

road property *within said district as last determined by the railroad and warehouse commission of Minnesota.*

Approved April 16, 1959.

CHAPTER 269—H. F. No. 652

An act relating to the licensing of certified public accountants; amending Minnesota Statutes 1957, Section 326.17; Section 326.18; Section 326.19; Section 326.21; and Section 326.22.

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

Section 1. Minnesota Statutes 1957, Section 326.17, is amended to read:

326.17 State board of accountancy. A board of examiners, to be known as the State Board of Accountancy, is hereby created to carry out the purposes and enforce the provisions of sections 326.17 to 326.23. It shall consist of *five* citizens of this state to be appointed by the governor, and who shall be the holders of certificates issued under the provisions of sections 326.17 to 326.23, and shall hold office *until the expiration of their respective terms* and until their successors are appointed and have qualified. *The members of the State Board of Accountancy in office on July 1, 1959 shall continue in office for the remainder of their respective unexpired terms. Two additional members shall be appointed by the governor, one appointment to expire on December 31, 1962, and the other to expire on December 31, 1963.* The term of office of each member is *to expire on the last day of December of the year* to be designated by the governor in his appointment and upon the expiration of any term, the governor shall appoint a member of the board for a term of *five* years.

Sec. 2. Minnesota Statutes 1957, Section 326.18, is amended to read:

326.18 Board, duties, officers, examination, report. A majority of the board shall constitute a quorum. The board shall appoint one of its number as chairman, another as secretary, and another as treasurer, or may appoint one member to serve as both secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. In the absence of the chairman or the secretary, the board may appoint a chairman pro tem., or a temporary secretary. The affirmative vote of *three* members of

the board shall be considered as the action of the board. The board shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all examinations conducted thereunder. The board shall make rules and regulations for the conduct of applicants' examinations and the character and scope of such examinations, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations proper to carry into effect the purposes of sections 326.17 to 326.23. All such examinations shall be conducted by the state board of accountancy. The time and place of holding examinations shall be advertised for not less than three consecutive days in one daily newspaper published in each of the counties where the examinations are to be held, and not less than 20 days prior to the date of each examination. The examinations shall take place as often as may be convenient in the opinion of the board, but not less than once in each year. The board shall keep records of its proceedings, an accurate list of all applications made, certificates issued, certificates registered, and certificates revoked, and shall keep proper financial records in which there shall be entered a complete statement of the cash receipts and disbursements. It shall adopt and provide itself with a seal with a band inscribed "Certified Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate issued or registered under sections 326.17 to 326.23. All records of the board shall be open to the inspection of the public at the office of its secretary. It shall report biennially, on or before October 1 in each even numbered year to the governor for the two preceding fiscal years, as follows:

- (1) Its receipts and disbursements;
- (2) Names of persons to whom certificates have been issued;
- (3) Names of all persons whose certificates have been revoked;
- (4) Recommendations, if any, for new legislation; and
- (5) Such other matters as the board may deem proper.

Sec. 3. Minnesota Statutes 1957, Section 326.19, is amended to read:

326.19 Certification; qualifications of accountants. No certificate for a certified public accountant shall be granted to any person other than a citizen of the United States, or a

person who has, in good faith, duly declared his intention of becoming such citizen, who is over the age of 21 years and of good moral character and who shall have completed at least three years of public accounting experience (1) as a staff employee of a certified public accountant or public accountant or (2) as an examiner in the Office of Public Examiner, an Auditor in the Division of Cooperative Accounting, State Department of Agriculture, Dairy and Food, or as an Auditor or examiner with any other agency of government, which experience, in the opinion of the board is equally comprehensive and diversified or (3) as a self-employed public accountant or as a partner in a firm of public accountants or (4) in any combination of the foregoing capacities, and except under the provision of section 326.20, who shall have successfully passed an examination in such subjects as the board may prescribe in its rules. No person shall be permitted to take such examination unless he shall, have completed the experience requirements set forth in this section or, in the alternative, shall have graduated with a major in accounting from the University of Minnesota or from any other college or university which, in the opinion of the board, offers an equivalent education. The certificate of certified public accountant shall not be issued until after the applicant has furnished evidence that he has fulfilled the experience requirements set forth in this section.

Sec. 4. Minnesota Statutes 1957, Section 326.21, is amended to read:

326.21 Holder of certificate, how styled. Any person who has received from the state board of accountancy a certificate of his qualifications to practice as a public accountant shall be known and styled a certified public accountant; and no other person, who has not received such certificate and no corporation shall assume such title or the title of certified accountant, or the abbreviation C.P.A., or any other words, letters, or abbreviations tending to indicate that the person, or corporation so using the same is a certified public accountant. No partnership shall style itself as a firm of certified public accountants unless (1) all partners resident in this state are certified public accountants of this state and (2) all managers in charge of offices maintained in this state are certified public accountants of this state and (3) all partners, wherever situated, are certified public accountants of one of the states or territories or of the District of Columbia.

Sec. 5. Minnesota Statutes 1957, Section 326.22, is amended to read:

326.22 Fee. The state board of accountancy shall

charge for each examination and certificate provided for in sections 326.17 to 326.23 a fee *to be prescribed in the rules of the board, not to exceed \$50.00*, to meet the expenses of such examination. This fee shall be payable by the applicant at the time of making his initial application, and shall not be refunded and no additional charge shall be made for the issuance of a certificate to any applicant. From the fees collected under sections 326.17 to 326.23 the board shall pay all expenses incident to the examinations, hearings, and expense of issuing certificates, traveling expenses of the board while performing their duties. The members of the board of accountancy shall be paid all necessary expenses incurred in the performance of their duties.

Sec. 6. This act shall be in effect on and after July 1, 1959.

Approved April 16, 1959.

CHAPTER 270—H. F. No. 734

An act relating to the action of the water resources board upon petitions; amending Minnesota Statutes 1957, Section 112.39, Subdivision 3; repealing Minnesota Statutes 1957, Section 112.39, Subdivisions 7 and 8.

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

Section 1. Minnesota Statutes 1957, Section 112.39, Subdivision 3, is amended to read:

Subd. 3. **Watershed districts, establishment.** Upon the hearing if it appears to the board that *the establishment of a district as prayed for in the nominating petition would be for the public welfare and public interest*, and that the purpose of this chapter would be subserved by the creation of a watershed district, the board shall, by its findings and order, establish and create a watershed district and give it a corporate name by which, in all proceedings, it shall thereafter be known, and upon filing a certified copy of said findings and order with the secretary of state such watershed district shall become a political subdivision of the state, with the authority, power, and duties as prescribed in this chapter.

Sec. 2. *Minnesota Statutes 1957, Section 112.39, Subdivisions 7 and 8 are hereby repealed.*

Approved April 16, 1959.
