

## CHAPTER 745—H. F. No. 1930

[Not Coded]

*An act relating to civil defense; amending Minnesota Statutes 1949, Section 16.02, Section 169.71; and Laws 1951, Chapter 694, Section 2, Subdivision 1, Section 3, Subdivision 1, Section 204, Section 403.*

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

Section 1. Laws 1951, Chapter 694, Section 403 is amended to read:

**Sec. 403 Communists: hiring, using; oath.** No person shall be employed or associated in any capacity in any civil defense organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the Government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for civil defense shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

“I, ....., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of ..... against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the Government of the United States or of this state by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States, or of this state, by force or violence.”

*This oath may be administered by any officer of the state department of civil defense, local civil defense director, or ground observer corps supervisor.*

Sec. 2. Laws 1951, Chapter 694, Section 2, Subdivision 1, is amended to read:

Sec. 2. **Declaration of policy.** Subdivision 1. Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action, or from fire, flood, earthquake or other natural causes, and in order to insure that preparations of this state will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the state, it is hereby found and declared to be necessary:

(1) To create a State Civil Defense Agency, and to authorize the creation of local organizations for civil defense in the political subdivisions of the state;

(2) To confer upon the Governor and upon the governing bodies of the political subdivisions of the state the emergency and disaster powers provided herein; and

(3) To provide for the rendering of mutual aid among the political subdivisions of the state and with other states, and to cooperate with the federal government with respect to the carrying out of civil defense functions.

Sec. 3. Laws 1951, Chapter 694, Section 3, Subdivision 1, is amended to read:

Sec. 3. **Definitions.** As used in this act:

Subdivision 1. "Civil Defense" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other enemy hostile action, or from fire, flood, earthquake, or other natural causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, air-raid warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Sec. 4. Minnesota Statutes 1949, Section 169.71, is amended to read:

169.71 **Windshields.** No person shall drive or operate any motor vehicle with a windshield cracked or discolored to

an extent to limit or obstruct proper vision, or with any sign, poster, or other non-transparent material upon the front windshield, sidewings, side or rear windows of such vehicle, other than a certificate or other paper required to be so displayed by law, *or authorized by the state director of civil defense.*

Sec. 5. Minnesota Statutes 1949, Section 16.02, is amended to read:

**16.02 Powers, duties.** Subject to other applicable provisions of Laws 1939, Chapter 431, as amended, and to other laws not inconsistent therewith, the commissioner shall have the following powers and duties respecting all agencies of the state:

(1) To purchase, rent, or otherwise provide for the furnishing of all supplies, materials, equipment, printing, and utility services, prescribe standard specifications therefor, to provide for inspecting and testing the same, and otherwise to enforce compliance with such specifications; to prescribe and designate classes of state printing;

(2) To prescribe time, manner, authentication, and form of making requisitions for supplies, materials, equipment, printing, and utility services and the manner and form in which claims therefor shall be submitted, allowed, and paid;

(3) To supervise and control the making of all contracts for building, highways, and other improvements, and to prescribe the amount of certified checks, deposits, or bonds to be submitted in connection with bids and contracts, when not otherwise provided for by law;

(4) To cause to be prepared plans and specifications for the construction, alteration, or enlargement of all state buildings, structures, and other improvements except highways and bridges; to approve such plans and specifications; to advertise for bids and award all contracts in connection with such improvements; to supervise and inspect all work relating thereto; after any contract for such an improvement is let, to approve all lawful changes in plans and specifications; to approve estimates for payment; and to accept such improvements when completed according to such plans and specifications;

(5) To maintain and operate the state capitol building, state office building, historical society building, and the grounds appertaining thereto, also, where deemed advisable and practicable by the commissioner, and other building or premises owned or rented by the state for the use of any state department or other administrative agency; provided, that

this shall not apply to state hospitals or to educational, penal, correctional, or other institutions the control of which is vested by law in some other agency;

(6) To provide for the periodical inspection and appraisal of all state property, real and personal, and for keeping current and perpetual inventories thereof, and to require all departments and agencies to make reports of the real and personal property in their custody at such intervals and in such form as he may deem necessary;

(7) To inspect all state power, heating, and lighting plants, and to make such rules regulating the operation thereof and to recommend such improvements therein as will promote economical and efficient operation;

(8) To supervise and control the making of necessary repairs to all state buildings and structures, except structures, other than buildings, under the control of the state highway department;

(9) To rent land and other premises when necessary for state purposes; provided, that no such land or premises shall be rented for a term exceeding two years at a time; except that, with the approval of the legislative emergency committee, the commissioner may lease land or premises for a term not exceeding five years, subject to cancelation upon 30 days' written notice by the state for any reason except rental of other land or premises for the same use;

(10) To prepare a biennial budget, under the supervision of the governor-elect;

(11) To operate the allotment system;

(12) To provide for the printing and distribution of the session laws, the capitol guide book, official reports, and other publications of all kinds, and to supervise and control the form of such reports and publications so as to coordinate them, avoid duplications, and make them useful and informative to the public;

(13) To rent out, with the approval of the governor, any state property, real or personal, not needed for public use, the rental of which is not otherwise provided for or prohibited by law; this shall not apply to state trust fund lands, or other state lands under the jurisdiction of the department of conservation, or to property under the jurisdiction of the conservator of rural credit, or to lands forfeited for delinquent taxes; no such property shall be rented out for a term exceeding two years at a time;

