

\$48,200.00 immediately available, of which sum \$30,100.00 shall be available for salaries, supplies, and expenses in connection with Preventable Diseases and Laboratory, and the following sums shall be transferred in reimbursement of the respective accounts specified under the appropriations heretofore made to said board for the current biennium:

To general salaries account.....	\$13,100.00
To general supplies and expense accounts.....	5,000.00

Approved January 17, 1933.

CHAPTER 6—H. F. No. 53

An act authorizing the county board in certain counties to employ a relief agent, prescribing his duties, and designating the manner in which his compensation and the terms of his employment shall be fixed.

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

Section 1. Relief agent may be employed in certain counties.—In any county having the county system and having within its limits any city or cities of the third class, the County Board may employ a relief agent to assist any member of the Board whose district is composed solely of a city of the third class, in the performance of the duties of such Board member, prescribed by Sections 3170 and 3171 Mason's Minnesota Statutes 1927.

Sec. 2. Duties—reports.—In the performance of such duties any relief agent so employed shall receive such compensation as shall be fixed from time to time by the County Board. He shall act under the general supervision and direction of the member of whose district he shall be assigned by the County Board, subject to such regulations and orders as the Board shall adopt. He shall make his report in writing to the member whom he is employed to assist.

Sec. 3. Term.—The term of employment of the relief agent authorized by this act shall be fixed by the County Board.

Approved January 17, 1933.

CHAPTER 7—H. F. No. 85

An act relating to boxing and sparring exhibitions, creating the State Athletic Commission, prescribing its powers and duties,

providing penalties for violations, and repealing Mason's Minnesota Statutes of 1927, Sections 3251 to 3260, inclusive and repealing Mason's Minnesota Statutes of 1927, Section 10286 so far as inconsistent herewith.

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

Section 1. State Athletic Commission created.—There is hereby created The State Athletic Commission, to consist of five commissioners, citizens of this state, who shall be appointed by the governor and shall hold office for a term of three years, except as hereinafter provided, and until their successors are appointed and qualified.

Sec. 2. Governor to appoint.—Within thirty days after the passage of this act the governor shall appoint as members of such commission one commissioner for a term of one year, two commissioners for a term of two years, and two commissioners for a term of three years, such term to commence on the first day of the month following such appointments. Any vacancy in office shall be filled by appointment by the governor for the unexpired portion of the term. No commissioner shall directly or indirectly promote any boxing or sparring exhibition or shall directly or indirectly engage in the managing of any boxer or be interested in any manner in any proceeds from any boxing match.

Sec. 3. Compensation—expenses.—The commissioners shall serve without compensation but shall be reimbursed from the fund of the commission for their expenses actually and necessarily incurred in the performance of their duties.

Sec. 4. Commission to appoint boxing Commissioner and prescribe powers—compensation—assistants.—The State Athletic Commission shall have power to appoint and at its pleasure remove a boxing commissioner and prescribe his powers and duties. The boxing commissioner shall be the secretary of the State Athletic Commission but such commissioner shall not be a member of the commission. The salary of such commissioner shall be fixed by the commission at the sum not to exceed Thirty-six Hundred Dollars (\$3600.00) per annum, in addition to expenses actually and necessarily incurred by such commissioner in the performance of his duties. Subject to the provisions of Laws 1925, Chapter 426, the commission shall have the power to provide necessary office quarters, equipment, and supplies, and employ such assistants, clerks and other employees as may be necessary, provided that such assistants, clerks and other employees shall be employed and discharged only in accordance with Laws 1919, Chapter 192 as amended. All salaries and expenses shall be paid out of the funds of the commission as hereinafter provided.

Sec. 5. Duties of Commission.—The State Athletic Commission shall have charge and supervision of all boxing and sparring exhibitions held in the State of Minnesota and shall have power:

(1) To make and publish rules and regulations governing the conduct of boxing and sparring exhibitions and the time and place thereof.

(2) To issue licenses to individuals or organizations desiring to promote or conduct boxing or sparring exhibitions, and to suspend or revoke such licenses at its pleasure; every application for such license shall designate the territory in which the individual or organization intends to operate, and the license granted shall entitle the licensee to conduct such exhibitions in such territory and in no other. Provided that no person licensed to promote or conduct boxing or sparring exhibitions shall directly or indirectly engage in the managing of any boxer.

(3) To collect ten per cent (10%) of the gross receipts from admission to every boxing and sparring exhibition held within the state. All complimentary tickets presented at any entrance gate shall likewise be assessed for the tax herein provided, ten per cent of the value thereof. All moneys so collected shall be paid into the state treasury and are hereby appropriated for the purposes specified in this act.

