 premiums paid 60 percent; and on any sum in excess of \$2,250, 40 percent.

(4) If the total amount of state aid to which the agricultural societies and associations are entitled under the provisions of this chapter exceeds the amount of the appropriation therefor, the amounts to which the societies or associations are entitled shall be pro rated so that the total payments by the state will not exceed the appropriation.

Sec. 3. Minnesota Statutes 1953, Section 38.02, Subdivision 2, is amended to read:

Subd. 2. **Accounting; public examiner, duties.** It shall be the duty of the public examiner to prescribe uniform forms and methods of accounting to be used by agricultural societies, *and associations.*

Sec. 4. Minnesota Statutes 1953, Section 38.02, Subdivision 3, is amended to read:

Subd. 3. **Certification, state auditor; payments excluded.** Any county or district agricultural society which may have held its second annual fair shall be entitled to share pro rata

in such distribution. The state auditor shall certify to the secretary of the state agricultural society, on or before January 5 of each year, a list of all county or district agricultural societies that have complied with this chapter, and which are entitled to share in such appropriation. All payments hereunder shall be made on or before December 20 of the year in which the fair is held.

Sec. 5. Minnesota Statutes 1953, Section 38.03, is amended to read:

38.03. Lease, county lands. The county board of any county may lease to agricultural societies established and existing in its county, for such period and on such terms as it shall deem expedient, any lands of the county, including any portion of lands of the county used as a poor farm, to be used by the society for fair purposes. The society may construct on the leased land, suitable buildings, race tracks, and other improvements; provided, that in case of the leasing by the county board of any county of lands previously set aside as a poor farm, such improvements shall be constructed according to a plan previously submitted to the county board and approved by it.

Sec. 6. **Repealer.** Minnesota Statutes 1953, Sections 38.011, 38.012, and 38.06 to 38.11, are hereby repealed.

Approved April 20, 1955.

CHAPTER 619—S. F. No. 1156

An act relating to tax forfeited lands and the granting of easements, licenses and leases in aid of the mining and beneficiating of taconite and the transportation of taconite or the concentrates produced therefrom over such land, and amending Minnesota Statutes 1953, Section 117.47.

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

Section 1. Minnesota Statutes 1953, Section 117.47, is amended to read as follows:

117.47. Permits, licenses. The commissioner of conservation is authorized to grant permits and licenses or leases on and across lands owned by the state for any of the purposes set forth in section 117.46, and to lease state owned lands for the depositing of stripping, lean ores, tailings, or waste products of such business. He is also authorized to license the flooding of state lands in connection with any permit or authoriza-