

## CHAPTER 725—H.F.No.221

[Coded in Part]

*An act relating to provisions of Minnesota Statutes; changing various legal provisions relating to age from 21 years of age to 18 years of age; granting 18, 19 and 20 year olds broad powers, duties, rights and obligations; redefining the terms minor, adult, minority, majority and legal or full age; revising certain penalties accordingly; amending Minnesota Statutes 1971, Sections 64A.24, Subdivision 3; 72B.04, Subdivision 2; 82.03, Subdivision 2; 97.83, Subdivision 1; 136.11, Subdivision 1; 144.175, Subdivision 2; 144.51; 144.52; 144.60, Subdivision 1; 144.953, Subdivision 1; 146.06, Subdivision 1; 146.09; 147.16; 147.26, Subdivision 2; 148.37; 148.57, Subdivision 1; 148.70; 148.81, Subdivision 1; 149.03, Subdivision 1; 151.10; 153.04; 156.02, Subdivision 1; 171.07, Subdivision 1; 171.27; 177.02, Subdivisions 6 and 7; 181.41; 183.51, Subdivisions 4, 5, 6, 7, 8, 9, 10 and 11; 184.26, Subdivision 3; 200.02, Subdivision 25; 201.14; 201.15; 202.04, Subdivision 1; 208.22; 242.44; 246.43, Subdivisions 1 and 2; 246.51; 256B.14; 257.01; 257.05, Subdivision 1; 259.21, Subdivision 2; 260.015, Subdivision 9; 268.04, Subdivision 12; 290.23, Subdivision 11; 290.25, Subdivision 4; 292.04; 299F.77; 326.19, Subdivisions 1 and 2; 330.01, Subdivision 1; 332.36, Subdivision 1; 340.02, Subdivision 8; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 2; 340.403, Subdivision 3; 340.78; 340.81; 359.01; 471.61, Subdivisions 1, 1a, and 2a; 500.13, Subdivision 2; 517.02; 517.08, Subdivision 1; 518.54, Subdivision 2; 525.092, Subdivision 2; 525.80; 527.01, Subdivisions 2 and 14; 527.04, Subdivision 4; 527.07, Subdivision 4; 541.15; 609.295 and 645.45; Chapters 501, by adding a section; and 525, by adding a section; repealing Minnesota Statutes 1971, Section 61A.12, Subdivision 3.*

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

Section 1. Minnesota Statutes 1971, Section 64A.24, Subdivision 3, is amended to read:

Subd. 3. **AGE OF MAJORITY; WHEN LIMITATIONS DO NOT APPLY.** An association meeting the requirements of section 64A.20, clause (3) may provide for benefits on the lives of children under the minimum age for adult membership, but not greater than 21 18 years of age, at time of application therefor by some adult person, without regard to the limitations specified in sections 64A.24 to 64A.30 inclusive.

Sec. 2. Minnesota Statutes 1971, Section 72B.04, Subdivision 2, is amended to read:

Subd. 2. **QUALIFICATIONS.** An applicant for licensing as an adjuster under sections 72B.01 to 72B.14 shall be at least 21 18

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years of age, and shall have one year's training and experience in adjusting insurance claims for damage or loss from risks in the field stated in his application. The applicant shall be competent and trustworthy and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

An applicant for licensing as an appraiser under sections 72B.01 to 72B.14 shall be at least 18 years of age and shall have had one year's training and experience in evaluating motor vehicle physical damage. The applicant shall be competent and trustworthy and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

An applicant for licensing as a public adjuster solicitor under sections 72B.01 to 72B.14 shall be at least 18 years of age, shall be competent and trustworthy, and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

In the case of any applicant who has been convicted of a felony within the ten years next preceding the date of his application, and who in the judgment of the commissioner, meets the other qualifications, the commissioner may impose the additional requirement of the filing of a bond in accordance with the requirements of section 72B.08, subdivision 8.

Sec. 3. Minnesota Statutes 1971, Section 82.03, Subdivision 2, is amended to read:

Subd. 2. **APPLICATIONS, QUALIFICATIONS OF APPLICANTS.** No real estate broker's license shall be issued to a partnership, association or corporation, unless all the members or officers thereof who will actively engage in the real estate business or business opportunity business satisfy the same requirements in every respect provided for in sections 82.01 to 82.16, for an individual broker.

Every applicant for a license as a real estate broker or real estate salesman, as the case may be, shall make his application in writing upon blanks prepared and furnished by the commissioner. Every applicant for a real estate broker's license shall be at least 21 ~~18~~ years of age and a citizen of the United States, but a person not a citizen of the United States may be granted a license after due proof is made to the commissioner that he has applied to become such a citizen. Each application shall be signed and sworn to by

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the applicant and shall be accompanied by the license fee herein prescribed. In the event that the commissioner does not issue the license, the fee shall be returned to the applicant.

The application for a real estate broker's license shall give the applicant's name, age and residence address and all business names and addresses used, or proposed to be used by him as a real estate broker. Such application shall also give the name and address of each real estate salesman he employs, and such other information as the commissioner requires.

The application for a real estate salesman's license shall give the applicant's name, age and address and the name and place of business of the real estate broker by whom said salesman is or is to be employed, and such other information as the commissioner requires.

Sec. 4. Minnesota Statutes 1971, Section 97.83, Subdivision 1, is amended to read:

**97.83 USE OF FIREARMS IN TAKING WILD ANIMALS, WHEN FORBIDDEN.** Subdivision 1. Except as hereinafter provided, it is unlawful for any person under the age of 16, unless accompanied by a parent or guardian, to have in his possession or under his control any firearm or air gun of any kind for hunting or target practice or any other purpose. Any person between the ages of 14 to 16, who has a certificate herein provided for is hereby exempted. No certificate shall be issued to a person under 12 years of age. A person aged 11 may take the course for the certificate and if successful may receive the certificate upon becoming age 12. However, this section shall not apply to any person using firearms on land owned or occupied as a usual place of abode, by himself, parent or guardian. The provisions of Minnesota Statutes, Section 98.47, Subdivision 10 and Section 609.66 are not affected hereby, except that it is lawful for any person participating in the foregoing course of instruction to carry a properly encased and unloaded firearm to and from class and to handle the same during such instruction. Also, such person shall be allowed participation in organized target shooting programs conducted under qualified adult supervision. For the purposes of this subdivision the word "guardian" is defined as legal guardian or any other person over the age of 21 ~~18~~ who has been selected by the parent or legal guardian to supervise the person under the age of 16 while he has in his possession or under his control any firearm or air gun of any kind for hunting or target practice or any other purpose.

Sec. 5. Minnesota Statutes 1971, Section 136.11, Subdivision 1, is amended to read:

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**136.11 TUITION; FEES; ACTIVITIES FUNDS.** Subdivision 1. **TUITION.** There shall be a charge for tuition to students in state colleges. The board shall fix rates of tuition for the various instructional programs including, but not limited to, in-service education courses, general adult education programs, summer session programs, off-campus courses, institutes, and projects. The board may waive tuition for persons who are under the guardianship of the commissioner of public welfare, provided that those persons are qualified for admission to the state colleges, and that those persons contribute toward their expenses by gainful employment if they are physically able to work. The board may continue to waive tuition for persons ~~who were~~ until they reach the age of 21 ~~provided such persons were~~ under the guardianship of the commissioner of public welfare when they reached the age of ~~21~~ 18, ~~provided that those persons are qualified for admission to the state colleges, that those persons were enrolled in a state college at the time they reached the age of 21, and that those persons contribute toward their expenses by gainful employment if they are physically able to work.~~ The state college board may waive tuition on instructional programs when the sponsor pays all costs.

Nonresident students shall pay an additional tuition fee to be determined by the board. Resident status shall be determined at the time of each registration according to the criteria set forth in rules and regulations which the state college board is hereby authorized and directed to establish.

Any student who registers for a term of instruction later than the stipulated date for such registration may be charged a late registration fee according to the rules to be established by the board.

Sec. 6. Minnesota Statutes 1971, Section 144.175, Subdivision 2, is amended to read:

Subd. 2. **PROCEDURE IN CASE OF ILLEGITIMACY.** Except as provided in this section and section 144.176, disclosure of illegitimacy of birth or of information from which it can be ascertained may be made, or a certified copy of the birth certificate issued, only to the guardian of such person, the person to whom the record pertains when such person is ~~21~~ 18 years of age or over, or upon order of a court of competent jurisdiction in a case where such information is necessary for the determination of personal or property rights and then only for such purpose. The birth and death records of the state board of health shall be opened to inspection by the commissioner of public welfare, and it shall not be necessary for him to obtain an order of the court in order to inspect records of illegitimate children or to secure certified copies thereof.

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Sec. 7. Minnesota Statutes 1971, Section 144.51, is amended to read:

**144.51 EXISTING HOSPITALS, LICENSES.** No person, partnership, association, or corporation, nor any state, county, or local governmental units, nor any division, department, board, or agency thereof, may operate a hospital, sanatorium, rest home, nursing home, or boarding home for the infirm aged, without a license therefor.

Before a license shall be issued under sections 144.50 to 144.56, the person applying shall submit evidence satisfactory to the state board of health that he is not less than 21 ~~18~~ years of age and of reputable and responsible character; in the event the applicant is an association or corporation or governmental unit like evidence shall be submitted as to the members thereof and the persons in charge. All applicants shall, in addition, submit satisfactory evidence of their ability to comply with the provisions of sections 144.50 to 144.56 and all rules, regulations, and minimum standards adopted thereunder.

Sec. 8. Minnesota Statutes 1971, Section 144.52, is amended to read:

**144.52 APPLICATION.** Any person, partnership, association, or corporation, including state, county, or local governmental units, or any division, department, board, or agency thereof, desiring a license under sections 144.50 to 144.56 shall file with the state board of health a verified application containing the name of the applicant desiring said license; whether such persons so applying are 21 ~~18~~ years of age; the type of institution to be operated; the location thereof; the name of the person in charge thereof, and such other information pertinent thereto as the state board of health by regulation may require. Application on behalf of a corporation or association or other governmental unit shall be made by any two officers thereof or by its managing agents.

Sec. 9. Minnesota Statutes 1971, Section 144.60, Subdivision 1, is amended to read:

**144.60 REGISTRATION PROCEDURE.** Subdivision 1. The applicant for registration shall make a verified application therefor on a form furnished by the state board of health. Such application shall be accompanied by affidavits from at least two reputable residents of the county in which the applicant resides or proposes to act as such administrative head, certifying that the applicant is of good moral character. Such application shall be accompanied by a fee of \$15. No person shall be granted any such registration unless such person be at least 21 ~~18~~ years of age, of good moral character and has had at least two years experience in an administrative

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position, and in a hospital of such size as the state board of health may prescribe, in this state, or one of equal standing in another state, or has successfully completed one year of formal training in an approved course in hospital administration, together with an internship if the particular course requires. Where the experience is gained in an institution of a size smaller than that for which registration is sought, the board may require such additional experience as it may prescribe. Where the administrative experience of the applicant has not been acquired in a hospital, and the state board of health upon investigation approves the applicant's qualifications, the state board of health may issue a license to any applicant employed in a hospital of 25 beds or fewer for a probationary period not to exceed two years.

