

## CHAPTER 339—S. F. No. 917.

*An act relating to military affairs; to amend Chapter 506, Laws 1921, known as the military code; to repeal Sections 21 and 107 of said code, relating to the military board and the board of armory supervisors; and to transfer to the adjutant general the activities and duties of the military board and the board of armory supervisors under said military code as amended.*

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

**Section 1. Governor to be Commander-in-Chief.**—That Section 13, Chapter 506, Laws 1921, being Section 2407, General Statutes, 1923, be and the same hereby is amended so as to read as follows :

“2407. The Governor shall be the commander-in-chief of the military forces, except so much thereof as may be in the actual service of the United States, and may employ the same for the defense or relief of the state, the enforcement of its law, and the protection of life and property therein. He shall make and publish regulations, not inconsistent with law, and enforce all the provisions of this chapter. He may appoint a staff, consisting of an adjutant general and *six aides-de-camp of field grade* who shall be *detailed from the national guard.*”

**Sec. 2. Adjutant General.**—That Section 14, Chapter 506, Laws 1921, being Section 2408, General Statutes, 1923, be and the same hereby is amended so as to read as follows :

“2408. *There shall be an adjutant general of the state who shall be appointed by the governor, forthwith upon the taking effect of this Act, who shall be a staff officer, who at time of appointment shall be a commissioned officer of the National Guard of this state, with not less than ten years military service in the armed forces of this state or of the United States, at least three of which shall have been commissioned and who shall have reached the grade of a field officer. He shall hold office as provided in Section 110, Act of Congress approved June 4, 1920, as amended, and shall not be removed from office, except as provided by the military laws of this state.*

**Sec. 3. Location of units.**—That Section 17, Chapter 506, Laws 1921, being Section 2411, General Statutes, 1923, be and the same hereby is amended so as to read as follows :

“2411. The location of units including headquarters shall, when not otherwise prescribed by federal law, be fixed by the governor on the recommendation of the *adjutant general.*”

**Sec. 4. Officers and Staff Corps.**—That Section 20, Chapter 506, Laws 1921, being Section 2414, General Statutes, 1923, be and the same hereby is amended so as to read as follows :

“2414. The officers of the *state staff corps* and departments shall be selected and appointed by the *adjutant general*, and com-

missioned by the governor. The enlisted men shall be recruited and warranted by their respective chiefs."

Sec. 5. **Line officers.**—That Section 23, Chapter 506, Laws 1921, being Section 2417, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2417. Line officers *and field officers below the grade of Colonel* in the regiments and lesser separate organizations shall be selected and appointed by the commanders thereof respectively. *Officers above the grade of lieutenant colonel* shall be selected and appointed by the governor upon the recommendation of the adjutant general."

Sec. 6. **Disabled members to receive relief.**—That Section 36, Chapter 506, Laws 1921, being Section 2430, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2430. If any officer or enlisted man of the national guard is wounded, or otherwise disabled, while doing duty as a member of the military force, he shall receive from the commonwealth just and reasonable relief, in amount to be determined by the *adjutant general* and approved by the governor. All such payments under this or the next following section shall be made from the appropriation for the maintenance of the national guard."

Sec. 7. **Compensation.**—That Section 37, Chapter 506, Laws 1921, being Section 2431, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2431. (1) Compensation, payable quarterly, may be paid to either the dependent widow, minor children or parent of any member of the military forces who may die from disease contracted or injuries received, or who may be killed while in active service, under orders of the governor.

(2) All claims for compensation under this section shall be acted on by the *adjutant general*. In all cases arising under this section, the amount allowed and the duration of the payment shall be that provided by the Workmen's Compensation Law as now or hereafter in force based on the guardsman's *usual* earning in civil life.

Sec. 8. **Senior officer of Quartermaster Corps to have charge of property.**—That Section 49, Chapter 506, Laws 1921, being Section 2443, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2443. The senior officer of the quartermaster corps *may* be the quartermaster and property officer of the state and *as such* shall have charge of and be accountable for, under the adjutant general, all the state military property and shall make such property returns and reports on the same as the governor may direct. He shall be under bond to the state to such amount as the governor may deem necessary."

**Sec. 9. Military reservations and camp grounds.**—That Section 56, Chapter 506, Laws 1921, being Section 2450, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

“2450. The adjutant general shall have charge of the camp grounds and military reservations of the state, keeping in repair all state buildings, and other improvements thereon, including water pipes laid by the state on highways leading thereto and of all military property connected with said grounds. He may make such further improvements thereon as the good of the service requires. Private property may be acquired by condemnation, upon the application of the adjutant general, for camp ground, rifle range and other military purposes. All damages, cost and expense incurred in condemning such property shall be paid by the state treasurer, upon certificate of the adjutant general and warrant of the state auditor, from any unexpended balance of the military fund after meeting the demands of the national guard.”

