

Sec. 3. Minnesota Statutes 1961, Section 37.19, is amended to read:

37.19 Contracts. The society may contract in its own name, and through its duly appointed officers and agents without the necessity of advertising for, or publicly requesting bids, and the provisions of this chapter, and all ordinances, by-laws, rules, and regulations adopted by its governing board shall be deemed a part of every such contract entered into with any exhibitor, privilege holder, lessee, licensee, or other person. *The society shall have the power to purchase, sell, lease, or otherwise to engage in transactions as respects real property in its own name, and with terms and conditions acceptable to its board of managers. The provisions of Minnesota Statutes, Section 37.01 shall apply to the specific properties described therein, excepting space rental contracts and ground leases for a term of one year or less. The society shall submit to the executive council of the state of Minnesota, as provided by Minnesota Statutes, Chapter 9, all its transactions involving real properties for the approval of the executive council, and no such transaction shall be final until approved by the executive council. All such transactions involving real property heretofore made by the society are hereby ratified, confirmed and approved.*

Approved May 12, 1965.

CHAPTER 412—H. F. No. 254

An act relating to warehousing and penalties for violations of the warehousing law; amending Minnesota Statutes 1961, Sections 231.14, 231.36, 231.37, 231.38 and 231.39.

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

Section 1. Minnesota Statutes 1961, Section 231.14, is amended to read:

231.14 Warehousing law; violations; discrimination in rates. Except as herein otherwise specified, no warehouseman, or any officer, agent, or employee thereof, shall, directly or indirectly, by remittance, rebate, or any device, inducement, or other means, suffer or permit any corporation or person to obtain any service, or the storage of any goods, wares, or merchandise, at less than the rates then established and in force as shown by the schedule filed and in effect at the time. No person or corporation shall, directly or indirectly, by any device, inducement, or means, either

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with or without the consent or connivance of a warehouseman, or any of the officers, agents, or employees thereof, obtain, or seek to obtain, any service, or the storage of any goods, wares, or merchandise, at less than the rates then established and in force therefor. Any warehouseman, or the officers, agents, or employees thereof, or any person acting for or employed by it, or transacting business with it, or any other person, who shall violate any provision of this section, shall be guilty of a *gross* misdemeanor; and, upon conviction, subject to imprisonment not exceeding one year or to a fine not exceeding \$1,000, or both.

Sec. 2. Minnesota Statutes 1961, Section 231.36, is amended to read:

231.36 Falsification or destruction of accounts. Any person who shall wilfully make any false entry in the account or in any record or memorandum kept by a warehouseman, or who shall wilfully destroy, mutilate, alter, or by any other means or device, falsify a record of any such account, record, or memorandum, or who shall wilfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda, of all facts and transactions appertaining to the business of the warehouseman, or shall keep any accounts or records with the intent to evade the provisions of this chapter, shall be guilty of a *gross* misdemeanor; and, upon conviction, subject to imprisonment not exceeding one year or to a fine not exceeding \$1,000, or both.

Sec. 3. Minnesota Statutes 1961, Section 231.37, is amended to read:

231.37 Penalty for divulgence of information. Any officer or employee of the commission who divulges to any person, other than a member of the commission, any fact or information coming to his knowledge during the course of an inspection, examination, or investigation of any accounts, records, memoranda, books, or papers of a warehouseman, except insofar as he may be authorized by the commission, or by a court of competent jurisdiction, or a judge thereof, shall be guilty of a *gross* misdemeanor; and, upon conviction, subject to imprisonment not exceeding one year or to a fine not exceeding \$1,000, or to both.

Sec. 4. Minnesota Statutes 1961, Section 231.38, is amended to read:

231.38 Penalty for transacting business without a license. Any person who shall transact the business of a warehouseman, except for the purpose of winding up the same under the supervision of the commission, without first procuring a license and giving a bond as provided for in this chapter and any licensed warehouse-

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man who shall operate any warehouse without obtaining the permit herein provided for or who shall continue to **transact such business** after such license has expired or such bond may have become void or found insufficient security for the penal sum in which it is executed by the commission approving the same shall be guilty of a *gross* misdemeanor; and upon conviction fined in a sum not less than \$100 nor more than \$500 for each and every day such business is carried on before the license or permit, as the case may be, is issued or after the expiration of such license or permit or after receiving notice from the commission that such bond has become void or has been found insufficient security; and the operation of such warehouseman may be enjoined upon complaint of the commission before a court of competent jurisdiction.

Sec. 5. Minnesota Statutes 1961, Section 231.39, is amended to read:

231.39 Persons violating act or order; penalty. Any warehouseman and each person who, either individually or acting as an officer, agent, or employee of a warehouseman, violates or fails to comply with any provisions of this chapter, or fails to observe, obey, or comply with any order, decision, rule, regulation, direction, or requirement or any part or portion thereof of the commission made or issued under authority of this chapter or who procures, aids, or abets any warehouseman in his violation of this chapter or in his failure to observe, obey, or comply with this chapter or any such order, decision, rule, regulation, direction, or requirement or any part or portion thereof in a case in which a penalty is not otherwise provided for in this chapter is guilty of a *gross* misdemeanor; and upon conviction shall be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year or by both such fine and imprisonment.

Each violation of the provisions of this chapter, or of any order, decision, rule, regulation, direction, or requirement of the commission, or any part or portion thereof, by any warehouseman is a separate and distinct offense.

In construing and enforcing the provisions of this chapter relating to penalties, the act, omission, or failure of any officer, agent, or employee of any warehouseman, acting within the scope of his official duties or employment, shall in each case be and be deemed to be the act, omission, or failure of such warehouseman.

Approved May 13, 1965.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.