Sec. 10. Minnesota Statutes 1971, Section 144.953, Subdivision 1, is amended to read:

**144.953 QUALIFICATIONS FOR LICENSURE.** Subdivision 1. The board shall have authority to issue licenses to qualified persons as nursing home administrators, and shall establish qualification criteria for such nursing home administrators. No license shall be issued to a person as a nursing home administrator unless:

(a) he is at least ~~21~~ 18 years of age, of good moral character and otherwise suitable and unless he is of sound physical and mental health;

(b) he has satisfactorily met standards set by the board, which standards shall be designed to insure that nursing home administrators will be individuals who, by training or experience are qualified to serve as nursing home administrators;

(c) he has passed an examination approved by the board and designed to test for competence in the subject matters referred to in clause (b) or unless he has been approved by the board through the development and application of other appropriate techniques.

Provided, however, nothing in sections 144.953 to 144.964 or the rules and regulations thereunder shall be construed to require an applicant for a license as a nursing home administrator or a provisional license, who is certified by a recognized church or religious denomination which teaches reliance on spiritual means alone for healing as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teachings, to demonstrate proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided in such institutions.

Sec. 11. Minnesota Statutes 1971, Section 146.06, Subdivision 1, is amended to read:

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**146.06 EXAMINATIONS.** Subdivision 1. Any person not hereinafter excepted from the provisions of this chapter desiring to practice healing in this state shall apply to the secretary of the state board of examiners in the basic sciences, on blank forms prepared and furnished by it, to be examined in the basic sciences at the next examination therein following the making of such application and for a certificate of registration in the basic sciences, accompanying such application with a fee of \$40 and sufficient and satisfactory proof that the applicant is 21 18 years of age or over, is of good moral character, has an education equivalent to graduation from an accredited high school of this state, and successful completion of two full years of study leading to a baccalaureate degree in an institution accredited to the University of Minnesota; provided, that no applicant shall be required or requested to disclose in such application the professional college or university he may have attended nor the branch or system of healing which he intends to pursue. Examinations shall be in the basic sciences only and shall be either written or by demonstration or other practical test, including consideration by the board of performance on examinations which require a background in the basic sciences, or practical experience which demonstrates competence in the basic sciences, as the board may determine.

Sec. 12. Minnesota Statutes 1971, Section 146.09, is amended to read:

**146.09 PRACTITIONERS FROM OTHER STATES.** The state board of examiners in the basic sciences may issue a certificate of registration in the basic sciences without examination therein to an applicant who presents sufficient and satisfactory evidence of having passed examinations in the basic sciences before the national board of medical examiners, the national board of osteopathic examiners, the national board of chiropractic examiners, or a legal examining board or officer of another state or of a foreign country, if the standards of such other state or foreign country or of any of the above examining boards are determined by the board to be as high as those of this state, and who has successfully completed two full years of study leading to a baccalaureate degree in an institution accredited to the University of Minnesota, and who presents sufficient and satisfactory proof that he is 21 18 years of age or over and of good moral character, accompanying the application with a fee of \$60 to the secretary-treasurer of the board.

Sec. 13. Minnesota Statutes 1971, Section 147.16, is amended to read:

**147.16 TEMPORARY CERTIFICATE FOR GRADUATE TRAINING.** The state board of medical examiners may grant, in its discretion, without examination, a temporary certificate for

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graduate training in medicine, surgery and obstetrics, to those applicants who furnish satisfactory proof that the applicant:

- (1) Is 21 18 years of age or over;
- (2) Is of good moral character;
- (3) Has successfully completed a course in medicine, surgery and obstetrics at, and has been graduated from, a medical or osteopathic school located outside of the United States and Canada and that such medical or osteopathic school is approved by the licensing authorities of the country in which such medical or osteopathic school is located;
- (4) Is duly licensed to practice medicine in all of its branches in the state, territory or foreign country in which he resides, or, not being so licensed, has passed an examination or is eligible therefor and which examination is in the judgment of the board substantially equivalent to the examination given by it to applicants for a license to practice medicine in all of its branches in this state;
- (5) Has been accepted as a resident physician by a hospital situated in this state, the residency training of which has been approved by an approval agency recognized by the board; provided, however, that the state board of medical examiners shall have the authority, upon its own investigation, to approve other residency training programs in medicine, surgery and obstetrics and qualified applicants therefor. Each applicant shall set forth the starting and termination dates of a period for which he has been accepted or appointed to such residency training program; and
- (6) Possesses all other qualifications which are prescribed by the rules and regulations of the board for the granting of such temporary authorization.

Sec. 14. Minnesota Statutes 1971, Section 147.26, Subdivision 2, is amended to read:

Subd. 2. Each applicant before being granted a loan shall enter into a contract with the board, which shall be deemed a contract with the state of Minnesota, agreeing to the terms and conditions upon which the loan is granted to him. The contract shall include such terms and provisions as will carry out the purposes of sections 147.24 to 147.29, and the form thereof shall be prepared and approved by the attorney general of this state. The contract shall be signed by the president of the board, countersigned by the secretary-treasurer, and shall be signed by the applicant. For the purposes of sections 147.24 to 147.29 the disabilities of minority of all applicants granted loans hereunder shall be and the same are hereby removed and the applicants are declared to be of full lawful age for the purpose of entering into

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the contract hereinabove provided for, and the contract so executed by any applicant is hereby declared to be a valid and binding contract the same as though the applicant had attained the age of ~~21~~ 18 years. The board may sue, in the name of the state, any applicant for any balance due on any such contract.

Sec. 15. Minnesota Statutes 1971, Section 148.37, is amended to read:

**148.37 QUALIFICATIONS OF APPLICANTS.** Any person of good moral character who is ~~21~~ 18 years of age or over and who possesses the necessary educational or practical qualifications therefor, as determined by an interview administered by the board, shall be eligible for registration under the provisions of sections 148.33 to 148.51, otherwise he shall be ineligible therefor.

Sec. 16. Minnesota Statutes 1971, Section 148.57, Subdivision 1, is amended to read:

**148.57 OPTOMETRY, PERSONS WHO MAY PRACTICE.** Subdivision 1. **REQUIREMENTS.** The persons entitled to practice optometry in Minnesota who are not already registered shall be: every person of the full age of ~~21~~ 18 years who furnished the state board of optometry with satisfactory evidence of:

(1) His age and moral character;

(2) That he has been graduated from an accredited high school or its equivalent, and that he possesses the knowledge essential to the practice of optometry;

(3) That he be a graduate of an optometric school or college approved by this board, requiring an attendance of not less than four years' course.

Such school shall give a course of instruction covering and including the following minimum requirements:

Ocular anatomy .....	125 hours
Ocular pathology .....	125 hours
General anatomy .....	150 hours
General physiology .....	100 hours
General mathematics .....	150 hours
General physics .....	100 hours
General optics .....	100 hours

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Theoretical optics .....	300 hours
Practical optics .....	100 hours
Theoretical optometry .....	250 hours
Practical optometry .....	200 hours
Hygiene .....	50 hours
Psychology .....	50 hours
Optical laboratory work .....	100 hours
Clinical work .....	100 hours

In the course of study herein outlined, the hours required shall be actual work in the class-room, laboratory, or clinic, and at least 80 percent of actual attendance shall be required.

Sec. 17. Minnesota Statutes 1971, Section 148.70, is amended to read:

**148.70 APPLICANTS, QUALIFICATIONS.** It shall be the duty of the state board of medical examiners with the advice and assistance of the state examining committee to pass upon the qualifications of applicants for registration, provide for and conduct all examinations, determine the applicants who successfully pass examination, and duly register such applicants. A person who desires to be registered as a physical therapist and who

(a) is at least 21 18 years old;

(b) is of good moral character;

(c) has obtained a high school education or its equivalent as determined by the board, and

(d) has been graduated by a school of physical therapy approved by the board for training physical therapists, may make application on a form furnished by the board, for examination for registration as a physical therapist as defined in sections 148.65 to 148.78. In determining whether or not such approval shall be given, the board may take into consideration the approval or nonapproval of such schools by the appropriate council of the American Medical Association or of the Canadian Medical Association, if any, at the time of his graduation, or if graduated prior to 1936, the school or course was approved by the American Physical Therapy Association at the time of his graduation. Such examination shall embrace the following subjects: the applied sciences of anatomy, neuroanatomy, kinesiology, physiology, pathology, psychology, physics, physical therapy, as defined in sections 148.65 to

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148.78, applied to medicine, neurology, orthopedics, pediatrics, psychiatry, surgery; medical ethics; and technical procedures in the practice of physical therapy as defined in sections 148.65 to 148.78, and such other subjects as the board may determine to be necessary. At the time of making such application, the applicant shall pay to the board \$15, no portion of which shall be returned.

Sec. 18. Minnesota Statutes 1971, Section 148.81, Subdivision 1, is amended to read:

**148.81 CERTIFIED PSYCHOLOGIST OR CONSULTING PSYCHOLOGIST.** Subdivision 1. No person shall use the title "Certified Psychologist" or "Certified Consulting Psychologist" without an appropriate certificate granted by the board of examiners. Before granting any such certificate the board shall require any applicant therefor to pass an examination in psychology. This examination shall be given annually at such time and place and under such supervision as the board prescribes. Each applicant shall pay an application fee of \$25, which will not be refunded, and shall satisfy the board that he

- (a) Is at least 21 18 years of age;
- (b) Is of good moral character and is professionally ethical;
- (c) Is a citizen of the United States or files a declaration of intention to become a citizen of the United States;
- (d) Has received a doctorate or master's degree with a major in psychology, which may include educational and child psychology, from an accredited college or university or training deemed equivalent by the board;
- (e) Has had at least one year of employment as a psychologist;
- (f) Has not within the preceding six months failed an examination given by the board; and
- (g) Providing, however, that any applicant who has been denied the right to take said examination, or whose certificate has been revoked, or suspended, should have the right to appeal to the district court as in the case of civil action.

Sec. 19. Minnesota Statutes 1971, Section 149.03, Subdivision 1, is amended to read:

**149.03 APPLICANTS, QUALIFICATIONS; LICENSEES FROM OTHER STATES; APPRENTICES AND TRAINEES.** Subdivision 1. The applicant for an examination for license in mortuary science shall make application therefor in writing verified on a form prescribed as to details and furnished by the state board of

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health. Such application shall be accompanied by a fee of \$25 and be supported by affidavits from at least two reputable residents of the county in which the applicant resides or proposes to carry on the practice of mortuary science certifying that the applicant is of good moral character. No person shall be granted a license in mortuary science unless he shall be at least 21 18 years of age and of good moral character and temperate habits. Before the study of embalming or funeral directing in mortuary science was commenced, he shall have satisfactorily completed at least two scholastic years at an accredited college or university in such subjects as the board may prescribe by regulation as suitable and desirable preparation for the study of mortuary science. The applicant for license in mortuary science, after having secured a certificate of graduation from the course in mortuary science conducted by the University of Minnesota or from a school or college of mortuary science duly accredited, shall serve at least one year of apprenticeship experience in mortuary science. Previous registered apprenticeship experience in Minnesota may be accepted by the board for a period not exceeding three months in partial fulfillment of this apprenticeship requirement. The applicant shall have such sufficient knowledge, experience, and training as the board may determine to properly qualify for a license in mortuary science.

