

CHAPTER 44—H. F. No. 343

[Coded]

An act relating to school elections, providing that certain provisions of the corrupt practices act shall apply to school elections; providing penalties.

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

Section 1. [123.015] **Schools; elections; corrupt practices.** The provisions of Minnesota Statutes, Sections 211.03 and 211.08 and all acts amendatory thereof shall apply to any elections of a common school district, an independent school district, a special school district, an associated school district, or a school election held in unorganized territory.

Approved February 26, 1965.

CHAPTER 45—H. F. No. 31

An act relating to errors in Minnesota Statutes; providing for the elimination of duplicitous, conflicting, ambiguous, and obsolete provisions superseded by other provisions of law or expired by passage of time; amending Minnesota Statutes 1961, Sections 9.031, Subdivision 7; 18.032, Subdivision 3; 31.621, Subdivision 2; 32A.05, Subdivision 3; 32A.06, Subdivisions 2 and 4; 56.07; 121.08; 168.33, Subdivision 2; 233.135; 233.137; 241.01, Subdivisions 1 and 2; 242.05; 242.26; 243.06; 243.07; 245.03; 246.01; 246.23; 246.234; 251.01; 252.05; 252.06; 252.07; 252.09; 252.10; 253.015; 253.10; 253.11; 253.13; 253.18; 253.22; 254.01; 254.02; 254.03; 256.05; 257.175; 259.26, Subdivision 2; 268.04, Subdivision 25; 268.06, Subdivision 4; 268.11, Subdivision 2; 268.12, Subdivisions 5, 11, and 12; 268.13, Subdivision 2; 268.15, Subdivision 1; 268.23; 270.02, Subdivision 1; 275.02; 275.22; 292.03, Subdivision 1; 326.55, Subdivision 1; 326.56, Subdivision 1; 375.43, Subdivision 1; 376.34; 384.14; 412.841, Subdivision 3; 414.01, Subdivision 6, as amended; 440.135, Subdivision 1; 458.02; 458.09, Subdivision 1; 465.63, Subdivision 2; 471.48; 471.89, Subdivisions 1, 2, and 3; 480.09, Subdivision 2; 611.07, Subdivision 3; 623.24; 628.22; and 631.27; repealing Minnesota Statutes 1961, Sections 10.29; 10.33; 15.056; 16.37; 31.90; 31.905; 32A.05, Subdivision 2; 38.32; 84.42, Subdivision 2; 88.74; 92.03, Subdivision 3; 134.17; 145.09; 157.10; 169.23; 177.18; 197.39 to 197.41; 197.50; 197.51; 197.52;

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197.80 to 197.97; 220.01 to 220.26; 233.136; 242.42; 243.79; 243.83; 246.025; 246.30; 246.31; 251.06; 251.07; 253.014; 253.15; 253.16; 253.17; 256.013; 268.01 to 268.025; 272.07; 272.25 to 272.27; 273.131; 275.04; 275.05; 275.06; 275.43; 279.35; 279.36; 283.08; 290.67; 331.17; 360.075, Subdivision 4; 373.14 to 373.19; 375.197; 376.101 to 376.111; 377.07 to 377.10; 378.14 to 378.17; 397.11 to 397.15; 437.04 to 437.06; 453.15 to 453.31; 614.27; 621.36; 621.37, as amended; 621.38; 621.39; 628.67; 636.01; 636.03 to 636.06; and 641.39 to 641.44.

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

Section 1. **Correction bill.** Minnesota Statutes 1961, Section 9.031, Subdivision 7, is amended by striking the second paragraph thereof.

Sec. 2. Minnesota Statutes 1961, Section 18.032, Subdivision 3, is amended by striking the first sentence therefrom and substituting in lieu thereof the following: "*Upon receiving a proper application, and payment of the required fee, the commissioner of agriculture may issue a permit.*"

Sec. 3. Minnesota Statutes 1961, Section 31.621, Subdivision 2, is amended by inserting a period after "therein" in line 6 and striking the remaining language, which reads: "; but said place preparing and serving horse meat shall not be required to procure the license provided by subdivision 1."

