

city or village in which is situated a free public library. The proceeds of this tax shall be placed in the county library fund.

Approved April 3, 1963.

CHAPTER 145—H. F. No. 335

An act relating to the licensing of certified public accountants; amending Minnesota Statutes 1961, Section 326.17, Section 326.18, Section 326.19, Section 326.20, Section 326.22 and Section 326.23.

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

Section 1. Minnesota Statutes 1961, 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. The members of the state board of accountancy in office on June 30, 1962, shall continue in office for the remainder of their respective unexpired terms, which terms expire on December 31 of successive years. If a member is unable or unwilling to complete the term for which he was appointed, the governor shall appoint a member for the remainder of his term. 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 1961, Section 326.18 is amended to read:

326.18. Board, duties, officers, examination, report. A

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

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 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 board shall elect one of its number as chairman, another as vice chairman, and another as secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected.* 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 examination 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 will 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;

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

- (4) Recommendations, if any, for new legislation; and
- (5) Such other matters as the board may deem proper.

Sec. 3. Minnesota Statutes 1961, Section 326.19 is amended to read:

326.19 Certification; qualification of accountants; annual registration. *Subdivision 1. Certificates, to whom granted.* 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, 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 provisions 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.

Subd. 2. Annual registration card. Every holder of a certified public accountant certificate issued by the board, if he is engaged, or intends to be engaged, in public practice at any time during a calendar year shall obtain a registration card for such year.

The board shall, in December of each year, upon application made by any holder of an unrevoked Minnesota certificate as a certified public accountant issue a registration card which shall be good until December thirty-first of the next succeeding year, unless the said certificate shall sooner be revoked. Interim registration cards shall be issued to individuals who have satisfied the provisions of sections 326.17 through 326.23 within the year.

A certified public accountant shall be deemed in public prac-

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

vice if he performs professional accounting services for a fee for a person other than his employer, or if he is an employee of a person in public practice:

Sec. 4. Minnesota Statutes 1961, Section 326.20 is amended to read:

326.20 Certification without examination. The state board of accountancy may, in its discretion, waive the examination of and may issue a certificate for certified public accountant to any person possessing the qualifications mentioned in section 326.19, who:

(1) Is the holder of a C.P.A. certificate, issued under the laws of another state ~~which extends similar privileges to certified public accountants of this state;~~ provided the requirements for the degree in the state which has granted it to the applicants are, in the opinion of the state board of accountancy, equivalent to those herein provided; or

(2) Shall be the holder of a degree of certified public accountant or chartered accountant, or the equivalent thereof, issued in any foreign government, provided that the requirements for such degree are equivalent to those herein provided for the degree of certified public accountant.

Sec. 5. Minnesota Statutes 1961, Section 326.22 is amended to read:

326.22. Fees. Subdivision 1. Fee for examination and certificate. 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, 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.~~

Subd. 2. Annual registration fee. Each person to whom an annual registration card is issued shall pay an annual fee (not in excess of \$10.00) at the rate set by the board for such year.

Subd. 3. Expenses of administration. From the fees col-

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lected 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. Minnesota Statutes 1961, Section 326.23 is amended to read:

326.23. Revocation or suspension; reinstatement. The state board of accountancy may revoke *or suspend* any certificate issued under sections 326.17 to 326.23, ~~or may cancel the registration of any certificate issued under sections 326.17 to 326.23;~~ for bad moral character, dishonesty, conviction of crime, incompetency or unprofessional conduct; provided, a written notice shall have been mailed to the holder of such certificate at least 20 days before any hearing thereon, stating the cause for such contemplated action and appointing a time and place for a hearing thereon by the state board of accountancy; and, provided, further, that no certificate issued under sections 326.17 to 326.23 shall be revoked *or suspended* until an opportunity for such hearing shall have been afforded. At all such hearings the attorney general, or one of his assistants designated by him, shall attend. Certificates issued ~~or registered~~ under sections 326.17 to 326.23 shall be surrendered to the state board of accountancy on their revocation *or suspension* by the board.

The state board of accountancy may reinstate a revoked certificate upon a petition for reinstatement by the former holder thereof ~~presented within two years after the date of revocation.~~ The board of accountancy shall appoint a time and place for the hearing on such petition and may prescribe any necessary rules and regulations relating to such reinstatement of a revoked certificate not inconsistent with any provisions of the statutes relating to public accountancy.

Approved April 3, 1963.

CHAPTER 146—H. F. No. 460

An act relating to the Minnesota professional corporation act; amending Minnesota Statutes 1961, Section 319.03, Section 319.05, Section 319.16, Section 319.18, and Section 319.19.

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

Section 1. Minnesota Statutes 1961, Section 319.03, is amended to read as follows:

Changes or additions indicated by italics, deletions by strikeout.