(14) To have charge of all central store rooms and supply rooms serving more than one department now or hereafter established and operated by the state;

(15) To maintain and operate for state departments and agencies a central mailing service, and a duplicating division in which all duplication shall be done; to require that all equipment now or hereafter owned by the state be turned into the central duplicating division for use therein with the following exceptions:

(a) Duplicating machines may be used in any department, institution, or state agency not located in St. Paul or Minneapolis, *or in the state department of civil defense,*

(b) The motor vehicle department may continue to fill in the necessary data on motor vehicle license registration cards on duplicating machines or by duplicating process,

(c) The civil service department may continue to produce work of confidential nature on their own duplicating machines,

(d) The railroad and warehouse commission may utilize a duplicating machine for the purpose of issuing its orders and other work which is confidential until the time of its release.

The duplicating work to be done by the duplicating division shall be restricted to producing any form, booklet or pamphlet as follows:

(a) four pages or less, not to exceed 5,000 copies,

(b) over four pages and not to exceed 24 pages, not to exceed 1,000 copies,

(c) over 24 pages and not to exceed 50 pages, not to exceed 750 copies,

(d) over 50 pages, not to exceed 500 copies;

(16) To sell all public books and documents which are subject to sale;

(17) To transfer to or between state departments and agencies or to sell supplies, materials, and equipment which are surplus, obsolete, or unused, making proper adjustments in the accounts and appropriations of the departments or agencies concerned;

(18) To purchase from the state penal institutions and other state institutions all articles manufactured by them which are usable by the state;

(19) To make rules and regulations relative to travel of state officers and employees on state business and the expenses incurred thereon;

(20) To enter into a contract with any airline company regularly engaged in carrying passengers on schedule flights in interstate commerce for the establishment of an air travel account for the State of Minnesota, subject to such terms and conditions as may be necessary and proper to facilitate air travel by officers and employees of the state, and to deposit with the airline company not more than \$500 to the credit of such account. The sum of \$500 or so much thereof as may be necessary is hereby appropriated to the commissioner of administration out of the general revenue fund in the state treasury for the purposes of this clause.

(21) To make rules and regulations relative to the expense of moving state officers and employees to new stations, subsistence, and such other expenses as may be necessary and incident to assignments to such stations, and to provide for the payment thereof by reimbursement of actual expenses or payment therefor at a daily flat rate.

(22) The commissioner of administration is hereby authorized to approve allotments for sand, clay, stone, gravel and other earth materials heretofore purchased for trunk highway purposes for which allotments were not made as required by Laws 1939, Chapter 431.

(23) The state auditor is hereby authorized to encumber trunk highway funds for sand, clay, stone, gravel and other earth materials heretofore purchased for trunk highway purposes for which funds were not encumbered as required by Laws 1939, Chapter 431, and to pay for such sand, clay, stone, gravel and other earth materials upon proper authorization by the commissioner of highways.

Sec. 6. Laws 1951, Chapter 694, Section 204, is amended to read:

**204 Mobile support units.** *Subdivision 1.* The Governor or his duly designated representative is authorized to create and establish such number of Mobile Support Units as may be necessary to reinforce civil defense organizations in stricken areas and with due consideration of the plans of the federal government and of other states. He shall appoint a commander for each unit who shall have primary responsibility for the organization, administration and operation of such unit.

*Subd. 2.* Where the governor or his duly authorized representative deems it necessary to send an employee of the

*department of civil defense or any other person, whether or not that prson is a state employee, to any school, training or indoctrination program, or place for training or indoctrination in matter legitimately connected with civil defense, or where he deems it necessary to send any person, whether or not a state employee, to any place in this or another state for any purpose connected with civil defense, he may authorize the payment of travel expenses and reasonable subsistence for the period of time during which he is required to remain at the place to which he has been sent. These payments shall be made from money appropriated to the department. Upon the certification by the governor or his duly authorized representative of the purpose and amount of any such payment, the state auditor shall draw his warrant upon the state treasurer, and the latter shall pay the amount so certified. The stipulations in this section are subject to the provisions of Minnesota Statutes 1949, Chapter 16.*

*The governor may devise and formulate a procedure for processing and certification of travel and subsistence expenses which allows the person to submit monthly statements of expenses incurred during the preceding month.*

Approved April 24, 1953.

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CHAPTER 746—H. F. No. 1937

[Not Coded]

*An act relating to claims against the State of Minnesota; providing for the payment of certain claims, authorizing the settlement of certain claims, consenting to suits against the State of Minnesota on certain claims, authorizing and directing certain state officers to perform certain acts necessary to carry out the foregoing, and appropriating moneys for the purposes of this act.*

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

**Section 1. Claims against state, appropriations.** The sums hereinafter named, or so much thereof as may be necessary are hereby appropriated from any moneys in the state treasury not otherwise appropriated for the purposes specified in the following sections of this act to be available for the year ending June 30, 1953, unless otherwise specified:

**Sec. 2.** To reimburse U. S. Cyr of Balaton, Minnesota, for license fees erroneously paid the state of Minnesota .....\$ 25.00