**Sec. 10. Military forces not to be restricted by traffic regulations.**—That Section 58, Chapter 506, Laws 1921, being Section 2452, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

“2452. The military forces of the United States, organizations of the national guard, *the adjutant general* and general officers thereof with official *insignia* displayed, while on any authorized duty, shall not be restricted by *state or* municipal traffic regulations, and shall have the right of way on any street or highway through which they may pass against all except carriers of the United States' mail, fire engines and police vehicles.”

**Sec. 11. Camp pay of non-commissioned officers.**—That Section 63, Chapter 506, Laws 1921, being Section 2457, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

“2457. There *may* be paid to each company clerk, and to the noncommissioned officer in each company, who is directly responsible for the care and custody of the quartermaster's and ordnance property issued to each organization, and the chief mechanic of each battery of field artillery the sum of ten dollars per month upon the certificate of his commanding officer that he has faithfully performed the duties of his office and accounted for all property entrusted to his care., Such payments shall be made quarterly upon vouchers approved by the adjutant general. Provided, however, that where two or more organizations are stationed in the same city and the regimental commander deems it for the best interest of the service, two or more allotments for the pay under this section may be combined and paid to one or more men, designated

by the regimental commander, whose duty in the care of public property shall be correspondingly increased."

**Sec. 12. Salary of Adjutant General and employees.**—That Section 66, Chapter 506, Laws 1921, being Section 2460, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2460. The Adjutant General shall receive *the pay and allowances of his grade as provided by the Act of Congress approved June 10, 1922.* The adjutant general may employ the following office help at the cost of the state in salary not to exceed the following: one accountant at eighteen hundred dollars a year; one order clerk at eighteen hundred dollars a year; one property clerk at twelve hundred dollars a year; one secretary at fifteen hundred dollars a year. He may appoint an assistant at a salary of not to exceed *three thousand* dollars a year and a custodian of *military camps and reservations* at a salary of not to exceed one thousand dollars a year. The Quartermaster shall receive a yearly salary of twenty-four hundred dollars. All salaries and compensations herein referred to shall be paid by the state *semi-monthly.* In case of war, riot, insurrection or other emergency or when authorized by the governor, such additional help as is necessary, may be temporarily employed, same to be paid from the amount appropriated for the maintenance of the national guard."

**Sec. 13. Appropriations not to lapse.**—That Section 68, Chapter 506, Laws 1921, being Section 2462, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2462. The appropriations made for the purpose of carrying out the provisions of this Act shall not lapse at the end of any fiscal year; but all unexpended balances shall be added to the appropriations made for the ensuing year. All disbursements from such appropriations shall be made upon auditor's warrants issued upon vouchers approved by the adjutant general. *Provided, however, that all unexpended balances of the military department may be placed in a special fund and invested by the State Board of Investment, the principal and interest thereof, at the discretion of the adjutant general, to be used for the procurement, necessary installations and maintenance of a military reservation.*"

**Sec. 14. Fines—disposition.**—That Section 82, Chapter 506, Laws 1921, being Section 2476, General Statutes, 1923, be and the same hereby is amended so as to read as follows:

"2476. The proceeds of all fines in summary, general and special court martial cases shall be paid to the adjutant general and paid into the maintenance fund of the national guard, and all costs of prosecution shall be paid out of the same fund.

**Sec. 15. Laws repealed.**—That Section 21 and 107, Chapter 506, Laws 1921, being respectively Sections 2415 and 2501,

General Statutes, 1923, be and the same hereby are in all things repealed. This section shall take effect and be in force from and after the passage of this Act.

**Sec. 16. Certain duties transferred to Adjutant General.**—That the authority conferred and the duties imposed upon the military board and the board of armory supervisors under the military code as amended by this Act and prior Acts hereby are transferred to, vested in and imposed upon the adjutant general. This section shall take effect and be in force from and after the passage of this Act.

Approved April 20, 1927.

---

CHAPTER 340—S. F. No. 1025.

*An act to amend Subdivision B of Section 2693 of the Statutes of Minnesota for 1923, relating to the powers of the Registrar of Motor Vehicles of the State of Minnesota.*

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

**Section 1. Secretary of State to be registrar.**—Subdivision B of Section 2693 of the Statutes of Minnesota for 1923 is hereby amended to read as follows:

*The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, as may be required to enable him to properly carry out the duties imposed upon him by the provisions of this Act; before entering upon the discharge of his duties, each deputy and each employee having the charge of handling of any money or number plates shall give bond to the state in the sum of at least two thousand dollars or in such larger amount as the registrar may fix conditioned upon the faithful discharge of his duties. Premiums on such bonds shall be paid by the state from money provided for the maintenance of the registrar's office.*

*The registrar shall have power to appoint, and at pleasure remove, a deputy registrar for each city of the first class, and for such other cities and villages as public interest and convenience may require. Each such deputy, before entering upon the discharge of his duties, shall qualify with the requirements imposed for the qualifying of the registrar, except that the amount of the bond required to be given by the deputy shall be \$10,000.00 or such larger amount as the registrar from time to time shall require. Each deputy registrar appointed hereunder shall keep and maintain in a convenient public place within the city for which he is appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of motor vehicle taxes thereon. He*