Sec. 20. Minnesota Statutes 1971, Section 151.10, is amended to read:

**151.10 QUALIFICATIONS OF APPLICANTS.** To be entitled to examination by the board as a pharmacist the applicant shall be a citizen of the United States, of good moral character, at least 21 18 years of age, and shall be a graduate of the college of pharmacy of the University of Minnesota or of a college or school of pharmacy in good standing of which the board shall be the judge and shall have at least one year of practical experience in pharmacy. Any person who was qualified and lawfully entitled to be examined by the board as a pharmacist under the laws in force immediately prior to the enactment of Laws 1937, Chapter 354, and who had filed sworn statement of proof with the board prior to March 29, 1930, but was disqualified from taking such examination because of the enactment of Laws 1937, Chapter 354, may take such pharmacists' examination up to and including two years after March 28, 1941.

Sec. 21. Minnesota Statutes 1971, Section 153.04, is amended to read:

**153.04 REGISTRATION BY EXAMINATION.** Any person entitled to registration, who shall furnish the state board of podiatry examiners and registration with satisfactory proof that he is 21 18 years of age or over and of good moral character, provide documentary evidence of preliminary education received prior to

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entering the study of podiatry equal to that required for completion of four years work in a first grade high school course, and one year in a college of liberal arts, and present a diploma or certificate from a school of podiatry recognized by the board having a minimum requirement of at least four years course of a least eight months each shall, upon payment of a fee of \$50, be examined; and, if found qualified, registered and receive in testimony thereof a certificate signed by the chairman and secretary of the board.

An applicant who fails to pass an examination satisfactory to the board and is therefore refused registration shall be entitled, within one year after such refusal, to a reexamination at a meeting of the board called for the examination of applicants, upon payment of an additional fee of \$20 for each such reexamination, but two such reexaminations shall exhaust his privilege under his original application.

Any person to whom a certificate of registration is granted under the provisions of this chapter shall designate himself as a doctor of surgical podiatry.

Before the first of June each year, every registered podiatrist shall pay to the board a license renewal fee of \$15, and in default of such payment the board may, upon hearing and notice, revoke the registration of the podiatrist in default, but the payment of such fee on or before the time of hearing, together with a penalty of \$5, shall excuse the default. Such fee may also be collected by the board in a civil action.

Sec. 22. Minnesota Statutes 1971, Section 156.02, Subdivision 1, is amended to read:

**156.02 APPLICANTS FOR LICENSE; QUALIFICATIONS.**  
Subdivision 1. Application for a license to practice veterinary medicine in this state shall be made in writing to the veterinary examining board upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least ~~24~~ 18 years of age, is of good moral character, and has received a diploma conferring the degree of doctor of veterinary medicine, or its equivalent, from some reputable veterinary school approved by the board. The application shall contain the information and material required by subdivision 2 and any other information that the board may, in its sound judgment, require. The application shall be filed with the secretary of the board at least 30 days before the date of the examination. If the board deems it advisable, it may require that such application be verified by the oath of the applicant.

Sec. 23. Minnesota Statutes 1971, Section 171.07, Subdivision 1, is amended to read:

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**171.07 DEPARTMENT TO ISSUE LICENSE AND NON-QUALIFICATION CERTIFICATES.** Subdivision 1. The department shall, upon the payment of the required fee, issue to every applicant qualifying therefor a license designating the type or class of vehicles he is authorized to drive as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, a description of the licensee in such manner as the commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 21 ~~18~~ shall be of a distinguishing color and plainly marked "provisional." The department shall use such process or processes in the issuance of licenses that prohibits as near as possible, the ability to alter or reproduce the licenses, or prohibit the ability to superimpose a photo on such licenses without ready detection.

Sec. 24. Minnesota Statutes 1971, Section 171.27, is amended to read:

**171.27 EXPIRATION OF LICENSES.** The expiration date for each driver's license, other than provisional licenses, is the birthday of the driver in the fourth year following the date of issuance of the license. The birthday of the driver shall be as indicated on his application for a driver's license. A license may be renewed on or before expiration or within one year after expiration upon application, payment of the required fee, and passing the examination required of all drivers for renewal. Driving privileges shall be extended or renewed on or preceding the expiration date of an existing driver's license unless the commissioner believes that the licensee is no longer qualified as a driver.

The expiration date for each provisional license shall be the ~~21st~~ 18th birthday of the licensee. Upon the provisional licensee attaining the age of 21 ~~18~~ and upon the application, payment of the required fee, and passing the examination required of all drivers for renewal, a driver's license shall be issued if the commissioner deems the record of the provisional licensee to be satisfactory.

Any valid driver's license issued to a person then or subsequently on active duty with the Armed Forces of the United States shall continue in full force and effect without requirement for renewal until 90 days after the date of his discharge from such service.

Sec. 25. Minnesota Statutes 1971, Section 177.02, Subdivision 6, is amended to read:

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Subd. 6. **MINOR.** "Minor" means any person under the age of 21 18 years.

Sec. 26. Minnesota Statutes 1971, Section 177.02, Subdivision 7, is amended to read:

Subd. 7. **LEARNER, APPRENTICE.** "Learner" and "apprentice" may mean any minor or person over 21 18 years of age.

Sec. 27. Minnesota Statutes 1971, Section 181.41, is amended to read:

**181.41 EMPLOYMENT OF BOYS AND GIRLS AS MESSENGERS.** No boy or girl under the age of 18 years shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages before five o'clock in the morning or after nine o'clock in the evening of any day; ~~and no girl under the age of 21 years shall be thus employed at any time.~~ Any person employing any child in violation of the provisions of this section shall be guilty of a misdemeanor.

Sec. 28. Minnesota Statutes 1971, Section 183.51, Subdivision 4, is amended to read:

Subd. 4. Chief engineer, Grade A, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers, steam engines, or turbines; and, before receiving a license, he shall take and subscribe an oath that he has had at least five years actual experience in operating such boilers, steam engines or turbines.

Sec. 29. Minnesota Statutes 1971, Section 183.51, Subdivision 5, is amended to read:

Subd. 5. Chief engineer, Grade B, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers, and before receiving a license, he shall take and subscribe an oath that he has at least five years actual experience in operating such boilers.

Sec. 30. Minnesota Statutes 1971, Section 183.51, Subdivision 6, is amended to read:

Subd. 6. Chief engineer, Grade C, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of low pressure steam boilers, and before receiving a license, he shall take and subscribe an oath that he has at least five years of actual experience in operating such boilers.

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

Sec. 31. Minnesota Statutes 1971, Section 183.51, Subdivision 7, is amended to read:

Subd. 7. A first-class engineer, Grade A, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers, steam engines, or turbines of not more than 300 horsepower. Before receiving a license, he shall take and subscribe an oath that he has had at least three years actual experience in operating such boilers, steam engines, or turbines.

Sec. 32. Minnesota Statutes 1971, Section 183.51, Subdivision 8, is amended to read:

Subd. 8. A first-class engineer, Grade B, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers of not more than 300 horsepower. Before receiving a license he shall take and subscribe an oath that he has had at least three years actual experience in operating such boilers.

Sec. 33. Minnesota Statutes 1971, Section 183.51, Subdivision 9, is amended to read:

Subd. 9. A first-class engineer, Grade C, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of low pressure steam boilers of not more than 300 horsepower. Before receiving a license, he shall take and subscribe an oath that he shall have had at least three years actual experience in operating such boilers.

Sec. 34. Minnesota Statutes 1971, Section 183.51, Subdivision 10, is amended to read:

Subd. 10. A second-class engineer, Grade A, shall be at least 21 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers, steam engines, or turbines of not more than 100 horsepower. Before receiving a license he shall take and subscribe an oath that he has had at least one year of actual experience in operating such boilers, steam engines, or turbines.

Sec. 35. Minnesota Statutes 1971, Section 183.51, Subdivision 11, is amended to read:

Subd. 11. A second-class engineer, Grade B, shall be at least 20 18 years of age, be of such habits and have had such experience as to justify the belief that he is competent to take charge of all classes of steam boilers of not more than 100 horsepower. Before receiving a license he shall take and subscribe an oath that he has had at least one year of actual experience in operating such boilers.

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Sec. 36. Minnesota Statutes 1971, Section 184.26, Subdivision 3, is amended to read:

Subd. 3. An applicant for an employment agency's license shall be a citizen of the United States and shall be at least 21 ~~18~~ years of age. An applicant for a counselor's license shall be at least 21 ~~18~~ years of age.

Sec. 37. Minnesota Statutes 1971, Section 200.02, Subdivision 25, is amended to read:

Subd. 25. **ELIGIBLE VOTER.** Every person of the age of 21 ~~18~~ years or more who has been a citizen of the United States for a period of three months next preceding any election, and who has resided in this state six months next preceding the election, shall be entitled to vote, provided that the person has resided in the election precinct in which the election is held for at least 30 days next preceding the election, or the person who has changed his residence within such 30 days qualifies to vote under section 204.075, except that the following persons are not entitled to vote:

(a) Any person who has been convicted of treason or any felony, unless restored to civil rights;

(b) Any person who is under guardianship over his person;

(c) Any person who may be non-compos mentis or insane;

(d) Any person who is not properly registered where registration is required, except as provided in section 204.075.

Sec. 38. Minnesota Statutes 1971, Section 201.14, is amended to read:

**201.14 CLERK OF DISTRICT COURT, REPORT CHANGES OF NAMES.** The clerk of district court in each county in the state shall report monthly to the commissioner of each municipality in the county the name and address of each person, 21 ~~18~~ years of age or over, residing in such municipality whose name shall have been changed during the month preceding the date of the report, by marriage, divorce or any order or decree of such court. Upon receipt of such report, the commissioner shall notify such voter by mail that it is necessary for him to re-register under such changed name in order to vote at an election.

Sec. 39. Minnesota Statutes 1971, Section 201.15, is amended to read:

**201.15 PROBATE JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS.** The judge of probate in each county in the state shall report monthly to each commissioner in his county the name,

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age and address of each person 21 18 years of age, or over, residing in such municipality, who has, during the month preceding the date of the report, been placed under a guardianship of the person, and each such person under guardianship of the person transferred to the jurisdiction of the probate court, or restored to capacity, and each person, 21 18 years of age, or over, adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, or as a psychopathic personality, and each such person restored to capacity by the court. Upon receipt of such report, the commissioner shall examine the original and duplicate registration files; and, if such examination discloses that any of the persons named in such report as being under guardianship of the person, or as adjudged incompetent or a psychopathic personality, is registered, the commissioner shall remove the registration cards of such persons from the active files; and upon notice from the judge of probate of a restoration to capacity, the commissioner shall then process the person's registration card in the same manner as if no guardianship or adjudication had occurred.