Sec. 6. All moneys to be paid into State Treasury.—All moneys of the commission shall be paid into the state treasury and shall be disbursed by direction of the commission in the same manner as other state funds are disbursed, save as herein otherwise provided. The commission shall have no power to make any expenditures for any purpose except from the funds herein provided. The ten per cent collected by said commission, as provided in Section 5, Subdivision 3, except the tax on complimentary tickets, shall be paid to the State Board of Control, at such times as the state treasurer may direct. The moneys so paid shall be used for the purposes set forth in Laws 1913, Chapter 500, as amended, and for the additional purpose of paying to the state sanitarium, and to the counties maintaining and operating county tuberculosis sanitarium, state aid in addition to that authorized to be paid under the provision of such statute, under such rules and regulations as may be adopted by said State Board of Control.

Sec. 7. Licenses.—Unless revoked by the commission, licenses granted hereunder shall authorize the individuals or organizations receiving the same to conduct boxing or sparring exhibitions in the community designated therein for the period of time designated therein, subject to the rules and regulations of the commission and to such restrictions as the commission may in its

discretion incorporate therein. Each such license shall contain a restriction that no boxing or sparring exhibitions may be held on any Sunday or on Christmas or Good Friday and that no boxing or sparring match shall be of more than fifteen rounds of not to exceed three minutes each.

Sec. 8. Municipalities must consent to exhibitions.—The provisions of this act are applicable to cities of the first class but no license shall be issued for the conducting of any boxing or sparring exhibitions within the limits of any municipality, except such cities of the first class, unless the governing body thereof has first consented to the holding of boxing or sparring exhibitions therein; in the event that the license is for the conducting of boxing or sparring exhibitions in any county outside the limits of a municipality, such license shall not be issued until the board of county commissioners of said county and also the governing body of the township shall have authorized the holding of boxing or sparring exhibitions in such community, and each such license shall designate the particular community in such county where such exhibitions are held. Such consent by the governing body of such municipality or by the county board or by the governing board of the township shall be evidenced by a certified copy of a resolution thereof filed with said commission. Such governing body may revoke such consent any time, and any licenses shall expire thirty days after resolution revoking consent has been filed with the commission.

Sec. 9. Number of licenses.—Only one license shall be in force in any one municipality or community at any one time; provided however, that in municipalities whose population exceeds 150,000 persons the state athletic commission may issue one franchise for every 200,000 population or fraction thereof.

Sec. 10. License fees.—The commission shall have authority to collect and require the payment of an annual license fee from the owners of franchises or licenses pursuant to the following schedule: Seven Hundred Fifty Dollars (\$750.00) in cities of the first class having a population in excess of 150,000 population; Five Hundred Dollars (\$500.00) in cities of the first class having a population of less than 150,000 population; One Hundred Fifty Dollars (\$150.00) in all municipalities, other than cities of the first class, having a population of more than 10,000 population; Seventy-five Dollars (\$75.00) in municipalities having a population of less than 10,000 and more than 5,000; Fifty Dollars (\$50.00) in municipalities having a population of less than 5,000 and more than 2,500; twenty-five dollars (\$25.00) in all municipalities of less than 2,500 population. The commission shall require the payment of said

annual license fee at the time of the issuance of the license or franchise to the owner. The moneys so derived and the moneys derived from the tax on complimentary tickets shall be collected by the commission and paid to the State Treasurer and may be disbursed by the commission for the purpose of paying the expenses of the commission in the administration of the law herein provided for. The commission shall also have authority to license all boxers, managers, seconds and referees and may require them to pay an annual fee, not to exceed, however, the sum of \$10.00 per year. All moneys collected by said commission from such licenses shall be paid to the state treasurer and may be disbursed by the commission for the payment of expenses incurred by it.

Sec. 11. Commission shall make rules and regulations.—The commission shall make rules and regulations to govern the holding of amateur boxing exhibitions within the state, and such rules and regulations shall conform as nearly as practically can be to the rules and regulations prescribed by the American Amateur Athletic Association for the holding of amateur boxing and sparring exhibitions. The promotor or holder of any amateur bout for which any charge is made shall be liable to pay the ten per cent of gross receipts as hereinbefore provided.

Sec. 12. Bonds.—Before any license shall be granted to any person, club, corporation or organization to conduct, hold or give any boxing or sparring match or exhibition, such applicant therefore shall execute and file with the state auditor a bond in the sum of \$2,500.00 in cities of the first class and \$1,000.00 in other communities, to be approved as to form and sufficiency of the sureties thereof by the state auditor, conditioned for the payment of the ten per cent of the total gross receipts and license fees herein provided. Upon the filing and approval of such bond the state auditor shall issue to such applicant for such license a certificate of such filing and approval which shall be by such applicant filed in the office of the commission with its application for such license; and no such license shall be issued until such certificate shall be so filed.