Sec. 4. Subdivision 1. Minnesota Statutes 1961, Section 32A.05, Subdivision 2, is repealed.

Subd. 2. Minnesota Statutes 1961, Section 32A.05, Subdivision 3, is amended by striking from the second sentence the following: "accordance with the provisions of Laws 1945, Chapter 452, as amended," and inserting in lieu thereof the following: "*the manner provided by law;*"

Sec. 5. Minnesota Statutes 1961, Section 32A.06, Subdivision 2, is amended by striking from lines 3 and 4 of the subdivision the following: "posting, as specified above, the new or modified price schedule and".

Sec. 6. Minnesota Statutes 1961, Section 32A.06, Subdivision 4, is amended by striking "posted and" from the second line of the subdivision.

Sec. 7. Minnesota Statutes 1961, Section 56.07, is amended by striking the words "last paragraph" in line 14 of the section and substituting in lieu thereof "*second to the last paragraph*".

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

Sec. 8. Minnesota Statutes 1961, Section 121.08, is amended by striking from the second sentence of the section the wording "It shall have power to appoint a commissioner and other necessary employees" and inserting in lieu thereof "*It may appoint necessary employees*".

Sec. 9. Minnesota Statutes 1961, Section 168.33, Subdivision 2, is amended by striking therefrom the last sentence reading "The provisions of this section shall not be held or construed to modify, limit, or restrict any of the provisions of Laws 1925, Chapter 426."

Sec. 10. Subdivision 1. Minnesota Statutes 1961, Section 233.135, is amended to read:

233.135 Board of grain standards. There is hereby created a board of grain appeals, ~~the office of which shall be located in Minneapolis standards.~~ The board shall consist of three members to be appointed by the governor as hereinafter provided; shall have the same qualifications as grain inspectors; and shall hold office until their successors are appointed and qualified *the chief grain inspector appointed pursuant to Minnesota Statutes, Section 233.17, and the chief deputy inspectors of Minneapolis and Duluth, appointed pursuant to Minnesota Statutes, Section 233.18. This board shall have jurisdiction over all grain standards now or hereafter established in Minnesota.*

The salaries of the members of such board and the necessary expenses of such board shall be paid out of the grain inspection fund on the order of the commission:

Subd. 2. Minnesota Statutes 1961, Section 233.136, is repealed.

Subd. 3. Minnesota Statutes 1961, Section 233.137, is amended as follows: In line 2 of the section strike "The Minnesota Board of Grain Appeals" and substitute in lieu thereof "*The Minnesota board of grain standards*"; and in lines 22, 23, 24, and 25 strike "The board shall render assistance and advice to the chief inspector of grain so as to enable him to instruct the deputy inspectors of grain in accordance with the decision and work of the board."

Subd. 4. Minnesota Statutes 1961, Section 233.21, is amended by striking therefrom "board of grain appeals" and substituting in lieu thereof "*board of grain standards*".

Sec. 11. Minnesota Statutes 1961, Section 241.01, Subdivision 1, is amended by striking therefrom the last sentence of the subdivision reading "The salary of the commissioner shall be \$12,750."

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Sec. 12. Minnesota Statutes 1961, Section 241.01, Subdivision 2, is amended by striking therefrom the sentence reading "The salary of each deputy commissioner shall be \$10,400."

Sec. 13. Minnesota Statutes 1961, Section 242.05, is amended by striking the last sentence and in lieu thereof substituting "*Each member shall hold office until the appointment and qualification of his successor.*"

Sec. 14. Minnesota Statutes 1961, Section 242.26, is amended by striking the word "it" in the second line and substituting in lieu thereof the words "*the commission*".