Sec. 40. Minnesota Statutes 1971, Section 202.04, Subdivision 1, is amended to read:

**202.04 AFFIDAVIT OF CANDIDACY.** Subdivision 1. **FILING, DATE.** Not more than 70 nor less than 56 days before the primary election any eligible person who desires to have his name placed on the primary ballot as a candidate for any elective office to be filled at the general election, except presidential electors, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when to be voted for in a single county stating the following:

(a) That he is a qualified voter in the subdivision where he seeks nomination;

(b) The name of his political party if for a partisan office;

(c) The office for which he desires to be a candidate;

(d) That he has not filed as a candidate for any other office at the same primary election;

(e) That he is, or will be on ~~general election day~~ assuming the office, 21 years of age or more, and 30 days resident in the district from which he seeks election;

(f) If filing to be a United States senator, that on the next January 3 he will be 30 years of age or more and nine years a citizen of the United States;

(g) If filing to be a United States representative, that on the next January 3, or in the case of an election to fill a vacancy

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within 21 days after the election, he will be 25 years of age or more and seven years a citizen of the United States;

(h) If filing to be governor or lieutenant governor, that on the first Monday of the next January he will be 25 years of age or more and on general election day he will have been a resident of Minnesota for one year;

(i) If filing to be a supreme court justice, a district court judge, a probate judge or a municipal judge that he is learned in the law as defined by section 488.06 or other law;

(j) If filing to be a senator or representative in the legislature, that on election day he will have resided in the state for not less than one year and in the legislative district from which he seeks election for not less than six months;

(k) If for a partisan office, that he affiliated with his political party at the last general election, and either that he did not vote thereat or voted for a majority of the candidates of the political party at the election, and intends to so vote at the ensuing election.

Sec. 41. Minnesota Statutes 1971, Section 208.22, is amended to read:

**208.22 APPLICATION FOR PRESIDENTIAL BALLOT BY NEW RESIDENTS.** A person desiring to qualify under sections 208.21 to 208.35 in order to vote for presidential and vice presidential electors is not required to register but shall, not less than 30 days prior to the election at which he wishes to vote, make an application in the form of an affidavit executed in triplicate in the presence of the county auditor substantially as follows:

State of .....

ss.

County of .....

I, ....., do solemnly swear that:

1. I am a citizen of the United States.

2. Before becoming a resident of this state, I resided at ..... street, in the (town) (township) (village) (city) of ..... (county) of the state of .....

3. On the day of the next presidential election, I shall be at least 21 ~~18~~ years of age. I have been a resident of this state since ....., 19....., now residing at ..... street, in the (precinct) of the (ward) of the (town) (township) (village) (city) of ..... (county).

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4. I have resided in Minnesota less than six months. I believe I am entitled under the laws of this state to vote at the presidential election to be held ....., 19.....

5. I hereby make application for a presidential and vice presidential ballot. I have not voted and will not vote otherwise than by this ballot at that election.

Signed .....

(applicant)

Subscribed and sworn to before me this ..... day of ....., 19.....

Signed .....

Sec. 42. Minnesota Statutes 1971, Section 242.44, is amended to read:

242.44 PUPILS. The Youth Conservation Commission, so far as the accommodations of the institution and the means at its disposal will permit, shall receive under its care and guardianship, and keep ~~during their minority~~ until they reach 21 years of age, or until apprenticed, placed in homes, or discharged, all ~~infants~~ persons so committed. It may place such ~~infant~~, during his minority, youth at such employment, and cause him to be instructed in such branches of useful knowledge, as may be suitable to his years and capacity, and may place him in a suitable home, or bind him as apprentice to learn such trade or employment as will in its judgment be for ~~the child's~~ his best advantage; and, under such rules as it may prescribe, when deemed best for such ~~infant~~ youth, it may parole or discharge ~~the child~~ him from the institution. All pupils in the school shall be clothed, instructed, and maintained by the Youth Conservation Commission at the expense of the state.

Sec. 43. Minnesota Statutes 1971, Section 246.43, Subdivision 1, is amended to read:

246.43 SEX OFFENDERS. Subdivision 1. **CONVICTION OF SPECIFIED OFFENSES; PRESENTENCE EXAMINATIONS.** If a person who is ~~24~~ 18 years of age or older at the time of his apprehension is convicted under sections 609.291, 609.292, 609.293, 609.295, 609.296, or 609.365, or is convicted under section 609.17 of an attempt to commit an act proscribed by sections 609.291, 609.293, or 609.295, or is convicted of an act otherwise within the scope of one of these provisions occurring prior to its effective date, the court shall commit him to the commissioner of public welfare of the department of public welfare or shall order any other state, local, or private agency that the court may deem adequate to make said examination for a presentence social, physical and mental examina-

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tion. The court and all public officials shall make available to the examining person, agency or commissioner upon his request all pertinent data in their possession in respect to the case.

Sec. 44. Minnesota Statutes 1971, Section 246.43, Subdivision 2, is amended to read:

Subd. 2. **CONVICTION OF OTHER SEX CRIME; PRESENTENCE EXAMINATION.** If a person who is 21 ~~18~~ years of age or older at the time of his apprehension is convicted of any sex crime other than those specified in subdivision 1, the court may commit him to the commissioner for such a presentence examination, if the commissioner certifies that he has adequate facilities for making such examination and is willing to accept such commitment. The court and all public officials shall make available to the commissioner upon his request all pertinent data in their possession in respect to the case.

Sec. 45. Minnesota Statutes 1971, Section 246.51, is amended to read:

**246.51 PAYMENT FOR CARE AND TREATMENT; DETERMINATION.** The commissioner shall make such investigation as he deems necessary and determine, and as circumstances require redetermine, what part of the cost of care, if any, the patient is able to pay. If the commissioner finds that the patient is unable to pay the full cost of care he shall make a determination as to the ability of the relatives to pay provided, however, that in no case shall the relatives be ordered to pay more for each patient than ten percent of the cost of care but voluntary payments in excess thereof may be accepted by the commissioner. No parent shall be liable for the cost given a patient at a state hospital after such patient has reached the age of 21 ~~18~~ years. Such determination shall be conclusive in any action to enforce payment of the cost of care unless appealed from as hereinafter provided. All money received shall be paid to the state-treasurer and placed in the general fund and a separate account kept thereof. Responsibility under this section shall not apply to those relatives earning less than \$4,000 per year.

Sec. 46. Minnesota Statutes 1971, Section 256B.14, is amended to read:

**256B.14 RELATIVE'S RESPONSIBILITY.** The financial responsibility of a relative for an applicant or recipient of medical assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant who is under 21 ~~18~~ years of age.

Sec. 47. Minnesota Statutes 1971, Section 257.01, is amended to read:

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**257.01 PLACING OUT, RECORDS.** Each person permitted by law to receive children, secure homes for children, or care for children, shall keep a record containing the name, age, and former residence of each child received; the name, former residence, occupation, and character, of each parent; the date of reception, placing out, and adoption of each child, and the name, occupation, and residence of the person with whom a child is placed; the date of the removal of any child to another home and the cause thereof; the date of termination of the guardianship; the history of each child until he reaches the age of 21 18 years, is legally adopted, or is discharged according to law; and such other information as is required by the commissioner of public welfare.

Sec. 48. Minnesota Statutes 1971, Section 257.05, Subdivision 1, is amended to read:

**257.05 IMPORTATION.** Subdivision 1. No person, except as provided by subdivision 2, shall bring or send into the state any child for the purpose of placing him out or procuring his adoption without first obtaining the consent of the commissioner of public welfare, and such person shall conform to all rules of the commissioner of public welfare and laws of the state of Minnesota relating to protection of children in foster care. He shall file with the commissioner of public welfare a bond to the state, approved by the commissioner of public welfare, in the penal sum of \$1,000, conditioned that he will not send or bring into the state any child who is incorrigible or unsound of mind or body; that he will remove any such child who becomes a public charge or who, in the opinion of the commissioner of public welfare, becomes a menace to the community prior to his adoption or becoming of legal age; provided however, that the commissioner of public welfare may in his discretion waive the filing of a bond and accept in lieu thereof a written guarantee of responsibility in such form as he shall prescribe. Before any child shall be brought or sent into the state for the purpose of placing him in foster care, the person bringing or sending the child into the state shall first notify the commissioner of public welfare of his intention, and shall obtain from the commissioner of public welfare a certificate stating that the home in which the child is to be placed is, in the opinion of the commissioner of public welfare, a suitable adoptive home for the child if legal adoption is contemplated or that the home meets the commissioner's requirements for licensing of foster homes if legal adoption is not contemplated. The commissioner is responsible for protecting the child's interests so long as he remains within the state and until he reaches the age of 21 18 or is legally adopted. Notice to the commissioner shall state the name, age, and personal description of the child, and the name and address of the person with whom the child is to be placed, and such other information about the child and the foster home as may be required by the commissioner.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Sec. 49. Minnesota Statutes 1971, Section 259.21, Subdivision 2, is amended to read:

Subd. 2. **CHILD.** "Child" means a person under the age of 21 ~~18~~ years.

Sec. 50. Minnesota Statutes 1971, Section 260.015, Subdivision 9, is amended to read:

Subd. 9. "Minor" means an individual under 21 ~~18~~ years of age.

Sec. 51. Minnesota Statutes 1971, Section 268.04, Subdivision 12, is amended to read:

Subd. 12. **EMPLOYMENT.** "Employment" means: (1) Subject to the other provisions of this subdivision "employment" means service performed prior to January 1, 1945, which was employment as defined in this section prior to such date, and any service performed after December 31, 1944, including service in interstate commerce, by an individual who is a servant under the law of master and servant or who performs services for any employing unit, unless such services are performed by an independent contractor. Any service performed, including service in interstate commerce, by

(a) any officer of a corporation; or

(b) any individual other than an individual who is an employee under clause (a) who performs services for remuneration for any person as an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services, for his principal, or as a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a fulltime basis in the solicitation on behalf of, and the transmission to, his principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations;

Provided, that for purposes of clause (1) (b), the term "employment" shall include services described above performed after December 31, 1971, only if the contract of service contemplates that substantially all of the services are to be performed personally by such individual, the individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation), and the services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

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(2) The term "employment" shall include an individual's entire service, performed within or both within and without this state if (a) the service is localized in this state; or (b) the service is not localized in any state but some of the service is performed in this state and (1) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this state; (2) the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

(3) Service shall be deemed to be localized within a state if (a) the service is performed entirely within such state; or (b) the service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state, for example, is temporary or transitory in nature or consists of isolated transactions.

(4) After December 31, 1971, the term "employment" shall include an individual's service wherever performed within the United States, the Virgin Islands or Canada, if

(a) Such service is not covered under the unemployment compensation law of any other state, the Virgin Islands or Canada, and

(b) The place from which the service is directed or controlled is in this state.

(5)(a) Service covered by an election pursuant to section 268.11, subdivision 3; and

(b) Service covered by an arrangement pursuant to section 268.13 between the commissioner and the agency charged with the administration of any other state or federal employment security law, pursuant to which all service performed by an individual for an employing unit is deemed to be performed entirely within this state, shall be deemed to be employment if the commissioner has approved an election of the employing unit for which such service is performed, pursuant to which the entire service of such individual during the period covered by such election is deemed to be employment.

(6) Notwithstanding any inconsistent provisions of sections 268.03 to 268.24, the term "employment" shall include any services which are performed by an individual with respect to which an employing unit is liable for any federal tax against which credit may be taken for contributions required to be paid into a state unemployment compensation fund or which as a condition for full tax credit against the tax imposed by the federal unemployment tax act is required to be covered under this law.

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(7) Service performed after July 1, 1957, by an individual for the state of Minnesota or any instrumentality which is wholly owned by the state of Minnesota or in the employ of this state and one or more other states or their instrumentalities.