The secretary of the commission shall, before entering upon his duties, furnish a bond in the sum of not less than \$5,000.00, to be approved as to form and sufficiency of the sureties thereof, by the state auditor, conditioned upon the faithful performance of the duties of his office.

Sec. 13. Penalties for non-licensed exhibitions.—Any person or persons who shall send or cause to be sent, published, or otherwise made known any challenge to fight what is commonly known as a prize fight, or shall engage in any public boxing or sparring match, exhibition, or contest, with or without gloves, for any prize,

reward or compensation, or at which any admission fee is charged either directly or indirectly, or shall go into training preparatory for such fight, exhibition or contest, or shall act as a trainer, aider, abetter, backer, umpire, second surgeon, assistant or attendant at such fight, exhibition or contest, or in any preparation for the same, and any owner or lessee of any grounds, buildings, or structure of any kind permitting the same to be used for such fight, exhibition, or contest, shall be deemed guilty of a misdemeanor; provided that this section shall not apply to boxing or sparring exhibitions held or to be held under license issued by the state athletic commission and in compliance with the rules and regulations issued by it.

Sec. 14. Commission to make report.—The State Athletic Commission shall biennially make to the legislature a full report of its proceedings ending the first day of the preceding December and may submit with such report such recommendation pertaining to its affairs as it shall deem desirable; if at the time of the making of such biennial report by the commission, the moneys collected by the commission and placed in the fund for the use of the commission and its expenses, shall exceed the sum of Two Thousand Dollars (\$2,000.00), all moneys in excess thereof shall be paid to the State Board of Control and used in accordance with the provisions of Section 6 of this act.

Sec. 15. Failure to report to commission.—Whenever any individual or organization shall fail to make a report of receipts of any contest at the time prescribed by the State Athletic Commission or to pay the fee herein provided, or whenever such report is unsatisfactory to the state auditor, the state auditor may examine, or cause to be examined, the books and records of such individual or organization, and subpoena and examine under oath officers and other persons as witnesses for the purpose of determining the total amount of the gross receipts for any contest and the amount due pursuant to the provisions of this act, which amount he may, upon and as the result of such examination, fix and determine. In case of default in the payment of any amount so ascertained to be due, together with the expense incurred in making such examination, for a period of twenty days after notice to such delinquent individual or organization of the amount at which the same may be fixed by the state auditor, such delinquent shall, ipso facto, forfeit and shall be thereby disqualified from receiving any new license or any renewal of license; and shall in addition forfeit to the state of Minnesota the sum of Five Hundred Dollars (\$500.00), which may be recovered by the Attorney General in the name of the state of Minnesota in the same manner as other penalties are by law recovered.

Sec. 16. **Acts repealed.**—Mason's Minnesota Statutes of 1927, Sections 3251 to 3260, inclusive are hereby repealed.

Sec. 17. **Acts repealed.**—Mason's Minnesota Statutes of 1927, Section 10286 so far as inconsistent with this Act is hereby repealed.

Sec. 18. **Effective May 1, 1933.**—This act shall take effect and be in force from and after May 1, 1933.

Approved January 28, 1933.

CHAPTER 8—H. F. No. 256

An act to amend Mason's Minnesota Statutes of 1927, Sections 5762 and 5766, relating to annual fees.

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

Section 1. Annual fees—change of place of business—duplicate licenses.—That Mason's Minnesota Statutes of 1927, Sections 5762 and 5766, be amended to read as follows:

"5762. Before the first of May in each year every licensed registered dentist shall pay to the board of dental examiners an annual registration fee of *two dollars*, and in default of such payment the board may, upon hearing and upon thirty (30) days notice revoke the license of the dentist in default; provided that thirty (30) days before said May 1st written notice duly signed by the president or secretary of the board stating the amount and due date of said fee shall be sent by registered mail to each such licensed dentist; but the payment of such fee on or before the time of hearing, with such additional sum not exceeding five dollars (\$5.00), as may be fixed by the board shall excuse the default. The board may collect such fee by suit.

Every licensed dentist upon changing his place of business shall, within ten (10) days thereafter, furnish the Secretary of the Board of Dental Examiners with his new address. He shall not act as a dentist for more than ten days after so notifying the Secretary unless he shall have received notice, which the Secretary shall send him, that the change is noted on the records of the Board.

In case of a lost license, and satisfactory proof of the loss or destruction thereof being furnished to the board, the latter may issue a duplicate license, charging a fee therefor of *two dollars*."

"5766. Before the first of May in each year every licensed dental hygienist or nurse shall pay to the board of dental examiners a license fee of *one dollar* and in default of such payment, the