Sec. 15. Minnesota Statutes 1961, Section 243.06, is amended by striking therefrom the last sentence, reading "When the commission shall grant an absolute release it shall certify the fact and the grounds therefor to the governor, who may in his discretion restore the prisoner released to civil rights."

Sec. 16. Minnesota Statutes 1961, Section 243.07, is amended by striking therefrom, from lines 14, 15, 16, 17, 18, 19, and 20, the following: "and shall forward such record to the governor, together with the recommendation of the commission as to whether such prisoner should be restored to any of the rights and privileges of citizenship, and the governor may in his discretion restore such person so released to any or all of the rights and privileges of citizenship, except in cases where deprivation of any of the rights or privileges of citizenship is specifically made a part of the penalty for the offense for which such person shall have been committed".

Sec. 17. Minnesota Statutes 1961, Section 245.03, is amended by striking the last two sentences therefrom and substituting in lieu thereof the following: "*The commissioner shall give bond in the sum of \$10,000.*"

Sec. 18. Minnesota Statutes 1961, Section 246.01, is amended to read:

246.01 Powers and duties. The commissioner of public welfare is hereby specifically constituted the guardian of both the estate and person of all feebleminded or epileptic persons, the guardianship of whom has heretofore been vested in the state board of control or in the director of social welfare whether by operation of law or by an order of court without any further act or proceeding, and all the powers and duties vested in or imposed upon the state board of control or the director of social welfare, with reference to mental testing of persons mentally deficient or epileptic, and with

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reference to the institutions of the state of Minnesota except the ~~Minnesota state sanatorium; the state training school for boys and the Minnesota home school for girls~~ *correctional institutions administered and managed by the commissioner of corrections*, are hereby transferred to, vested in, and imposed upon the commissioner of public welfare, and in relation thereto he is hereby charged with and shall have the exclusive power of administration and management of all of the following state institutions: ~~The state prison; the state reformatory for men; The schools and hospitals for the mentally deficient retarded and epileptic~~, state hospitals for the mentally ill, the Minnesota braille and sightsaving school, the state school for the deaf, ~~the state epileptic colony; the Gillette state hospital for indigent, crippled, and deformed children, and the state hospital for inebriates; and the state reformatory for women.~~ He shall have power and authority to determine all matters relating to the unified and continuous development of all of the foregoing institutions and of such other institutions, the supervision of which may, from time to time, be vested in him. It is intended that there be vested in him all of the powers, functions, and authority heretofore vested in the state board of control relative to *such state institutions*; ~~except the Minnesota state sanatorium; the state training school for boys, and the Minnesota home school for girls.~~ He shall have the power and authority to accept, in behalf of the state, contributions and gifts of money and personal property for the use and benefit of the inmates of the public institutions under his control, and all moneys and securities so received shall be deposited in the state treasury subject to the order of the commissioner of public welfare. If the gift or contribution is designated by the donor for a certain institution or purpose, the commissioner of public welfare shall expend or use the same as nearly as may be in accordance with the conditions of the gift or contribution, compatible with the best interests of the inmates and the state. The commissioner of public welfare is hereby constituted the "state agency" as defined by the social security act of the United States and the laws of this state for all purposes relating to mental health and mental hygiene.

For the purpose of carrying out his duties, the commissioner of public welfare shall accept from mentally deficient wards for whom he is specifically appointed guardian a signed application for his consent to the marriage of said ward. Upon receipt of such application he shall promptly conduct such investigation as he deems proper and determine if the contemplated marriage is for the best interest of the ward and the public. A signed copy of the commissioner's determination shall be mailed to the ward and to the clerk of the district court of the county where the application for such marriage license was made.

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There is hereby appropriated to such persons or institutions as are entitled to such sums as are provided for in this section, from the fund or account in the state treasury to which the money was credited, an amount sufficient to make such payment.