(8) Service performed after July 1, 1957, by an individual for any political subdivision of the state of Minnesota or instrumentality thereof which elects to be an employer with respect to one or more of its departments under the Minnesota manpower services law and notifies the department of manpower services of such election.

(a) Notwithstanding the provisions of the foregoing clause (8), any political subdivision of this state may elect to cover under this law service performed by employees in all of the institutions of higher learning and hospitals, as defined in clauses (15) and (16), operated by such political subdivision. Election is to be made by filing with the commissioner a notice of such election at least 30 days prior to the effective date of such election. The election may exclude any services described in clause (10). Any political subdivision electing coverage under this subdivision shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided in section 268.06, subdivision 25.

(b) The provisions of section 268.08, subdivision 5, shall apply to service covered by an election under this section.

(c) The amounts required to be paid in lieu of contributions by any political subdivision shall be billed and payment made as provided in section 268.06, subdivision 28, clause (2), with respect to similar payments by nonprofit organizations.

(d) An election under this section may be terminated, by filing with the commissioner written notice not later than 30 days preceding the last day of the calendar year in which the termination is to be effective. Such termination becomes effective as of the first day of the next ensuing calendar year with respect to services performed after that date.

(9) Service performed after December 31, 1971, by an individual in the employ of a religious, charitable, educational or other organization but only if the following conditions are met;

(a) the service is excluded from "employment" as defined in the federal unemployment tax act solely by reason of section 3306(c)(8) of that act; and

(b) the organization had four or more individuals in employment for some portion of a day in each of 20 different weeks, whether or not such weeks were consecutive, within either the current or preceding calendar year, regardless of whether they were employed at the same moment of time.

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(10) For the purposes of clauses (7), (8), and (9), the term "employment" does not apply to service performed

(a) in the employ of a church or convention or association of churches, or an organization which is operated exclusively for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(b) by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order; or

(c) in the employ of a school which is not an institution of higher education; or

(d) in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work; or

(e) as part of an unemployment work relief or work training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training; or

(f) for a hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution.

(11) The term "employment" shall include the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada or the Virgin Islands), after December 31, 1971, in the employ of an American employer (other than service which is deemed "employment" under the provisions of clauses (2), (3), or (4) or the parallel provisions of another state's law) if:

(a) The employer's principal place of business in the United States is located in this state; or

(b) The employer has no place of business in the United States, but the employer is an individual who is a resident of this state, or the employer is a corporation which is organized under the laws of this state, or the employer is a partnership or a trust and the number of partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

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(c) None of the criteria of (a) and (b) of this clause is met but the employer has elected coverage in this state, or the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state.

(d) An "American employer," for the purposes of this subdivision, means a person who is an individual who is a resident of the United States, or a partnership if two thirds or more of the partners are residents of the United States, or a trust, if all of the trustees are residents of the United States, or a corporation organized under the laws of the United States or of any state;

(e) As used in this subdivision, the term "United States" includes the states, the District of Columbia, and the Commonwealth of Puerto Rico.

(12) Notwithstanding clause (1), all service performed after the effective date of this subdivision by an officer or member of the crew of an American vessel on or in connection with such vessel, if the operating office, from which the operations of such vessel operating on navigable waters within, or within and without, the United States are ordinarily and regularly supervised, managed, directed and controlled is within this state.

(13) The term "employment" shall not include:

(a) Agricultural labor. The term "agricultural labor" includes all services performed subsequent to December 31, 1939:

(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, fur-bearing animals and wildlife;

(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;

(3) In connection with the production or harvesting of any commodity defined as an agricultural commodity in section 15(g) of the agricultural marketing act, as amended (46 Stat. 1550, sec. 3; 12 U.S.C. 1141j) or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

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(4) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one half of the commodity with respect to which such service is performed, or in the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of service described herein, but only if such operators produced more than one half of the commodity with respect to which such service is performed; however, the provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; or

(5) On a farm operated for profit if such service is not in the course of the employer's trade or business or is domestic service in a private home of the employer.

As used herein, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.

(b) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

(c) Casual labor not in the course of the employing unit's trade or business;

(d) Service performed on the navigable waters of the United States as to which this state is prohibited by the constitution and laws of the United States of America from requiring contributions of employers with respect to wages as provided in sections 268.03 to 268.24;

(e) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of 21 ~~18~~ in the employ of his father or mother;

(f) Service performed in the employ of the United States government, or any instrumentality of the United States exempt under the constitution of the United States from the contributions imposed by sections 268.03 to 268.24, except that with respect to such service performed subsequent to December 31, 1939, and to the extent that the congress of the United States shall permit states to require any instrumentalities of the United States to

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make payments into an unemployment compensation fund under a state unemployment compensation act; then, to the extent permitted by congress, and from and after the date as of which such permission becomes effective, all of the provisions of these sections shall be applicable to such instrumentalities and to services performed for such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employers, employing units, individuals, and services; provided, that if this state shall not be certified for any year by the United States department of labor under section 3304(c) of the federal internal revenue code, the payments required of such instrumentalities with respect to such year shall be refunded by the commissioner from the fund in the same manner and within the same period as is provided in section 268.16, subdivision 6, with respect to contributions erroneously collected;

(g) Service performed in the employ of any political subdivision of this state and/or any instrumentality thereof which has not elected to be an employer with respect to one or more of its departments under the Minnesota manpower services law prior to January 1, 1972;

(h) Service with respect to which unemployment compensation is payable under an unemployment compensation system established by an act of congress;

(i)(1) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 501(a) (other than an organization described in section 401(a)) or section 521 of the federal internal revenue code, if the remuneration for such service is less than \$50; or

(2) Service performed in the employ of a school, college, or university, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university; or

(3) Service performed by an individual under the age of 22 who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a fulltime program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this paragraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

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(j) Service performed in the employ of a foreign government (including service as a consular or other officer or employee or a nondiplomatic representative);

(k) Service performed in the employ of an instrumentality wholly owned by a foreign government, if

(1) The service is of a character similar to that performed in foreign countries by employees of the United States government or of an instrumentality thereof; and

(2) The commissioner finds that the United States secretary of state has certified to the United States secretary of the treasury that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States government and of instrumentalities thereof.

(l) Service covered by an arrangement between the commissioner and the agency charged with the administration of any other state or federal employment security law pursuant to which all services performed by an individual for an employing unit during the period covered by such employing unit's duly approved election, are deemed to be performed entirely within such agency's state;

(m) Service performed in the employ of a hospital, if such service is performed by a patient of the hospital, as defined in clause (16);

(n) Service performed subsequent to December 31, 1940, as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered and approved pursuant to state law; and service performed as an intern in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered and approved pursuant to state law;

(o) Service performed subsequent to December 31, 1940, by an individual for a person as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commission (the word "insurance" as used in this subdivision shall include an annuity and an optional annuity);

(p) Service performed by an individual under the age of 18 in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

(q) If the service performed subsequent to December 31, 1940, during one half or more of any pay period by an individual for the

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person employing him constitutes employment, all the service of such individual for such period shall be deemed to be employment; but if the service performed during more than one half of any such pay period by an individual for the person employing him does not constitute employment, then none of the service of such individual for such period shall be deemed to be employment. As used in this subdivision, the term "pay period" means a period (of not more than 31 consecutive days) for which a payment or remuneration is ordinarily made to the individual by the person employing him.

(14) Except when performed for an institution of higher education, as defined in clause (15), or a hospital, as defined in clause (16), the term "employment" as applied to services performed by an individual for the state of Minnesota or any instrumentality wholly owned by the state, except political subdivisions or instrumentalities thereof which duly elect otherwise, shall not include the following:

(a) Service performed by elected public officials and unclassified employees appointed for a definite term, except after December 31, 1971, this exclusion shall not apply to service performed by unclassified employees in an instructional, research, or principal administrative capacity in an institution of higher education or a hospital;

(b) Service performed prior to January 1, 1972, by a faculty member in the employ of a university, college, school or any other institution which is supported wholly or substantially by public funds;

(c) Service performed by members of the Minnesota national guard when ordered to duty for military assignments;

(d) Service performed in the employ of the state natural resources department directly and solely in connection with emergency fire fighting, including but not limited to those persons temporarily employed for the purpose of detecting, locating, or suppressing forest fires.

(15) "Institution of higher education," for the purposes of this subdivision, means an educational institution which:

(a) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(b) Is legally authorized in this state to provide a program of education beyond high school;

(c) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is

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acceptable for credit toward such a degree, a program of post-graduate or post-doctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and

(d) Is a public or other nonprofit institution.

(e) Notwithstanding any of the foregoing provisions of this clause, all colleges and universities in this state are institutions of higher education for purposes of this section.

(16) "Hospital" means an institution which has been licensed, certified or approved by the department of health as a hospital.

Sec. 52. Minnesota Statutes 1971, Section 290.23, Subdivision 11, is amended to read:

Subd. 11. **DEFINITIONS APPLICABLE TO SUBDIVISIONS 11 THROUGH 14.** For purposes of subdivisions 11 through 14

(1) The term "undistributed net income" for any taxable year means the amount by which distributable net income of the trust for such taxable year exceeds the sum of

(a) the amounts for such taxable year specified in subdivision 8(1)(a) and (b); and

(b) the amount of taxes imposed on the trust.

(2) The term "accumulation distribution" for any taxable year of the trust means the amount (if in excess of \$2,000) by which the amounts specified in subdivision 8(1)(b) for such taxable year exceed distributable net income reduced by the amounts specified in subdivision 8(1)(a). For purposes of this paragraph, the amount specified in subdivision 8(1)(b) shall be determined without regard to subdivision 12 and shall not include

(a) amounts paid, credited, or required to be distributed to a beneficiary as income accumulated before the birth of such beneficiary or before such beneficiary attains the age of 21 ~~18~~;

(b) amounts properly paid or credited to a beneficiary to meet the emergency needs of such beneficiary;

(c) amounts properly paid or credited to a beneficiary upon such beneficiary's attaining a specified age or ages if (1) the total number of such distributions cannot exceed 4 with respect to such beneficiary, (2) the period between each such distribution to such beneficiary is 4 years or more, and (3) as of January 1, 1956, such distributions are required by the specific terms of the governing instrument; and

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(d) amounts properly paid or credited to a beneficiary as a final distribution of the trust if such final distribution is made more than 9 years after the date of the last transfer to such trust.

(3) The term "taxes imposed on the trust" means the amount of the taxes which are imposed for any taxable year on the trust under this chapter (without regard to subdivisions 11 through 14) and which, under regulations prescribed by the commissioner, are properly allocable to the undistributed portion of the distributable net income. The amount determined in the preceding sentence shall be reduced by any amount of such taxes allowed, under subdivisions 13 and 14, as a credit to any beneficiary on account of any accumulation distribution determined for any taxable year.

(4) The term "preceding taxable year" does not include any taxable year of the trust to which sections 290.22 through 290.28 do not apply. In the case of a preceding taxable year with respect to which a trust qualifies (without regard to subdivisions 11 through 14) under the provisions of subdivisions 6 and 7, for purposes of the application of subdivisions 11 through 14 to such trust for such taxable year, such trust shall, in accordance with regulations prescribed by the commissioner, be treated as a trust to which subdivisions 8, 9 and 10 apply.

