

that county.

Approved May 15, 1975.

CHAPTER 135—S.F.No.571

[Not Coded]

An act relating to Wright county; requiring, with certain exceptions, the approval of the county board before any lands within the county are acquired for park purposes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. WRIGHT COUNTY; ACQUISITION OF PARK LANDS.

Subdivision 1. No real estate or interest in real estate shall be acquired by gift, purchase, or eminent domain in the county of Wright for park purposes by any governmental subdivision, park, district, or other public body empowered to acquire lands for parks, without first obtaining the approval of the board of county commissioners of Wright county.

Subd. 2. This act shall not apply to the acquisition for park purposes of real estate or interests in real estate by the state of Minnesota, the county of Wright, or any city, situated within the county of Wright, nor shall this act apply to the transfer of real estate or interests therein between public agencies listed in section 1.

Sec. 2. This act shall be effective upon its approval by the board of county commissioners of Wright county and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 3. This act shall be effective for two years dating from its approval by the board of county commissioners of Wright county.

Approved May 15, 1975.

CHAPTER 136—S.F.No.605

[Coded in Part]

An act relating to licensing boards and agencies; redefining health related licensing board and non-health related licensing board; providing certain uniform provisions and requirements; amending Minnesota Statutes 1974, Sections 115.74; 125.183, Subdivisions 1 and 3; 125.184, Subdivision 1; 125.185, Subdivision 6; 144.952, Subdivision 2; 147.01; 147.05; 148.03; 148.04; 148.181, Subdivisions 1 and 2; 148.191, Subdivision 1; 148.29, Subdivisions 2 and 3; 148.52; 148.54; 148.55; 148.60; 148.67; 148.70; 148.90, Subdivisions 2 and 3; 148.95, Subdivision 1; 150A.02,

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Subdivision 1; 150A.03, Subdivisions 1, 2 and 3; 151.03; 151.06, Subdivision 1; 151.07; 153.02; 153.03; 153.04; 153.13; 153.14; 153.15; 154.22; 154.23; 155.05; 155.06, Subdivisions 1 and 2; 155.08; 156.01, Subdivisions 1 and 3; 214.01, Subdivisions 2 and 3; 214.04; 270.41; 270.42; 270.45; 326.04; 326.07; 326.08, Subdivision 2; 326.09; 326.17; 326.18; 326.22, Subdivision 3; 326.241, Subdivisions 1 and 3; 326.33, Subdivision 1; 326.334, Subdivision 7; 326.37; 326.541; 326.542; 326.66; 341.01; 341.02; 386.63, Subdivisions 1 and 4; Chapters 148, by adding a section; 214, by adding sections; and 15, by adding a section; repealing Minnesota Statutes 1974, Sections 125.183, Subdivision 2; 148.07, Subdivision 3; 148.181, Subdivision 3; 148.201; 148.296, Subdivision 2; 148.68; 148.69; 148.90, Subdivisions 4 and 5; 150A.02, Subdivision 2; 151.08; 153.12; 341.03; 341.14; and 386.63, Subdivision 5.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 125.183, Subdivision 1, is amended to read:

125.183 LICENSING BOARDS AND AGENCIES, HEALTH AND NON-HEALTH RELATED; STANDARDIZING PROCEDURES; MEMBERSHIP. Subdivision 1. A teacher standards and certification commission consisting of ~~15~~17 members is hereby established. ~~Each member shall be appointed by the governor for a four year term and serve until his successor is duly appointed and qualified. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~ No member shall be reappointed for more than one additional term. ~~A vacancy during the term of a member shall be filled by the governor for the unexpired term.~~

Sec. 2. Minnesota Statutes 1974, Section 125.183, Subdivision 3, is amended to read:

Subd. 3. Except for the representatives of higher education and the public, to be eligible for appointment to the commission a person must be fully certificated for the position he holds and have at least five years teaching experience in Minnesota, including the two years immediately preceding nomination and appointment. The commission shall be composed of one teacher whose responsibilities are those either of a counsellor, librarian, psychologist, remedial reading teacher, speech therapist, vocational teacher, or certified school nurse, four elementary school classroom teachers, four secondary classroom teachers, three higher education representatives, from higher education faculties preparing teachers, two of whom shall be representatives of state institutions and one of whom shall be a representative of private institutions; one school administrator, and ~~two~~four members of the public. Each nominee other than a public nominee shall be selected on the basis of his professional experience, and knowledge of teacher education, accreditation and certification.

Sec. 3. Minnesota Statutes 1974, Section 125.184, Subdivision 1, is

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amended to read:

125.184 MEETINGS. Subdivision 1. The commission shall meet regularly at quarterly intervals at the seat of government and at such other times and places as the commission shall determine. Meetings shall be called by the chairman or at the written request of any eight members. The members of the commission shall receive compensation of the sum of \$35 per day for attendance at commission meetings and ordinary and necessary expenses in the same amount and manner as state employees. ~~When attendance at commission meetings requires a member to absent himself from other public employment, the compensation paid for other public employment shall be reduced by the amount of compensation paid for attendance at commission meetings.~~

Sec. 4. Minnesota Statutes 1974, Section 125.185, Subdivision 6, is amended to read:

Subd. 6. The state board shall provide all necessary materials and assistance for the transaction of the business of the commission and all moneys received by the commission shall be paid into the state treasury as provided by law. The expenses of administering sections 125.01 to 125.187 shall be paid for from appropriations made to the state board.