Sec. 19. Minnesota Statutes 1961, Section 246.23, is amended to read:

246.23 Persons admissible to institutions. No person who has not a settlement in a county, town, city, or village, as defined in section 261.07, shall be admitted to a hospital ~~or asylum for the insane for the mentally ill~~, the school for the deaf, the school for the blind ~~Minnesota braille and sightsaving school~~, the school for the feebleminded ~~schools and hospitals for the mentally retarded and epileptic~~, or the Owatonna state public school, except that the commissioner of public welfare may authorize admission thereto when the residence cannot be ascertained, or when the circumstances in his judgment make it advisable. When application is made to a judge of probate for admission to any such hospital ~~or asylum~~, or to the state public school, or to the superintendent of one of the other institutions above named for admission thereto, if he finds that the person for whom application is made has not such residence, or that his residence cannot be ascertained, he shall so report to the commissioner; and he may recommend that such person be admitted notwithstanding, giving his reasons therefor. The commissioner of public welfare shall thereupon investigate the question of residence and, if he finds that such person has not such residence and has a legal residence in another state or country, he may cause him to be returned thereto at the expense of this state. When the overseer of a county poorhouse believes an inmate thereof not to have a residence in the state, but to have a residence elsewhere, he shall so notify the commissioner of public welfare who shall thereupon proceed in the manner above provided; except that, if deemed impracticable to return such person to the state of his residence, he may so certify and such person shall thereafter be a charge upon the county, town, city, or village in which he has longest resided within the preceding year.

Sec. 20. Minnesota Statutes 1961, Section 246.234, is amended by striking from the first sentence the following: "insane, feebleminded" and inserting in lieu thereof "*mentally ill, mentally deficient*".

Sec. 21. Minnesota Statutes 1961, Section 251.01, is amended by striking "Ah-Gwah-Ching" from the first sentence and substituting in lieu thereof "*the Glen Lake Sanatorium*".

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Sec. 22. Minnesota Statutes 1961, Section 252.05, is amended to read:

252.05 Abduction or enticing away prohibited; penalty. Every person who shall abduct, entice, or carry away from a state ~~institution~~ *school and hospital* for the ~~feebleminded or colony for epileptics~~ *mentally retarded or epileptic* any inmate thereof, who has not been legally discharged therefrom, shall be guilty of a felony and punished by a fine of not to exceed \$1,000 or imprisonment in the state prison or state reformatory not to exceed three years, or both, in the discretion of the court; any and every person who shall abduct, entice, or carry away from any place other than a state ~~institution~~ *school and hospital*, a person duly committed as feeble-minded or *mentally deficient* to the guardianship of the commissioner of public welfare with the intention of wrongfully removing such person from the direct custody of the commissioner of public welfare, such person known by him to be under the supervision of the commissioner of public welfare or his agents, shall be guilty of a gross misdemeanor.

Sec. 23. Minnesota Statutes 1961, Section 252.06, is amended to read:

252.06 Sheriff to transport mentally deficient and epileptic persons. It shall be the duty of the sheriff of any county, upon the request of the commissioner of public welfare, to take charge of and transport any ~~feebleminded~~ *mentally deficient* or any epileptic person who has been committed by the probate court of any county to the care and custody of the commissioner of public welfare to such institution as may be designated by the commissioner of public welfare and there deliver such ~~feebleminded or epileptic~~ person to the superintendent of the institution.

Sec. 24. Minnesota Statutes 1961, Section 252.07, is amended by striking from paragraphs one and three the word "feebleminded" and inserting in lieu thereof the words "*mentally deficient*".

Sec. 25. Minnesota Statutes 1961, Section 252.09, is amended to read:

252.09 Courses of instruction for teachers. The commissioner of public welfare may establish and maintain at the state school for ~~feebleminded~~ *and hospital for the mentally retarded and epileptic* at Faribault courses of instruction for teachers and others interested in the care and training of mentally retarded or defective children and make all necessary rules and regulations for the organization and conduct of such courses.