Sec. 53. Minnesota Statutes 1971, Section 290.25, Subdivision 4, is amended to read:

**Subd. 4. POWER TO CONTROL BENEFICIAL ENJOYMENT.** (1) The grantor shall be treated as the owner of any portion of a trust in respect of which the beneficial enjoyment of the corpus or the income therefrom is subject to a power of disposition, exercisable by the grantor or a nonadverse party, or both, without the approval or consent of any adverse party.

(2) Paragraph (1) shall not apply to the following powers regardless of by whom held:

(a) A power described in section 290.28, subdivision 1(2) to the extent that the grantor would not be subject to tax under that section.

(b) A power, the exercise of which can only affect the beneficial enjoyment of the income for a period commencing after the expiration of a period such that a grantor would not be treated as the owner under subdivision 3 if the power were a reversionary interest; but the grantor may be treated as the owner after the expiration of the period unless the power is relinquished.

(c) A power exercisable only by will, other than a power in the grantor to appoint by will the income of the trust where the income is accumulated for such disposition by the grantor or may

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be so accumulated in the discretion of the grantor or a nonadverse party, or both, without the approval or consent of any adverse party. '

(d) A power to determine the beneficial enjoyment of the corpus or the income therefrom if the corpus or income is irrevocably payable for a purpose specified in section 290.21, subdivision 3, (relating to charitable contributions).

(e) A power to distribute corpus either (1) to or for a beneficiary or beneficiaries or to or for a class of beneficiaries (whether or not income beneficiaries) provided that the power is limited by a reasonably definite standard which is set forth in the trust that the distribution of corpus must be chargeable against the proportionate share of corpus held in trust for the payment of income to the beneficiary as if the corpus constituted a separate trust.

A power does not fall within the powers described in this subparagraph (e) if any person has a power to add to the beneficiary or beneficiaries or to a class of beneficiaries designated to receive the income or corpus, except where such action is to provide for after-born or after-adopted children.

(f) A power to distribute or apply income to or for any current income beneficiary or to accumulate the income for him, provided that any accumulated income must ultimately be payable (1) to the beneficiary from whom distribution or application is withheld, to his estate, or to his appointees (or persons named as alternate takers in default of appointment) provided that such beneficiary possesses a power of appointment which does not exclude from the class of possible appointees any person other than the beneficiary, his estate, his creditors, or the creditors of his estate, or (2) on termination of the trust, or in conjunction with a distribution of corpus which augmented by such accumulated income, to the current income beneficiaries in shares which have been irrevocably specified in the trust instrument.

Accumulated income shall be considered so payable although it is provided that if any beneficiary does not survive a date of distribution which could reasonably have been expected to occur within the beneficiary's lifetime, the share of the deceased beneficiary is to be paid to his appointees or to one or more designated alternate takers (other than the grantor or the grantor's estate) whose shares have been irrevocably specified. A power does not fall within the powers described in this subparagraph (f) if any person has a power to add to the beneficiary or beneficiaries or to a class of beneficiaries designated to receive the income or corpus except where such action is to provide for after-born or after-adopted children.

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(g) A power exercisable only during (1) the existence of a legal disability of any current income beneficiary, or (2) the period during which any income beneficiary shall be under the age of 21 18 years,

to distribute or apply income to or for such beneficiary or to accumulate and add the income to corpus. A power does not fall within the powers described in this subparagraph (g) if any person has a power to add to the beneficiary or beneficiaries or to a class of beneficiaries designated to receive the income or corpus, except where such action is to provide for after-born or after-adopted children.

(h) A power to allocate receipts and disbursements as between corpus and income, even though expressed in broad language.

(3) Paragraph (1) shall not apply to a power solely exercisable (without the approval or consent of any other person) by a trustee or trustees, none of whom is the grantor, and no more than half of whom are related or subordinate parties who are subservient to the wishes of the grantor

(a) to distribute, apportion, or accumulate income to or for a beneficiary or beneficiaries, or to, for, or within a class of beneficiaries; or

(b) to pay out of corpus to or for a beneficiary or beneficiaries or to or for a class of beneficiaries (whether or not income beneficiaries).

A power does not fall within the powers described in this paragraph (3) if any person has a power to add to the beneficiary or beneficiaries or to a class of beneficiaries designated to receive the income or corpus, except where such action is to provide for after-born or after-adopted children.

(4) Paragraph (1) shall not apply to a power solely exercisable (without the approval or consent of any other person) by a trustee or trustees, none of whom is the grantor or spouse living with the grantor, to distribute, apportion, or accumulate income to or for a beneficiary or beneficiaries, or to, for, or within a class of beneficiaries, whether or not the conditions of paragraph (2)(f) or (g) are satisfied, if such power is limited by a reasonably definite external standard which is set forth in the trust instrument. A power does not fall within the powers described in this paragraph if any person has a power to add to the beneficiary or beneficiaries or to a class of beneficiaries designated to receive the income or corpus except where such action is to provide for after-born or after-adopted children.

Sec. 54. Minnesota Statutes 1971, Section 292.04, is amended to read:

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**292.04 EXEMPTIONS.** The following transfers by gift shall be exempt from and excluded in computing the tax imposed by this chapter:

(1) Gifts to or for the use of the United States of America or any state or any political subdivision thereof for exclusively public purposes;

(2) Gifts to or for the use of any fund, foundation, trust, association, organization or corporation operated within this state for religious, charitable, scientific, literary, or educational purposes exclusively, including the promotion of the arts, or the conduct of a public cemetery, if no part thereof inures to the profit of any private shareholder or individual. Gifts to or for the use of any corporation, fund, foundation, trust, or association operated for religious, charitable, scientific, literary, or educational purposes, including the promotion of the arts, or the conduct of a public cemetery, no part of which inures to the profit of any private shareholders or individual, shall be exempt, if at the date of the gift, the laws of the state under the laws of which the donee is organized or existing either (1) do not impose a gift tax in respect of property transferred to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of this state, or (2) contain a reciprocal provision under which gifts to a similar corporation, fund, foundation, trust, or association organized or existing under the laws of another state are exempt from gift taxes if such other state allows a similar exemption to a similar corporation, fund, foundation, trust, or association, organized or existing under the laws of such state;

(3) Gifts to a fraternal society, order, or association operating under the lodge system, but only if such gifts are to be used exclusively for the purposes designated in clause (2);

(4) Gifts to or for the use of posts or organizations of war veterans, or auxiliary units or societies of any such posts or organized within the state of Minnesota and if such gifts are to be used exclusively for the purposes designated in clause (2);

(5) All property transferred, money, service, or other thing of value, paid, furnished, or delivered by any person, corporation, organization, or association to his or its employees, or to any organization of his or its employees, directly or indirectly, or to any person, firm, or corporation for them or it, including payments to cover insurance, sickness, and death benefits, pensions, relief activities, or to any other employees benefit fund of any kind, and medical service to such employees and their families;

(6) The first \$3,000 in value of gifts (other than of future interests in property) made to any person by the donor during any

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calendar year. No part of a gift to a minor donee shall be considered a gift of future interest in property for purposes of this clause if it complies with the provisions of the Minnesota uniform gifts to minors act, Minnesota Statutes, Chapter 527, or if it is a transfer for the benefit of a minor, and if the property and income therefrom:

(a) May be expended by or for the benefit of the donee before his attaining the age of ~~24~~ 18 years; and

(b) Will to the extent not so expended

(1) pass to the donee on his attaining the age of ~~24~~ 18 years and

(2) in the event the donee dies before attaining the age of 21 18 years, be payable to the estate of the donee, or as he may appoint under a general power of appointment as defined in section 2514(C) of the Internal Revenue Code of 1954.

Sec. 55. Minnesota Statutes 1971, Section 299F.77, is amended to read:

**299F.77 ISSUANCE OF A LICENSE OR PERMIT TO CERTAIN PERSONS PROHIBITED.** The following persons shall not be entitled to receive an explosives license or permit:

(a) Any person who within the past five years has been convicted of a felony or gross misdemeanor involving moral turpitude, is on parole or probation therefor, or is currently under indictment for any such crime;

(b) Any mentally ill person or any mentally deficient person as defined in section 253A.02 who has been confined or committed in Minnesota or elsewhere for a mental disorder or defect to any hospital, mental institution or sanitarium, or who has been certified by a medical doctor as being mentally ill or mentally deficient, unless he possesses a certificate of a medical doctor or psychiatrist licensed to practice in this state, or other satisfactory proof, that he is no longer suffering from this disability;

(c) Any person who is or has been hospitalized or committed for treatment for the habitual use of a narcotic drug, as defined in section 618.01, or a depressant or stimulant drug, as defined in section 152.01, or who has been certified by a medical doctor as being addicted to narcotic drugs or depressant or stimulant drugs, unless he possesses a certificate of a medical doctor or psychiatrist licensed to practice in this state, or other satisfactory proof, that he is no longer suffering from this disability;

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(d) Any person who by reason of the habitual and excessive use of intoxicating liquors is incapable of managing himself or his affairs and who has been confined or committed to any hospital, mental institution or sanitarium in this state or elsewhere as an "inebriate person" as defined in section 253A.02, or who has been certified by a medical doctor as being addicted to alcohol, unless he possesses a certificate of a medical doctor or psychiatrist licensed to practice in this state, or other satisfactory proof, that he is no longer suffering from this disability;

(e) Any person under the age of 21 18 years.

Sec. 56. Minnesota Statutes 1971, Section 326.19, Subdivision 1, is amended to read:

**326.19 CERTIFICATION; QUALIFICATION OF ACCOUNTANT.** Subdivision 1. Certificates, to whom granted. No certificate for a certified public accountant shall be granted, except as provided herein or in subdivisions 2 and 3, to any person other than one who is over the age of 21 18 years and of good moral character and who shall have completed at least three years of public accounting experience (1) as a staff employee of a certified public accountant or public accountant or (2) as an examiner in the office of public examiner, an auditor in the division of cooperative accounting, state department of agriculture, or as an auditor or examiner with any other agency of government, which experience, in the opinion of the board is equally comprehensive and diversified or (3) as a self-employed public accountant or as a partner in a firm of public accountants or (4) in any combination of the foregoing capacities, and who shall have successfully passed an examination in such subjects as the board may prescribe in its rules. No person qualifying under this section shall be permitted to take such examination unless he shall have completed the above experience requirements. This subdivision shall expire July 1, 1976.

Sec. 57. Minnesota Statutes 1971, Section 326.19, Subdivision 2, is amended to read:

Subd. 2. **CERTIFICATES; GRANTING; EXAMINATION.** The certificate, certified public accountant, shall be granted to any person:

(a) Who has attained the age of 21 18 years; and

(b) Who is of good moral character; and

(c) Who holds:

(i) a master's degree with a major in accounting from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accredi-

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ing association, or who has in the opinion of the board at least an equivalent education, providing at least one year of experience of the type specified in subdivision 4, has been completed; or

(ii) a baccalaureate degree, with a major in accounting, from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least two years experience of the type specified in subdivision 4, has been completed; or

(iii) a baccalaureate degree from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least three years experience of the type specified in subdivision 4, has been completed; or

(iv) evidence of having completed two or more years of study with passing grade average or above from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least five years experience of the type specified in subdivision 4, has been completed; or

(v) a diploma as a graduate of an accredited high school or who has in the opinion of the board at least an equivalent education, providing at least six years experience of the type specified in subdivision 4, has been completed, and;

(d) Who has completed successfully an examination in such subjects and at such times, as the board may prescribe in its rules. The examination shall be administered by the board only to a candidate who holds:

(i) a baccalaureate degree with a major in accounting or higher degree, as described in clause (c) (i) or clause (c) (ii) or to persons having at least an equivalent education, or to candidates for such degree providing such candidate is currently registered in his final semester or quarter preceding graduation, or

(ii) a baccalaureate degree, as described in clause (c) (iii), provided at least one years experience of the type specified in subdivision 4, has been completed, or

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(iii) evidence of having completed two or more years of study with passing grade average or above from a college or university, as described in clause (c) (iv), provided at least three years experience of the type specified in subdivision 4, has been completed, or

(iv) a diploma as a graduate of an accredited high school, as described in clause (c) (v), provided at least five years experience of the type specified in subdivision 4, has been completed.

