

the experiment station known as the Albert Lea State Experimental Creamery, established by Section 10, Chapter 280, General Laws 1911, to the University of Minnesota.

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

Section 1. University of Minnesota to have control of Albert Lea Experimental Creamery.—That the supervision, control and management of the experiment station known as the Albert Lea State Experimental Creamery, established by Section 10, Chapter 280, General Laws 1911, hereby is transferred to and vested in the University of Minnesota.

Sec. 2. This act shall take effect and be in force from and after June 30, 1925.

Approved April 17, 1925.

CHAPTER 239—S. F. No. 152.

(Secs. 5785 to 5796, G. S. 1923)

An act to amend Chapter 127, General Laws of 1915, and acts amendatory thereof, relating to the practice of optometry.

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

Section 1. State Board of Optometry—Terms.—The State Board of Optometry shall consist of five qualified optometrists appointed by the Governor, each for a term of three years, or such part thereof as will provide for the expiration of the terms of two members January first, 1916; one member January first, 1917, and two members January first, 1918, and until their successors qualify. Vacancies in such Boards shall be filled by like appointments for unexpired terms.

Sec. 2. Powers of Board.—Said Board of Optometry shall make such rules and regulations, not inconsistent with the law, as may be necessary for the proper performance of its duties. Any member of the Board may, upon being duly designated by the Board or a majority thereof, administer oaths or take testimony concerning any matter within the jurisdiction of the Board.

Sec. 3. Election of officers.—The Board shall elect from among its members a president, and may adopt a seal. A Secretary or assistant may be employed who need not necessarily be a member of said Board. For the purpose of examining applicants for license to practice optometry, the Board shall meet at least once a year in St. Paul, and may hold other meetings at its pleasure.

Sec. 4. Salary and expenses.—Each member shall receive from the funds of the Board *ten dollars (\$10.00)* a day for actual services, and necessary travel and *expense* allowance for attending

meetings. For clerical services the Secretary shall receive such compensation as the Board may deem just and proper, such compensation to be not more than four hundred dollars (\$400.00) per year. The Board may employ an attorney and other necessary assistants to aid in the enforcement of the provisions of this Act, the attendant expense to be met from the funds of the Board. The Secretary shall keep a record of all proceedings, including therein the name of every applicant for examination or registration which record shall be open for public inspection.

Sec. 5. **Who are optometrists.**—Any person shall be deemed to be practicing optometry within the meaning of this Act who shall display a sign *such as an eye, a pair of eyes, a pair of glasses or spectacles, or who shall in any way advertise himself as an optometrist, or who shall employ any means for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof, or have in his possession testing appliances for the purpose of the measurement of the powers of vision, or diagnose any optical deficiency or deformity, visual or muscular anomaly of the human eye, or prescribe lenses, prisms or ocular exercises for the correction or the relief of same, or who holds himself out as being able to do so.* It shall be unlawful for glasses to be vended as merchandise except from a permanently located and established place of business. It shall be unlawful for any person to engage in the practice of optometry without first procuring and filing for record a certificate of registration as a licensed optometrist pursuant to this subdivision.

Sec. 6. **Who may practise optometry.**—The persons entitled to practice optometry in Minnesota who are not already registered shall be: Every person of a full age of 21 years who furnishes the Board with satisfactory evidence of:

(a) His age and moral character.

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

(c) *That he shall be a graduate of an optometric school or college approved by this Board, requiring an attendance of not less than two years' course. Such school shall give a course of instruction covering and including the following minimum requirements to-wit:*

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

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 eighty per cent of actual attendance shall be required and said course of study herein outlined shall be so arranged as to require two years of actual attendance at said school for its completion.

The provisions of this act as to educational requirements shall not apply to any person who on Jan. 6, 1925 was a matriculate in a school teaching optometry, but such person shall be required to conform to the then existing provisions of law.

(d) Having passed satisfactorily an examination by the Board as to his qualifications for the practice of Optometry, upon the completion of which he shall receive from said Board a licensed certificate, entitling him to practice. Any person desiring to be examined by said Board must fill out and swear to an application furnished by the Board and must file the same with the Secretary of the Board at least two weeks prior to the holding of an examination which the applicant is desirous of taking. The applicant shall pay to the Board a fee of twenty dollars (\$20.00) before examination and five dollars (\$5.00) upon issuance of certificate. In the event of failure on the part of a candidate to pass the first examination he may within fifteen months have another trial; upon the payment of five dollars (\$5.00) additional. Any applicant may be registered and given a certificate of registration if he shall present a certified copy of certificate of registration, or license which has been issued to said applicant by any other state, where the requirements for registration shall be deemed by said Board to be equivalent to those of this act; provided that such state shall accord like privileges to holders of certificates of said Board. The fee for registering such applicants shall be fifteen dollars (\$15.00). The Board upon hearing of which the accused shall have ten days' notice may revoke the certificates of any person under the conviction of crime or shown to be grossly incompetent, afflicted with contagious or infectious disease, or, guilty of *unprofessional conduct*. "*Unprofessional conduct*" shall be defined to mean any conduct of a character likely to deceive or defraud the public; the loaning of his license or certificate by any licensed optometrist to any person; the employment of "cappers" or "steerers" to obtain business; "splitting" or dividing a fee with any person or persons; the obtaining of any fee or com-