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Sec. 26. Minnesota Statutes 1961, Section 252.10, is amended by striking from the second sentence the words "school for feeble-minded and colony of epileptics" and inserting in lieu thereof "*state school and hospital for the mentally retarded and epileptic*".

Sec. 27. Minnesota Statutes 1961, Section 253.015, is amended by striking from the first sentence the following: "Sandstone,".

Sec. 28. Minnesota Statutes 1961, Section 253.10, is amended by striking from the first sentence the following: "or asylum for the insane".

Sec. 29. Minnesota Statutes 1961, Section 253.11, is amended by striking from the first sentence the following: "or asylum for the insane".

Sec. 30. Minnesota Statutes 1961, Section 253.13, is amended by striking therefrom "hospital or asylum for the insane" and inserting in lieu thereof "*state hospital*".

Sec. 31. Minnesota Statutes 1961, Section 253.18, is amended by striking therefrom "or asylum for the insane".

Sec. 32. Minnesota Statutes 1961, Section 253.22, is amended by striking from the last sentence the word "asylum" and substituting in lieu thereof the word "*hospital*"; and, further, by striking from the last sentence the word "insane".

Sec. 33. Minnesota Statutes 1961, Section 254.01, is amended by striking therefrom "an asylum for the insane" and inserting in lieu thereof "*a state hospital*".

Sec. 34. Minnesota Statutes 1961, Section 254.02, is amended by striking therefrom "an asylum for the insane" and inserting in lieu thereof "*a state hospital*".

Sec. 35. Minnesota Statutes 1961, Section 254.03, is amended to read:

254.03 **Supervision.** ~~The asylum for the insane state hospital~~ at Willmar shall be under the control and management of the commissioner of public welfare and all laws, rules, and regulations applicable to other ~~insane asylums in the state hospitals~~ apply insofar as may be necessary to the ~~insane asylum state hospital~~ at Willmar.

Sec. 36. Minnesota Statutes 1961, Section 256.05, is amended to read:

256.05 **Supervision over paroled patients; state agents ap-**

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pointed. The commissioner of public welfare so far as possible shall exercise supervision over paroled patients of the state hospitals and asylums for the insane *mentally ill* and of the school for feeble-minded and colony for epileptics *state schools and hospitals for the mentally retarded and epileptic*; and, when deemed necessary for that purpose, may appoint one or more state agents and fix their salary. He may appoint suitable persons in any part of the state for the same purpose. Every such agent or person shall perform such duties as the commissioner of public welfare may prescribe in behalf or in supervision of patients paroled from any hospital or asylum for the insane in the state and from the school for feeble-minded and colony for epileptics *such institution*, including assistance in obtaining employment and the return of paroled patients when necessary. ~~Such agents and such persons shall hold office at the will of the commissioner of public welfare. The persons so appointed shall be paid a reasonable compensation for the services actually performed by them. Each shall be paid from the current expense fund of the institutions for the benefit of which they were appointed in proportion to the number of patients paroled from each.~~ The duty of the commissioner of public welfare or the superintendent of any state institution exercising such supervision over any patient who has been or may be paroled to the custody of the superintendent or other proper officer or authority in charge or control of any United States veterans bureau neuropsychiatric hospital shall cease to exist upon acceptance of his custody thereby.

~~No one shall be appointed as such agent without having had previous experience in caring for the insane or feeble-minded at a hospital for the insane or school for the feeble-minded for a period of not less than one year.~~

Sec. 37. Minnesota Statutes 1961, Section 257.175, is amended by striking the last sentence and inserting in lieu thereof the following: "*The commissioner may appoint a chief executive officer and such assistants as shall be necessary to carry out the purposes of sections 257.175, 257.32, and 257.33.*"

Sec. 38. Minnesota Statutes 1961, Section 259.26, Subdivision 2, is amended by striking from the first sentence "section 543.05" and inserting in lieu thereof "law".

