

Sec. 192A.675 **Effective date.** This chapter shall take effect on January 1 following its final enactment.

Approved May 13, 1963.

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CHAPTER 662—S. F. No. 821

*An act relating to drugs; providing for the dispensing of certain drugs; amending Minnesota Statutes 1961, Section 618.08.*

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

Section 1. Minnesota Statutes 1961, Section 618.08, is amended to read:

**618.08 Narcotics; preparations exempted; condition of exemption.** Except as otherwise in this chapter specifically provided, this chapter shall not apply to the following cases:

Administering, dispensing, or selling at retail any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce, not more than one grain of codeine or of any of its salts, or not more than one sixth grain of dihydrocodeinone or any of its salts; nor shall it apply to any drug or medicinal preparation which is hereafter exempted from the application of the federal narcotic law and found by the state board of health after reasonable notice and opportunity for hearing to be non addiction-forming or to have no addiction-sustaining liability from the effective date of determination of such finding by said state board of health:

The exemption authorized by this section shall be subject to the following conditions: (1) that the medicinal preparation administered, dispensed or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone; and (2) that such preparation shall be administered, dispensed, and sold in good faith as a medicine and not for the purpose of evading the provisions of this chapter. No person shall administer, dispense or sell, under the exemption of this section, any preparation included within this section, when he knows, or can by reasonable diligence ascertain, that such administering, dispensing or selling will provide the person to whom or for whose use such preparation is administered, dispensed or sold, within any 48 consecutive hours, with

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

more than six grains of codeine or any of its salts, or more than one grain of dihydrocodeinone, or any of its salts:

Nothing in this section shall be construed to limit the quantity of codeine or of any of its salts that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this chapter.

(1) *The state board of health may by regulation exempt from the application of this chapter to such extent as it determines to be consistent with the public health and welfare, pharmaceutical preparations found by the state board of health after due notice and opportunity for hearing;*

(a) *Either to possess no addiction-forming or addiction-sustaining liability, or does not possess an addiction-forming or addiction-sustaining liability sufficient to warrant imposition of all of the requirements of this act, and*

(b) *Does not permit recovery of a narcotic drug having such an addiction-forming or addiction-sustaining liability, with such relative technical simplicity and degree of yield as to create a risk of improper use.*

(2) *In addition to the authority granted in paragraph (1), the state board of health, by regulation may grant exempt status to such pharmaceutical preparations as are or may be determined to be exempt under the federal narcotic laws and regulations and permit the administering, dispensing, or selling of such preparations under the same conditions as permitted by the federal narcotic laws and regulations.*

(3) *If the state board of health shall subsequently determine that any exempt pharmaceutical preparation does possess a degree of addiction liability that, in its opinion, results in abusive use, it shall by regulation provide that such preparation be dispensed only on prescription, written or oral, by those practitioners authorized by law to prescribe such preparations. The exempt status of such pharmaceutical preparation shall cease until subsequent action to the contrary shall be taken by the state board of health.*

(4) *All regulations promulgated by the state board of health under this section shall be in accordance with the provisions of Minnesota Statutes, Section 15.0412.*

(5) *Pharmaceutical preparations which were exempt by state law or regulation on January 1, 1963 shall retain such exempt*

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*status until otherwise determined pursuant to the provisions of this act.*

Approved May 13, 1963.

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CHAPTER 663—S. F. No. 864

*An act relating to education; authorizing school districts to enter into contracts for furnishing transportation for pupils and to purchase gasoline and furnish same to contract carriers; amending Minnesota Statutes 1961, Sections 123.18, Subdivision 2, and 123.39, Subdivision 2.*

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

Section 1. Minnesota Statutes 1961, Section 123.18, Subdivision 2, is amended to read:

Subd. 2. **School districts; purchase of gasoline for contract carrier.** The board may enter *into* a contract for the purpose of providing transportation, *and may purchase gasoline and furnish same to a contract carrier for use in the performance of a contract with the school district for transportation of school children to and from school.*

Sec. 2. Minnesota Statutes 1961, Section 123.39, Subdivision 2, is amended to read:

Subd. 2. The board may contract for the furnishing of authorized transportation under rules established by the commissioner of education, *and may purchase gasoline and furnish same to a contract carrier for use in the performance of a contract with the school district for transportation of school children to and from school.*

Approved May 13, 1963.

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CHAPTER 664—S. F. No. 901

[Coded in Part]

*An act relating to gift taxes; amending Minnesota Statutes 1961, Sections 292.08, 292.09, 292.11, Subdivisions 1, 3, and 4, 292.12, Subdivision 1; and amending Chapter 292 by adding a new section; and repealing Minnesota Statutes 1961, Section 292.10.*

**Changes or additions indicated by italics, deletions by strikeout.**