

with the holder of the lease, may authorize the use of the material on the leased premises or on any state-owned lands used in connection therewith, for any purpose specified in subd. [subdivision] 1 that will facilitate the mining and disposal of the iron ore therein on such terms as the commissioner may prescribe consistent with the interests of the state, or may authorize the holder of the lease to dispose of the material otherwise for any purpose specified in subd. [subdivision] 1 upon payment of an amount therefor equivalent to the royalty that would be payable under the terms of the lease if the material were shipped or otherwise disposed of as iron ore, but not less than the applicable minimum rate prescribed by section 93.20.

Subd. 3. If such material, whether in the ground or in stockpile, is not subject to an existing lease, the commissioner may issue leases for the taking and removal thereof for the purposes specified in subd. [subdivision] 1 in like manner as provided by section 92.50 for leases for the taking and removal of sand, gravel, and other materials specified in said section, and subject to all the provisions thereof, so far as applicable; provided, that the amount payable for such material shall be at least equivalent to the minimum royalty that would be payable therefor under the provisions of section 93.20.

Approved April 18, 1951.

CHAPTER 453—S. F. No. 71

[Sections 7 and 8 coded as Sections 177.121, 177.122]

An act relating to determination and establishment of maximum hours and minimum wages in employment of women and minors; relating to learners, apprentices and handicapped persons; defining terms relating thereto; relating to advisory boards; establishing a method of review; amending Minnesota Statutes 1949, Sections 177.02, Subdivisions 8 and 9; 177.06; 177.07; [,] Subdivision 1; 177.08; 177.11; and adding two new sections.

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

Section 1. Minnesota Statutes 1949, Section 177.02, Subdivision 8, is amended to read :

177.02 Subd. 8. **Worker, employee.** The terms "worker" or "employee" may mean a woman, a minor, a learner, or an apprentice who is employed for wages; *but shall not include any woman or minor engaged or employed in domestic service in a private home or employed in agriculture.*

Sec. 2. Minnesota Statutes 1949, Section 177.02, Subdivision 9, is amended to read:

Subd. 9. **Occupation.** The term "occupation" means any business, industry, trade, or branch of a trade or vocation in which women or minors are employed.

Sec. 3. Minnesota Statutes 1949, Section 177.06, is amended to read:

177.06 **Notices of public hearings.** *The commission shall maintain a record of all persons or their representatives, who have filed notice with the commission of their interest in orders affecting minimum wages and all such persons or their recorded representatives shall be notified by the commission of the pending of any such proceeding in sufficient time to permit such person to become a party to the proceeding and to present evidence relative thereto. The commission shall notify all such persons of any decision filed in such proceedings by written mailed notice within 10 days after the filing of the order or decision.*

Sec. 4. Minnesota Statutes 1949, Section 177.07, Subdivision 1, is amended to read:

177.07 **Wages, orders.** Subdivision 1. **Minimum wages.** The commission shall determine the minimum wages sufficient for living wages for women and minors of ordinary ability and also the minimum wages sufficient for living wages for learners and apprentices. *Minimum wages referred to herein shall be fixed on an hourly basis. The commission shall consider the prevailing number of hours of work in various industries when making orders relating to minimum wages.* The commission shall then issue an order, to be effective 30 days thereafter, making the wages thus determined the minimum wages in said occupation throughout the state, or within any area of the state if differences in the cost of living warrant this restriction. Those provisions of any order heretofore or hereafter issued by the commission with reference to the rate

of pay for each hour of employment in excess of the minimum number of hours established by the commission, shall not apply to cases in which night telephone operators may be at their place of employment for no more than 12 hours and shall have an opportunity for at least four hours of sleep during the 12 hours of employment, and shall not apply to telephone operators employed in cities, towns, villages, boroughs, and towns of less than 1,500 inhabitants.

Sec. 5. Minnesota Statutes 1949, Section 177.08, is amended to read:

177.08 Advisory boards. *Whenever an order or decision of the commission affecting minimum wages is contemplated, the commission shall establish an advisory board, which shall serve without pay, consisting of not less than three, nor more than ten, persons representing employers, and an equal number of persons representing the workers in the occupation, and of one or more disinterested persons appointed by the commission to represent the public; but the number of representatives of the public shall not exceed the number of representatives of either of the other parties. At least one-fifth of the membership of any advisory board shall be composed of women, and at least one of the representatives of the public shall be a woman. The commission shall make rules and regulations governing the selection of members and the modes of procedure of the advisory boards and exercise exclusive jurisdiction over all questions arising with reference to the validity of the procedure and determination of these boards. The selection of members representing employers and employees shall be so far as practicable from names submitted by employers and employees, respectively. Recommendations of the advisory board shall be advisory only, and not binding upon the commission.*

Sec. 6. Minnesota Statutes 1949, Section 177.11, is amended to read:

177.11 Wages; new rates. All rates of wages ordered by the commission shall remain in force until new rates are determined and established by the commission. At the request of approximately *one-tenth* of the employers or employees in an occupation, the commission must reconsider the rates already established therein and may, if it sees fit, order new rates of minimum wages for the occupation. It may likewise

reconsider old rates and order new minimum rates on its own initiative.

[177.121] **Sec. 7. Less wages; employment, license.** The industrial commission shall make rules and regulations whereby any woman, or minor earner, apprentice or handicapped person unable to earn the living wage theretofore determined upon, shall be granted a license to work for a wage which shall be commensurate with his or her ability. Each license so granted shall establish a wage for the licensee, and no licensee shall be employed at a wage less than the rate so established.

[177.122] **Sec. 8. Certiorari.** Decisions and orders of the commission made under the provisions of this section shall be subject to review by certiorari to the district court of Ramsey County or to the district court of any county wherein the complaining party resides. Any person affected by the decision or order of the commission may appeal therefrom within 60 days from the date of the entry of the order in the docket of the commission.

Sec. 9. This act shall take effect July 1, 1951.

Approved April 18, 1951.

CHAPTER 454—S. F. No. 147

An act relating to workmen's compensation, defining and regulating occupational diseases; amending Minnesota Statutes 1949, Section 176.664.

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

Section 1. Minnesota Statutes 1949, Section 176.664, is amended to read as follows:

176.664. **Notice, time limit for service.** *In all cases except silicosis or asbestosis unless the employer shall have actual notice of the injury any claim for occupational disease is barred unless within 90 days after disablement of an em-*