Sec. 39. Minnesota Statutes 1961, Section 268.04, Subdivision 25, Clause (3), is amended by striking the reference "section 1400 of the federal internal revenue code" and substituting in lieu thereof "*section 3101 of the federal internal revenue code*".

Sec. 40. Minnesota Statutes 1961, Section 268.06, Subdivision 4, is amended by striking the reference "section 1602 of the

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Federal Internal Revenue Code” and substituting in lieu thereof “*section 3303 of the federal internal revenue code*”.

Sec. 41. Minnesota Statutes 1961, Section 268.11, Subdivision 2, is amended by striking the reference “section 1600 of the Federal Internal Revenue Code” and substituting in lieu thereof the reference “*section 3301 of the federal internal revenue code*”.

Sec. 42. Minnesota Statutes 1961, Section 268.12, Subdivision 5, Clause (1), is amended by striking the words “Social Security Administration” appearing in the first paragraph of the clause and substituting in lieu thereof “*secretary of labor*”.

Sec. 43. Minnesota Statutes 1961, Section 268.12, Subdivision 11, Clause (2), is amended by striking the reference “section 1603 (a) (4) of the Internal Revenue Code” and substituting in lieu thereof “*section 3304 (a) (4) of the internal revenue code*”.

Sec. 44. Minnesota Statutes 1961, Section 268.12, Subdivision 12, is amended by striking the reference “section 1606 (c) of the Federal Internal Revenue Code” and substituting in lieu thereof “*section 3305 (c) of the federal internal revenue code*”.

Sec. 45. Minnesota Statutes 1961, Section 268.13, Subdivision 2, is amended by striking the words “Federal Social Security Administration” and substituting in lieu thereof “*secretary of labor*”.

Sec. 46. Minnesota Statutes 1961, Section 268.15, Subdivision 1, is amended in line 8 by striking “social security administration” and inserting in lieu thereof “*United States department of labor*”.

Sec. 47. Minnesota Statutes 1961, Section 268.23, is amended by striking the words “Social Security Administration” and substituting in lieu thereof “*United States department of labor*”.

Sec. 48. Minnesota Statutes 1961, Section 270.02, Subdivision 1, is amended by striking from the last sentence the following: “receive a salary of \$9,000 per year and”.

Sec. 49. Minnesota Statutes 1961, Section 275.02, is amended by striking the entire last sentence, reading: “He shall notify each county auditor of the amount due the state from his county on account of school textbooks furnished such county, and each county auditor so notified shall levy a tax sufficient to meet such indebtedness, which tax shall be levied and collected and paid into the state treasury in the same manner as other state taxes.”

Sec. 50. Minnesota Statutes 1961, Section 275.22, is amended in the second paragraph as follows: In line 14, following “exceed”, strike “ten mills per dollar,” and insert in lieu thereof “*the*”

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amount authorized by law"; and in line 15, strike "five mills per dollar" and insert in lieu thereof "*the amount authorized by law*".

Sec. 51. Minnesota Statutes 1961, Section 292.03, Subdivision 1, is amended in line 8, after the word "tax" and before the words "by this" by inserting the word "*imposed*".

Sec. 52. Minnesota Statutes 1961, Section 326.55, Subdivision 1, Clause (2) is amended by striking the figure "48" and inserting in lieu thereof the figure "50".

Sec. 53. Minnesota Statutes 1961, Section 326.56, Subdivision 1, Clause (2) is amended by striking the figure "48" and inserting in lieu thereof the figure "50".

Sec. 54. Minnesota Statutes 1961, Section 375.43, Subdivision 1, is amended in lines 5 and 6 thereof by striking the following matter: ", including the judge of the probate court,".

Sec. 55. Minnesota Statutes 1961, Section 376.34, is amended by striking therefrom the last sentence, reading: "The provisions of this section shall in no manner operate to abridge or repeal the provisions of section 144.423, relating to the commitment of persons afflicted with tuberculosis."

