

located shall be determined under regulations prescribed by the commissioner.

Sec. 2. The provisions of this chapter are applicable to all taxable years beginning after December 31, 1956.

Approved April 3, 1957.

CHAPTER 302—H. F. No. 269

An act relating to county sanatorium commissions; authorizing the appointment of a tuberculosis control officer, and vesting powers in and defining the jurisdiction of such officer; amending Minnesota Statutes 1953, Section 376.29.

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

Section 1. Minnesota Statutes 1953, Section 376.29, is amended to read:

376.29 Sanatorium commission. Upon the decision to establish and maintain a tuberculosis sanatorium under sections 376.28 to 376.42, the county commissioners of any county shall appoint a commission consisting of three members, residents of the county, at least one of whom shall be a licensed physician. These members shall be chosen with reference to their special fitness for such office and the appointment of the licensed physician, before becoming effective, shall be approved by the state board of health. Under the first appointment one member shall be chosen to hold office for one year, one for two years and one for three years, all from the first Monday of the next July following such appointment, and thereafter one member shall be chosen each year to serve for a period of three years commencing with the first Monday in July in each year, respectively, and each appointee shall hold office until his successor is appointed and has qualified. This commission shall be known as the county sanatorium commission. Its members shall serve without compensation but shall be entitled to reimbursement for all necessary expenses incurred by them in connection with their official duties.

The county sanatorium commission shall have full charge and control, except as provided in sections 376.28 to 376.42, of all moneys received for the credit of the tuberculosis sanatorium fund described therein and full charge and control of the location, establishing, and *maintenance* of any sanatorium building constructed under these sections and make such regulations concerning the same as may seem to it advisable, but no site shall be secured and no building erected or equip-

ped without the approval and consent of the *commissioner of public welfare*, and before final action is taken the plans and specifications shall be submitted to the state board of health for approval as provided by section 144.12. The *commissioner of public welfare* shall have full power and control over the construction and equipment of any such sanatorium whose establishment has been so determined upon by the county sanatorium commission.

The county sanatorium commission may when deemed necessary appoint and employ, with the approval and consent of the *commissioner of public welfare*, a competent superintendent who shall employ other necessary help at a compensation to be determined by the county sanatorium commission. The superintendent shall be the executive officer of the sanatorium and act as secretary of the county sanatorium commission. One member of the commission shall be elected annually by the commission as its president.

The county sanatorium commission may appoint and employ, with the approval and consent of the commissioner of public welfare, the state board of health and the county board of the county or counties maintaining the sanatorium, a tuberculosis control officer, who shall be a duly licensed physician. Such control officer shall have and exercise all the powers and duties vested in and imposed upon health officers and local boards of health relating to the control of tuberculosis, with jurisdiction over all towns, municipalities and any part of municipalities lying and being within the boundaries of the county or counties maintaining the sanatorium. If the person appointed as such control officer is a member or employee of any city board of health he may exercise the duties of both offices or employments under an agreement entered into by the commission and the governing body of such city designating the time to be devoted to each office or employment and apportioning the compensation and expense of such person.

The county sanatorium commission of a county or group of counties may authorize the superintendent of a sanatorium to employ a nurse or nurses to visit in their homes consumptives who have been discharged from such institution and who reside within such county or group of counties. Such nurse shall render monthly reports in duplicate to the superintendent of the sanatorium and to the state board of health. The sanatorium commission may establish an open air school or preventorium for child patients in connection with the sanatorium, with the consent and approval of the *commissioner of public welfare*. When one or more units of the preventorium is not needed for the care of the child patients infected with the

tubercle bacillus, the commission may, with the consent and approval of the *commissioner of public welfare*, and the local authorities charged with the responsibility for the operation and management of the preventorium, use such unit or units for the care of indigent children convalescing from disease in a non-communicable stage.

The county sanatorium commission of a county or group of counties is hereby authorized, with the approval of the *commissioner of public welfare*, to use any surplus of the tax levy made for the maintenance of a sanatorium, for building, purchasing equipment, building additions, building cottages, making improvements and repairs.

Approved April 3, 1957.

CHAPTER 303—H. F. No. 318

An act relating to narcotics; amending Minnesota Statutes 1953, Section 618.21, Subdivisions 1 and 2, as amended; repealing Section 618.21, Subdivisions 3 and 4, as amended.

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

Section 1. Minnesota Statutes 1953, Section 618.21, Subdivision 1, as amended by Laws 1955, Chapter 471, Section 2, is amended to read:

618.21 Violations, penalties. Subdivision 1. *Except as provided in Subdivision 2, any person violating any provisions of this chapter shall, upon a first conviction, be punished by a fine of not exceeding \$10,000 and by imprisonment in a state penal institution for not less than five nor more than 20 years.*

Sec. 2. Minnesota Statutes 1953, Section 618.21, Subdivision 2, as amended by Laws 1955, Chapter 471, Section 2, is amended to read:

Subd. 2. Any person convicted of selling, prescribing, administering, dispensing or furnishing any narcotic drug to a minor under the age of 18 years, *or upon a second or subsequent conviction for the violation of any other provision of this chapter, or if the person convicted has previously been convicted of any violation of the laws of the United States or of this or any other state, territory, or district relating to narcotic drugs or marijuana, shall be punished by a fine of not exceeding \$20,000 and by imprisonment in a state penal institution for not less than ten or more than 40 years.*