Sec. 58. Minnesota Statutes 1971, Section 330.01, Subdivision 1, is amended to read:

**330.01 AUCTIONEERS' LICENSES, TO WHOM GRANTED.**

Subdivision 1. (a) The county auditor may license any person having the qualifications specified in clause (b) of this subdivision as an auctioneer. Such license shall be issued by the auditor and shall authorize the licensee to conduct the business of an auctioneer in the state of Minnesota for the period of one year. It shall be recorded by the auditor in a book kept for that purpose. Before such license is issued the applicant shall pay into the county treasury a fee of \$15. The auditor shall, not later than the 15th day of the following month, transmit a copy of the license to the secretary of state together with \$5 of the fee, which shall be deposited in the general fund.

(b) A natural person is qualified to be licensed as an auctioneer if 21 ~~18~~ years of age or over and a resident of the county of application for at least six months immediately preceding the date of application. No copartnership, association or corporation may be licensed as an auctioneer. However, nothing in this subdivision shall be construed as preventing auctioneers who are duly licensed in accordance with the provisions of Minnesota Statutes, Chapter 330, from combining in associations, copartnerships, or corporations, provided that each and every member of such associations or copartnerships and each and every person or agent conducting auction sales on behalf of such corporations is a duly licensed auctioneer as provided in Minnesota Statutes, Chapter 330. Nothing herein shall be construed to apply to a person selling at an auction property owned by him for at least six months.

Sec. 59. Minnesota Statutes 1971, Section 332.36, Subdivision 1, is amended to read:

**332.36 ADVISORY BOARD CREATED.** Subdivision 1. There is created a board to be known as the collection agency advisory board whose duties shall be to advise the department as to the administration of the provisions of sections 332.31 to 332.45 and in the making of any rules and regulations in accordance with the provisions of section 332.44. Such board shall consist of three

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members appointed by the governor. Two of these members shall have been residents of the state for not less than five years immediately prior to their appointment and shall have been engaged in the collection business for not less than five years and be so engaged at the time of their appointment; the third member shall have been a resident of the state for not less than five years immediately prior to his appointment and shall not be engaged in the collection business at the time of his appointment and shall be over the age of ~~21~~ 18 years.

Sec. 60. Minnesota Statutes 1971, Section 340.02, Subdivision 8, is amended to read:

Subd. 8. **PERSONS ELIGIBLE.** Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained the age of ~~21~~ 18 years and who are proprietors of the establishments for which the licenses are issued.

Sec. 61. Minnesota Statutes 1971, Section 340.119, Subdivision 2, is amended to read:

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under 21 18 years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

Sec. 62. Minnesota Statutes 1971, Section 340.13, Subdivision 12, is amended to read:

Subd. 12. **LICENSES; PERSONS ELIGIBLE.** No license shall be issued to other than a citizen of the United States over ~~21~~ 18 years of age who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the

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United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.

Sec. 63. Minnesota Statutes 1971, Section 340.14, Subdivision 2, is amended to read:

Subd. 2. **RESTRICTIONS.** No "on-sale" place of business shall be permitted to have swinging doors or opaque windows. All sales shall be made in full view of the public. Every licensee shall be responsible for the conduct of his place of business and for conditions of sobriety and order therein. No licensee shall keep, possess, or operate, or permit the keeping, possession, or operation of, on the licensed premises, or in any room adjoining the licensed premises, any slot machine, dice, or any gambling device or apparatus, nor permit any gambling therein, nor permit the licensed premises or any room in the same, or in any adjoining building, directly or indirectly under its control to be used as a resort for prostitutes or other disorderly persons. No person under 21 18 years of age shall be employed in any rooms constituting the place in which intoxicating liquors are sold at retail "on-sale", except that persons under 21 18 years of age may be employed as musicians or to perform the duties of a busboy or dishwashing services in places defined as a restaurant or hotel or motel serving food in rooms in which intoxicating liquors are sold at retail "on-sale". No pool table or billiard table shall be kept or used in any "on-sale" premises except a club.

Sec. 64. Minnesota Statutes 1971, Section 340.403, Subdivision 3, is amended to read:

Subd. 3. **LICENSE GRANTED.** Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is not over 21 18 years of age; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application. In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt

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beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

Sec. 65. Minnesota Statutes 1971, Section 340.78, is amended to read:

**340.78 SALES TO MINORS AND OTHERS, AFTER NOTICE.**

Every person selling liquor to a minor, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer of such minority, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the continuance of the minority, or guardianship, shall be ~~punished by a fine of not less than \$50, nor more than \$100 or imprisonment in the county jail for not less than 30 nor more than 90 days guilty of a misdemeanor.~~

Sec. 66. Minnesota Statutes 1971, Section 340.81, is amended to read:

**340.81 EXCLUSION OF MINORS FROM PLACES WHERE LIQUOR IS SOLD, AFTER NOTICE; PENALTY.** No minor, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer of such minority, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the continuance of the minority or guardianship. Any violation of this section shall be ~~punished by a fine of not less than \$25 nor more than \$100 or by imprisonment in the county jail for not less than 30 nor more than 90 days guilty of a misdemeanor.~~

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Sec. 67. Minnesota Statutes 1971, Section 359.01, is amended to read:

**359.01 COMMISSION.** The governor may appoint and commission as notaries public, by and with the advice and consent of the senate, as many citizens of this state, over the age of 21 ~~18~~ years, resident in the county for which appointed, as he deems necessary. The fee for each commission shall not exceed \$10, and shall be paid to the governor's private secretary.

Sec. 68. Minnesota Statutes 1971, Section 471.61, Subdivision 1, is amended to read:

**471.61 GROUP INSURANCE, PROTECTION FOR OFFICERS, EMPLOYEES, RETIRED OFFICERS AND EMPLOYEES.** Subdivision 1. **OFFICERS, EMPLOYEES.** Any county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, other than the state or any department thereof, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their officers and employees, and their dependents, or any class or classes thereof, under a policy or policies, or contract or contracts of group insurance or benefits covering life, health, and accident, in the case of employees, and medical and surgical benefits, and hospitalization insurance or benefits, for both employees and dependents, or dependents of an employee whose death was due to causes arising out of and in the course of employment, or any one or more of such forms of insurance or protection. Any such governmental unit, including county extension committees and those paying their employees, may pay all or any part of the premiums or charges on such insurance or protection. Any such payment shall be deemed to be additional compensation paid to such officers or employees but for purposes of determining contributions or benefits under any public pension or retirement system it shall not be deemed to be additional compensation. Any one or more of such governmental units may determine that a person is an officer or employee if such officer or employee receives a portion of his income from such governmental subdivisions without regard to the manner of his election or appointment. The appropriate officer of such governmental unit, or those disbursing county extension funds, shall deduct from the salary or wages of each officer and employee who elects to become insured or so protected, on the officer's or employee's written order, all or part of the officer's or employee's share of such premiums or charges and remit the same to the insurer or company issuing such policy or contract.

Any governmental unit which pays all or any part of such premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing

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the necessary funds for the payment of such premiums or charges, and except for school districts such sums so levied and appropriated shall not, in the event such sum exceeds the maximum sum allowed by any law or the charter of a municipal corporation, be considered part of the cost of government of such governmental unit as defined in any tax levy or per capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents shall be contributed by the employee or be paid by levies within existing per capita tax limitations.

The word "dependents" as used herein shall mean spouse and minor unmarried children under the age of ~~19~~ 18 years actually dependent upon the employee.

Sec. 69. Minnesota Statutes 1971, Section 471.61, Subdivision 1a, is amended to read:

Subd. 1a. **DEPENDENTS.** Notwithstanding the provisions of Minnesota Statutes 1969, Section 471.61, as amended by Laws 1971, Chapter 451, Section 1, the word "dependents" as used therein shall mean spouse and minor unmarried children under the age of ~~19~~ 18 years and dependent students under the age of 25 years actually dependent upon the employee.

Sec. 70. Minnesota Statutes 1971, Section 471.61, Subdivision 2a, is amended to read:

Subd. 2a. **RETIRED OFFICERS, EMPLOYEES.** Any county, municipal corporation, town, school district, county extension committee, other political subdivision or other body corporate and politic of this state, other than a city of the first class having a population of over 400,000 or the state or any department thereof, through its governing body, and any two or more subdivisions acting jointly through their governing bodies, may insure or protect its or their retired officers and retired employees entitled to benefits under any public employees retirement act and their dependents, or any class or classes thereof, under a policy or policies, or contract or contracts of group insurance or benefits covering life, health, and accident, medical and surgical benefits, or hospitalization insurance or benefits, for retired officers and retired employees and their dependents, or any one or more of such forms of insurance or protection. Any such governmental unit, including county extension committees, may pay all or any part of the premiums or charges on such insurance or protection. Any one or more of such governmental units may determine that a person is a retired officer or a retired employee if such officer or employee, when employed, received a portion of his income from such governmental subdivisions without regard to the manner of his election or appointment. The appropriate officer of such governmental unit, or those disbursing county extension funds, shall collect from each

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such retired officer and retired employee who elects to become insured or so protected, on such officer's or employee's written order, all or part of the retired officer's or retired employee's share of such premiums or charges and remit the same to the insurer or company issuing such policy or contract.

Any governmental unit which pays all or any part of such premiums or charges is authorized to levy and collect a tax, if necessary, in the next annual tax levy for the purpose of providing the necessary funds for the payment of such premiums or charges, and except for school districts such sums so levied and appropriated shall not, in the event such sum exceeds the maximum sum allowed by any law or the charter of a municipal corporation, be considered part of the cost of government of such governmental unit as defined in any tax levy or per capita expenditure limitation; provided at least 50 percent of the cost of benefits on dependents shall be contributed by the retired officer or retired employee or be paid by levies within existing per capita tax limitations.

The word "dependents" as used herein shall mean spouse and minor unmarried children under the age of ~~19~~ 18 years actually dependent upon the retired officer or retired employee.

Sec. 71. Minnesota Statutes 1971, Section 500.13, Subdivision 2, is amended to read:

Subd. 2. **LIMIT OF SUSPENSION; EXCEPTION.** The absolute power of alienation shall not be suspended, by any limitation or condition, for a longer period than during the continuance of two lives in being at the creation of the estate, except that a contingent remainder in fee may be created on a prior remainder in fee, to take effect in the event that the persons to whom the first remainder is limited die under the age of 21 18 years, or upon any other contingency by which the estate of such persons may be determined before they attain their full age.