Sec. 56. Minnesota Statutes 1961, Section 384.14, is amended in the last paragraph by striking the term "historical society" contained in the fourth line and substituting in lieu thereof the term "*Minnesota state archives commission*"; and further, by striking "society" in the fifth line and substituting in lieu thereof "*commission*".

Sec. 57. Minnesota Statutes 1961, Section 412.841, Subdivision 3, is amended by striking the words "Minnesota State Historical Society" referred to therein and substituting in lieu thereof "*Minnesota state archives commission*"; and it is further amended in the last sentence thereof by striking the words "Minnesota Statutes 1949, Section 138.04" and substituting in lieu thereof "*Minnesota Statutes, Section 138.17*".

Sec. 58. Minnesota Statutes 1961, Section 414.01, Subdivision 6, as amended by Laws 1963, Chapter 807, Section 2, is amended to read:

Subd. 6. Each member of the commission shall receive \$50 \$35 per day for performance of their duties, ~~except ex officio members only when in attendance at commission meetings or hearings, the chairmen of boards of county commissioners shall be paid \$25 per day for each hearing attended, and county auditors shall be deemed~~

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to be performing duties for the county without additional compensation when serving as ex officio members of the commission. Each member of the commission shall be reimbursed for actual expenses incurred in accordance with regulations relative to travel of state officers and employees.

Sec. 59. Minnesota Statutes 1961, Section 440.135, Subdivision 1, is amended by inserting a period at the end of the second line and striking the remaining language.

Sec. 60. Minnesota Statutes 1961, Section 458.02, is amended by striking from lines 3 and 4 the following matter: "or any such city now or hereafter governed by a charter adopted pursuant to the Constitution of the State of Minnesota, Article 4, Section 36,".

Sec. 61. Minnesota Statutes 1961, Section 458.09, Subdivision 1, is amended by striking therefrom the words ", whether now or hereafter existing under a charter framed and adopted under the Constitution of the State of Minnesota, Article 4, Section 36, or not".

Sec. 62. Minnesota Statutes 1961, Section 465.63, Subdivision 2, is amended by striking the words "Minnesota State Historical Society" therein contained and substituting in lieu thereof "*Minnesota state archives commission*".

Sec. 63. Minnesota Statutes 1961, Section 471.48, is amended by striking the figures "\$1,200" therein contained and substituting in lieu thereof the figures "\$2,400".

Sec. 64. Minnesota Statutes 1961, Section 471.89, Subdivision 1, is amended by striking the reference "clause (d)" therein and substituting therefor "*subdivision 5*".

Sec. 65. Minnesota Statutes 1961, Section 471.89, Subdivision 2, is amended by inserting before the period at the end of the first sentence of subdivision 2 the following new matter: "*within 35 miles of the seat of government of the governmental unit*".

Sec. 66. Minnesota Statutes 1961, Section 471.89, Subdivision 3, is amended by inserting before the period at the end of clause (g) of the subdivision the following new matter: "*within 35 miles of the seat of government of the governmental unit*".

Sec. 67. Minnesota Statutes 1961, Section 480.09, Subdivision 2, is amended to read:

Subd. 2. ~~The state librarian shall be appointed by the governor for a term of two years and until his successor qualifies. He shall give bond to the state in an amount not less than \$2,000, to be approved by the governor, conditioned for the faithful performance of his official~~

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

~~duties.~~ *The justices of the supreme court shall appoint a state law librarian to serve at their pleasure. He shall give bond to the state in an amount not less than \$2,000, to be approved by the chief justice, conditioned for the faithful performance of his official duties.* Subject to the approval of the justices, he may appoint an assistant librarian to serve ~~during his term,~~ who shall perform his duties when he is absent or disabled, and, subject to the approval of the justices, he may employ necessary assistants.

