

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.

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.

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~~.

in line 9 thereof by striking "larceny" and substituting in lieu thereof "*theft*".

Sec. 4. Minnesota Statutes 1961, Section 61.55, is amended in line 19 of the sixth paragraph by striking "larceny" and substituting in lieu thereof "*theft*".

Sec. 5. Minnesota Statutes 1961, Section 90.35, Subdivision 2, is amended by striking "larceny" where it appears in lines 4, 7, and 8, and in each instance substituting in lieu thereof "*theft*".

Sec. 6. Minnesota Statutes 1961, Section 91.20, is amended in line 7 by striking "larceny" and inserting in lieu thereof "*theft*".

Sec. 7. Minnesota Statutes 1961, Section 91.21, is amended in line 3 by striking "larceny" and substituting in lieu thereof "*theft*".

Sec. 8. Minnesota Statutes 1961, Section 233.04, is amended by striking "larceny" where it appears at the end of the section and inserting in lieu thereof "*theft*".

Sec. 9. Minnesota Statutes 1961, Section 514.02, is amended in line 8 by striking "larceny" and inserting in lieu thereof "*theft*".

Sec. 10. Minnesota Statutes 1961, Section 618.21, Subdivision 1, is amended by striking from lines 2 and 3 the following: ", upon a first conviction,".

Sec. 11. Minnesota Statutes 1961, Section 622.20, is amended in lines 2 and 3 by striking the words "robbery or larceny" and substituting in lieu thereof "*robbery, aggravated robbery, or theft*".

Sec. 12. Minnesota Statutes 1961, Section 628.27, is amended by striking the word "larceny" where it appears in lines 2, 4, 5, and 6, and in each instance substituting in lieu thereof the word "*theft*".

Approved February 26, 1965.

CHAPTER 36—H. F. No. 72

An act relating to motor vehicle driver's licenses; authorizing agents appointed by clerks of court to collect and retain certain fees; amending Minnesota Statutes 1961, Section 171.06, Subdivision 4.

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

Changes or additions indicated by italics, deletions by strikeout.