Sec. 72. Minnesota Statutes 1971, Section 517.02, is amended to read:

**517.02 PERSONS CAPABLE OF CONTRACTING.** Every male person who has attained the full age of 21 18 years, ~~and every female person who has attained the full age of 18 years,~~ is capable in law of contracting marriage, if otherwise competent. ~~A male person of the full age of 18 years may, with the consent of his parents, guardian, or the court, as provided in Minnesota Statutes, Section 517.08, receive a license to marry. A female person of the full age of 16 years may, with the consent of her parents, guardian, or the court, as provided in Minnesota Statutes, Section 517.08, receive a license to marry, when, after a careful inquiry into the facts and the surrounding circumstances, her application for a~~

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license is approved by the judge of the juvenile court of the county in which she resides. If the judge of juvenile court of the county in which she resides is absent from the county and has not by order assigned another probate judge or a retired probate judge to act in his stead, then the court commissioner or any judge of district court of the county may approve her application for a license.

Sec. 73. Minnesota Statutes 1971, Section 517.08, Subdivision 1, is amended to read:

**517.08 APPLICATION FOR LICENSE.** Subdivision 1. Application for a marriage license shall be made at least five days before a license shall be issued. Such application shall be made upon a form provided for the purpose and shall contain the full names of the parties, their post office addresses and county and state of residence, and their full ages. The clerk shall examine upon oath the party applying for license relative to the legality of such contemplated marriage and, if at the expiration of this five-day period, he is satisfied that there is no legal impediment thereto, he shall issue such license, containing the full names of the parties and county and state of residence, with the district court seal attached, and make a record of the date of issuance thereof, which license shall be valid for a period of six months. In case of emergency or extraordinary circumstances, the judge of the probate court, the court commissioner, or any judge of the district court, of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. ~~If a male person intending to marry shall be under the age of 21 and shall not have had a former wife, such license shall not be issued unless the consent of the parents or guardians or the parent having the actual care, custody and control of said party shall be given under the hand of such parent or guardian and duly verified by an officer duly authorized to take oaths and duly attested by a seal, where such officer has a seal. Provided, that if there be no parent or guardian having the actual care, custody and control of said party, then the judge of the juvenile court, the court commissioner, or any judge of the district court in the county where the application is pending may, after hearing, upon proper cause shown, make an order allowing the marriage of said party.~~ The clerk shall collect from the applicant a fee of \$10 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics the reports of marriage required by this section. If illness or other extenuating circumstances, it may be surrendered to the clerk for cancellation, and in such case a new license shall issue upon request of the parties of the original license without fee therefor. Any clerk who shall knowingly issue or sign a marriage license in any other manner than in this section provided shall forfeit and pay for the use of the parties aggrieved not to exceed \$1,000.

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Sec. 74. Minnesota Statutes 1971, Section 518.54, Subdivision 2, is amended to read:

Subd. 2. **CHILD.** "Child" means an individual under ~~21~~ 18 years of age, or an individual who, by reason of his physical or mental condition, is unable to support himself.

Sec. 75. Minnesota Statutes 1971, Section 525.092, Subdivision 2, is amended to read:

Subd. 2. **CERTAIN GUARDIANSHIPS EXCEPTED.** The provisions of this section shall not apply to guardianships of incompetent or insane persons, nor to guardianships of minors until one year after the minor has attained his ~~twenty-first~~ eighteenth birthday.

Sec. 76. Minnesota Statutes 1971, Section 525.80, is amended to read:

525.80 **REPRESENTATIVE AND MINOR.** As used in this chapter, the word "representative," unless the context otherwise indicates, includes executors, general administrators, special administrators, administrators with the will annexed, administrators de bonis non, general guardians, and special guardians. Commencing with the effective date of section 80 of this act, the word "minor" means a person under the age of ~~21~~ 18 years.

Sec. 77. Minnesota Statutes 1971, Section 527.01, Subdivision 2, is amended to read:

Subd. 2. An "adult" is a person who has attained the age of ~~21~~ 18 years.

Sec. 78. Minnesota Statutes 1971, Section 527.01, Subdivision 14, is amended to read:

Subd. 14. A "minor" is a person who has not attained the age of ~~21~~ 18 years.

Sec. 79. Minnesota Statutes 1971, Section 527.04, Subdivision 4, is amended to read:

Subd. 4. To the extent that the custodial property is not so expended, the custodian shall deliver or pay it over to the minor on his attaining the age of ~~21~~ 18 years or, if the minor dies before attaining the age of ~~21~~ 18 years, he shall thereupon deliver or pay it over to the estate of the minor.

Sec. 80. Minnesota Statutes 1971, Section 527.07, Subdivision 4, is amended to read:

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Subd. 4. If a person designated as custodian, or as successor custodian as provided in subdivision 1, is not eligible, dies or becomes legally incapacitated before the minor attains the age of 21 18 years, the guardian of the minor shall be successor custodian. If the minor has no guardian and if no successor custodian who is eligible and who has not died or become legally incapacitated has been designated as provided in subdivision 1, a donor, his legal representative, the legal representative of the custodian, or an adult member of the minor's family may petition the court for the designation of a successor custodian.

Sec. 81. Minnesota Statutes 1971, Section 541.15, is amended to read:

**541.15 PERIODS OF DISABILITY NOT COUNTED.** Any of the following grounds of disability, existing at the time when a cause of action accrued, shall suspend the running of the period of limitation until the same is removed; provided that such period, except in the case of infancy, shall not be extended for more than five years, nor in any case for more than one year after the disability ceases:

- (1) That the plaintiff is within the age of 21 18 years;
- (2) His insanity;
- (3) His imprisonment on a criminal charge, or under a sentence of a criminal court for a term less than his natural life;
- (4) Is an alien and the subject or citizen of a country at war with the United States;
- (5) When the beginning of the action is stayed by injunction or by statutory prohibition.

If two or more disabilities shall coexist, the suspension shall continue until all are removed.

Sec. 82. Minnesota Statutes 1971, Section 609.295, is amended to read:

**609.295 SEXUAL INTERCOURSE WITH CHILD.** Whoever has sexual intercourse with a female child under the age of 18 years and not his spouse may be sentenced as follows:

- (1) If the child is under the age of ten years, to imprisonment for not more than 30 years; or
- (2) If the child is ten years of age but under the age of 14 years, to imprisonment for not more than 20 years; or
- (3) If the child is 14 years of age but under the age of 16 years, by imprisonment for not more than five years.

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(4) If the child is 16 years of age, but under the age of 18 years and the offender is ~~21~~ 18 years of age or older, by imprisonment for not more than three years.

~~(5) If the child is 16 years of age but under the age of 18 and the offender is 18 years of age but under 21 years, by imprisonment for not more than one year.~~

Sec. 83. Minnesota Statutes 1971, Section 645.45, is amended to read:

645.45 **DEFINITIONS, CONTINUED.** The following words and phrases, when used in any law hereafter enacted after the effective date of Laws 1941, Chapter 492, Section 45, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

- (1) "Abode," means domicile;
- (2) "Action," any proceeding in any court of this state;
- (3) "Adult," an individual ~~21~~ 18 years of age or over;
- (4) "As now provided by law," a reference to the laws in force at the time the law containing the phrase was finally enacted;
- (5) "As provided by law," a reference to the laws in force at the particular time the law containing the phrase is applied;
- (6) "Attorney at law," an individual admitted to practice law by a court of record of this state;
- (7) "Attorney of record," an attorney at law who is entered on the docket or record of a court as appearing for or representing a party in a legal proceeding;
- (8) "Child" or "children" includes children by birth or adoption;
- (9) "Day" comprises the time from midnight to the next midnight;
- (10) "Fiscal year," the year by or for which accounts are reckoned;
- (11) "Hereafter," a reference to the time after the time when the law containing such word takes effect;
- (12) "Heretofore," a reference to the time previous to the time when the law containing such word takes effect;
- (13) "Judicial sale," a sale conducted by an officer or person authorized for the purpose by some competent tribunal;

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- (14) "Minor," an individual under the age of ~~21~~ 18 years;
- (15) "Money," lawful money of the United States;
- (16) "Night time," the time from sunset to sunrise;
- (17) "Non compos mentis," refers to an individual of unsound mind;
- (18) "Notary," a notary public;
- (19) "Now," in any provision of a law referring to other laws in force, or to persons in office, or to any facts or circumstances as existing, relates to the laws in force, or to the persons in office, or to the facts or circumstances existing, respectively, on the effective date of such provision;
- (20) "Verified," when used in reference to writings, means supported by oath or affirmation.

Sec. 84. **[645.451] DEFINITIONS, CONTINUED.** Subdivision 1. The terms defined in the following subdivisions shall have the meanings given them for the purpose of any statute or law of this state now in force, for the purposes of any statute or law hereinafter enacted unless a different meaning is specifically attached to the terms or the context clearly requires different meaning.

Subd. 2. "Minor" means an individual under the age of 18.

Subd. 3. "Adult" means an individual 18 years of age or older.

Subd. 4. "Minority" means with respect to an individual the period of time during which the individual is a minor.

Subd. 5. "Majority" means with respect to an individual the period of time after the individual reaches the age of 18.

Subd. 6. "Legal age" or "full age" means 18 years of age or older.

Sec. 85. **[645.452] DISABILITIES OF MINORITY, TERMINATION AT AGE 18.** Except as otherwise provided by statutes, every disability of minority at common law shall cease when a person reaches 18 years of age.

Sec. 86. Minnesota Statutes 1971, Chapter 525, is amended by adding a section to read:

[525.2221] WILLS NOT AFFECTED. Notwithstanding any other provision of law to the contrary, the provisions of any will executed prior to the effective date of this act relating to ones

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“minority” or “majority” or other related terms shall be governed by the definitions of such terms existing at the time of the execution of the will.

Sec. 87. The Minnesota department of education is herewith directed to prepare and make available a publication outlining and explaining the changes in privileges, duties, rights and obligations of persons reaching 18 years of age after the enactment of this act.

Sec. 88. Minnesota Statutes 1971, Chapter 501, is amended by adding a section to read:

**[501.461] TRUSTS NOT AFFECTED.** Notwithstanding any other provisions of law to the contrary, the provisions of any trust created prior to the effective date of this act relating to ones “minority” or “majority” or other relating terms shall be governed by the definitions of such terms existing at the time of the creation of such trust.

Sec. 89. **[260.40] AGE LIMIT FOR BENEFITS TO CHILDREN.** For purposes of any program for foster children or children under state guardianship for which benefits are made available on the effective date of this act, unless specifically provided therein, the age of majority shall be 21 years of age.

Sec. 90. **[340.039] DRIVERS LICENSE OR NONQUALIFICATION CERTIFICATE.** Proof of age for purposes of consuming, purchasing, or possessing an alcoholic beverage, the consumption, sale, or possession of which is regulated by age, may only be established by a valid drivers license or a current nonqualification certificate issued pursuant to Minnesota Statutes 1971, Section 171.07.

Sec. 91. Minnesota Statutes 1971, Section 61A.12, Subdivision 3, is repealed.

Sec. 92. This act is effective June 1, 1973.

Approved May 24, 1973.

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#### CHAPTER 726—H.F.No.223

*An act relating to courts; increasing the number of associate justices on the supreme court; appropriating moneys; amending Minnesota Statutes 1971, Section 480.01.*

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