Sec. 68. Minnesota Statutes 1961, Section 611.07, Subdivision 3, is amended in line 1 of the subdivision by inserting "*who*" after "gross misdemeanor" and before "has"; and further, by striking from lines 11 and 12 the following: "*or on the synopsis of the testimony prepared pursuant to section 640.10, or on any other abridgement*" and substituting in lieu thereof the following: "*or on any abridgement*".

Sec. 69. Minnesota Statutes 1961, Section 623.24, is amended in lines 5 and 6 by striking "of the commodities before mentioned" and inserting in lieu thereof "*stocks, grain, provisions, or other commodities, or personal property*".

Sec. 70. Minnesota Statutes 1961, Section 628.22, is amended to read:

628.22 Indictment for criminal defamation. An indictment for ~~libel~~ *criminal defamation* need not set forth any extrinsic facts for the purpose of showing the application to the party ~~libeled~~ *defamed* of the defamatory matter on which the indictment is founded, but it shall be sufficient to state generally that the same was published concerning him, and the fact that it was so published shall be established on the trial.

Sec. 71. Minnesota Statutes 1961, Section 631.27, is amended by striking "by death, or" in line 4 of the section.

Sec. 72. Minnesota Statutes 1961, Sections 376.101 to 376.111, and 397.11 to 397.15 are repealed, except that the provisions thereof relating to the issuance of bonds and regulating the making and allocating of levies for the payment of such bonds and interest thereon shall remain in force.

Sec. 73. Minnesota Statutes 1961, Sections 10.29; 10.33; 15.056; 16.37; 31.90; 31.905; 38.32; 84.42, Subdivision 2; 88.74; 92.03, Subdivision 3; 134.17; 145.09; 157.10; 169.23; 177.18; 197.39 to 197.41; 197.50; 197.51; 197.52; 197.80 to 197.97; 220.01 to 220.26; 242.42; 243.79; 243.83; 246.025; 246.30; 246.31; 251.06; 251.07; 253.014; 253.15; 253.16; 253.17; 256.013; 268.01

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to 268.025; 272.07; 272.25 to 272.27; 273.131; 275.04; 275.05; 275.06; 275.43; 279.35; 279.36; 283.08; 290.67; 331.17; 360.075, Subdivision 4; 373.14 to 373.19; 375.197; 377.07 to 377.10; 378.14 to 378.17; 437.04 to 437.06; 453.15 to 453.31; 614.27; 621.36; 621.37, as amended by Laws 1963, Chapter 753, Article 2, Section 14; 621.38; 621.39; 628.67; 636.01; 636.03 to 636.06; and 641.39 to 641.44, are repealed.

Approved February 27, 1965.

CHAPTER 46—H. F. No. 327

An act relating to investments by mutual savings banks; amending Minnesota Statutes 1961, Section 50.146; Section 50.14, Subdivision 5, as amended by Laws 1963, Chapter 153, Section 10.

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

Section 1. Minnesota Statutes 1961, Section 50.146, is amended to read:

50.146 Mutual savings banks; authorized investments; domestic corporations. Subdivision 1. In addition to other investments authorized by law, a mutual savings bank may invest in the following:

(a) The preferred stocks of any domestic corporation, except banks, bank holding companies and trust companies, provided the net earnings of such corporation available for its fixed charges for five fiscal years next preceding the date of investment shall have averaged per year not less than one and one-half times the sum of its annual fixed interest charges, if any, its annual maximum contingent interest, if any, and its annual preferred dividend requirements; and during either of the last two years of such period, such net earnings shall have been not less than one and one-half times the sum of its fixed interest charges, if any, contingent interest, if any, and preferred dividend requirements for such year.

(b) The common stocks of any domestic corporation ~~providing electric utility, telephone or gas distribution service, except banks, bank holding companies and trust companies,~~ provided such stocks are registered on a national securities exchange, and such corporation shall have earned and paid cash dividends on its common stocks in each year for a period of ten fiscal years next preceding the date of investment.

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