

Surplus funds not required to meet the state's current disbursements shall be deposited for a definite period in inactive depositories and interest shall be paid on these deposits at a rate of not less than one percent ~~nor more than three percent~~ per annum *nor more than the maximum rate authorized to be paid by Minnesota state banks other than mutual savings banks*. This rate shall be fixed by the executive council in accordance with the current rate upon similar deposits.

Approved February 25, 1965.

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CHAPTER 33—S. F. No. 409

*An act relating to elections in common and independent school districts; amending Minnesota Statutes 1961, Section 123.11, Subdivision 2; and Section 123.32, Subdivision 8.*

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

Section 1. Minnesota Statutes 1961, Section 123.11, Subdivision 2, is amended to read:

Subd. 2. **School districts; elections; tie votes.** The annual meeting shall have power to elect by ballot officers of the district. In all elections or vote by ballot, the clerk shall record the names of all voters participating therein and the chairman shall appoint two electors who with the assistance of the clerk shall supervise the balloting and canvass the votes. *If any candidates receive an equal number of votes for an office, the board shall resolve the tie by lot.*

Sec. 2. Minnesota Statutes 1961, Section 123.32, Subdivision 8, is amended to read:

Subd. 8. After canvassing the election, the board shall issue a certificate of election to the candidate for each office who received the largest number of votes cast for the office. *If any candidates receive an equal number of votes for an office, the board shall resolve the tie by lot.* The clerk shall deliver such certificate to the person entitled thereto by registered mail, and each person so certified shall file an acceptance and oath of office in writing with the school district clerk within 30 days of the date of mailing of the certificate. A person who fails to qualify prior to the time specified shall be deemed

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

to have refused to serve, but such filing may be made at any time before action to fill the vacancy has been taken.

Approved February 25, 1965.

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CHAPTER 34—H. F. No. 35

*An act relating to butter substitutes; providing a penalty for the unlawful advertising thereof; amending Minnesota Statutes 1961, Section 33.032.*

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

Section 1. Minnesota Statutes 1961, Section 33.032, is amended to read:

**33.032 Butter substitutes; unlawful advertising; penalty.** Any person violating any of the provisions of sections *33.01*, *33.02*, or *33.03* shall be guilty of a misdemeanor.

Approved February 25, 1965.

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CHAPTER 35—H. F. No. 33

*An act relating to errors in Minnesota Statutes; making certain provisions thereof relating to crimes conform with the provisions of the criminal code of 1963; amending Minnesota Statutes 1961, Sections 16.64, Subdivision 7; 48.39; 48.75; 61.55; 90.35, Subdivision 2; 91.20; 91.21; 233.04; 514.02; 618.21, Subdivision 1; 622.20; and 628.27.*

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

Section 1. **Criminal code of 1963; correction bill.** Minnesota Statutes 1961, Section 16.64, Subdivision 7, is amended in line 4 by striking "in the third degree"; and, further, in the last line by striking "larceny" and inserting in lieu thereof "*theft*".

Sec. 2. Minnesota Statutes 1961, Section 48.39, is amended in line 27 by striking "larceny" and inserting in lieu thereof "*theft*".

Sec. 3. Minnesota Statutes 1961, Section 48.75, is amended

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