penation by fraud or misrepresentation; employing either directly or indirectly any suspended or unlicensed optometrist, to perform any work covered by this act; the advertising by any means whatsoever of optometry practice or treatment or advice in which untruthful, improbable, misleading or impossible statements are made. After one year upon application and proof that the disqualification has ceased, the Board may reinstate such person.

(e) *Every registered optometrist who shall temporarily practice optometry outside or away from his regular registered place of business shall display his registered certificate and shall deliver to each customer or person there fitted or supplied with glasses a receipt or record which shall contain his signature and show his permanent registered place of business or post office address and number of certificate, together with the amount charged therefor.*

Sec. 7. Certificate to be filed.—The holder of every such certificate of registration shall file the same for record with the clerk of the District Court in the County where he resides, and after record shall display it conspicuously at his place of business. Upon removal to another county he shall there in like manner file his certificate before engaging in business therein. Such clerk's fee shall be fifty (.50c) cents for recording and one dollar (\$1.00) for certified copy. A failure on the part of the holder to comply with any of the foregoing provisions for six months after issuance of the certificate shall forfeit the same.

Sec. 8. Annual fees.—Before April first in each year, every authorized optometrist shall pay to the Board a fee of *five dollars (\$5.00)*, in default of which the Board, upon a hearing and after twenty days' notice, may revoke the certificate of any optometrist so in default; but the payment of such fee at or before the time of hearing, with such additional sum, not exceeding five dollars (\$5.00), as may be fixed by the Board, shall excuse the default. The Board may collect such fee by suit.

Sec. 9. Disposition of fees.—All fees collected under this subdivision shall be received and held by the Secretary and devoted to the uses of the Board. The Secretary shall give such bond as the Board shall from time to time require. Before the first Monday in January, annually, the Board shall report to the Governor its proceedings and the items of its receipts and disbursements.

Sec. 10. Violation to be gross misdemeanor.—Every person who shall violate any of the provisions of this act shall be guilty of a *gross misdemeanor*.

Sec. 11. Invalidity of one section not to affect balance.—In case for any reason any paragraph or any provision of this act shall be questioned in any court of last resort and shall be held by such court to be unconstitutional or invalid the same shall not be held to affect any other paragraph or provision of this act.

Sec. 12. Laws repealed.—That Sections 2320, 2321, 2322, 2324, 2325, and 2326 of the Revised Laws of 1905, and all amendments to said sections or any of them are hereby repealed.

Sec. 13. Not to affect persons engaged in practice.—Provided that this act shall not be construed as forbidding any person licensed to practice any profession in this state from engaging in such profession as it may now be defined by law.

Approved April 17, 1925.

CHAPTER 240—S. F. No. 328.

An act empowering any county now or hereafter having a population of more than 225,000 and which together with any city within such county has a joint court house and city hall, the expense of which is shared proportionately by such county and city, jointly with such city to rent or lease quarters outside of the court house and city hall for city and county offices, providing for apportionment of the expense thereof, and authorizing any such county to reimburse any such city for the county's proportionate share of any such rentals incurred by such city since January 1, 1925.

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

Section 1. Counties may rent space outside of county court house.—Any county in this state which now has or hereafter may have a population of more than 225,000 inhabitants and which together with any city within such county has a joint court house and city hall, the expense of which is shared proportionately by such county and city, shall have the power and authority to rent or lease together with such city, quarters for city and county offices outside of said Court House and City Hall, and the rental charged for said quarters shall be paid by said county and city in the same proportion as the expenses of maintenance of the Court House and City Hall are paid by said city and county. Provided that no rate more than \$1.50 per square foot per annum shall be paid or incurred, and for only such space actually used for office purposes, and no obligation for alterations, remodeling, or repairs shall, under any circumstances, be incurred.

Sec. 2. County may reimburse city.—Any such county is hereby authorized and empowered to reimburse any such city which has since January 1, 1925, rented or leased quarters for city and county offices outside of the Court House and City Hall, to an amount equal to the county's proportionate share of such rent computed upon the same basis as the expense of maintenance of the joint court house and city hall as apportioned between said county and city.