Sec. 5. Minnesota Statutes 1974, Section 147.01, is amended to read:

147.01 BOARD OF MEDICAL EXAMINERS. The Minnesota state board of medical examiners shall consist of 11 members, residents of the state of Minnesota, appointed by the governor as hereinafter provided (a) seven of whom shall hold a degree of doctor of medicine and be licensed to practice medicine under chapter 147, (b) one of whom shall hold a degree of doctor of osteopathy and either be licensed to practice osteopathy under Minnesota Statutes 1961, Sections 148.11 to 148.16; prior to May 1, 1963, or be licensed to practice medicine under chapter 147 and (c) three of whom shall be public members as defined for purposes of Laws 1973, Chapter 638. ~~The term of office of each of the seven members who shall be serving on the board on May 1, 1963, shall continue for the term for which each was appointed and until his successor shall qualify; one such member's term continuing until May 1, 1963; one such member's term continuing until May 1, 1964; one such member's term continuing until May 1, 1965; one such member's term continuing until May 1, 1966; one such member's term continuing until May 1, 1967; one such member's term continuing until May 1, 1968; and one such member's term continuing until May 1, 1969. The term of the initial member of the board appointed pursuant to clause (b) of the first sentence of this section shall expire on May 1, 1970. The terms of the initial member of the board appointed pursuant to clause (c) shall expire as follows: one on May 1, 1977; one on May 1, 1978; and one on May 1, 1981; from the date of appointment. The term of office of each member appointed to the board on the expiration of each~~

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of the foregoing terms shall commence as of May 1 and shall continue for a period of eight years and until his successor shall qualify. Upon the expiration of the term of any member, the governor shall appoint a successor to the member whose term expires. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51. Each year in which the terms of doctors of medicine expire the council of the Minnesota state medical association ; at least 30 days prior to May first, shall recommend to the governor three doctors of medicine qualified to serve on the board with respect to each membership which is then filled by a doctor of medicine and the term of which shall expire on May 1 of such year . Each year in which the term of a doctor of osteopathy expires, the Minnesota state osteopathic association shall recommend to the governor three doctors of osteopathy qualified to serve on the board. From the list of persons so recommended the governor may appoint one member to the board for the above prescribed term of ~~eight~~ four years. Within 60 days after the occurrence of any vacancy in the board, the council of the Minnesota state medical association, if the vacancy be with respect to a membership vacated by a doctor of medicine, or the Minnesota state osteopathic association, if the vacancy be with respect to a membership vacated by a doctor of osteopathy, shall recommend to the governor three doctors of medicine qualified to serve on the board if the recommendation be by the Minnesota state medical association or three doctors of osteopathy qualified to serve on the board if the recommendation be by the Minnesota state osteopathic association. From the list of persons so recommended the governor, within 30 days after receiving such recommendation, may appoint one member to the board for the unexpired term occasioned by such vacancy and any appointment thereto to fill a vacancy shall be made within 90 days after the occurrence of such vacancy for the balance of the unexpired term. The board shall elect from among its number a president, a vice-president, and a secretary-treasurer, who shall each serve for one year, or until his successor is elected and qualifies. The board shall have authority to adopt such rules and regulations as may be found necessary to carry out the purposes of chapter 147. The members of the board shall have authority to administer oaths and the board, in session, to take testimony as to matters pertaining to the duties of the board. In the administration of this chapter the board shall have the power to compel the attendance of witnesses and the production of documents by subpoena, to investigate complaints of violations of this chapter or the rules and regulations of the board, and to institute injunctive proceedings to restrain violations upon a showing of injury or potential injury to the public health or welfare. Six members of the board shall constitute a quorum for the transaction of business. The board shall have a common seal, which shall be kept by the secretary, whose duty it shall be to keep a record of all proceedings of the board, including a register of all applicants for license under this chapter, giving their names, addresses, ages, educational qualifications, and the result of their examination. These books and registers shall be prima facie evidence of all the matters therein recorded. All communications or information re-

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ceived by or disclosed to the board relating to any person or matter subject to its regulatory jurisdiction, and all records of any action or proceedings thereon, except only a final decision of the board, which shall state the specific reason therefor shall be confidential and privileged within the meaning of section 595.02, clause 5, and shall not be public records within the meaning of section 15.17, subdivision 4; provided that upon application of a party in a proceeding before the board pursuant to section 147.02, subdivision 3, the board shall produce and permit the inspection and copying, by or on behalf of the moving party, of any designated documents or papers relevant to the proceedings, in accordance with the provisions of rule 34, Minnesota rules civil procedure. ~~The board shall hold examinations at least once each year.~~

Sec. 6. Minnesota Statutes 1974, Section 144.952, Subdivision 2, is amended to read:

Subd. 2. ~~The three public members appointed from the general public shall serve until July 1, 1974 or until their successors shall be appointed and qualify; the two members appointed from those actively engaged in the management, operation or ownership of nursing homes shall serve until July 1, 1973 or until their successors are appointed and qualify; the two members appointed from those actively engaged in the management or operation of hospitals or nursing homes caring for the chronically ill or infirmed, aged patients, shall serve until July 1, 1972, or until their successors are appointed and qualify; the member appointed from those actively engaged in the practice of medicine shall serve until July 1, 1971 or until his successor is appointed and qualifies; the member appointed from those actively engaged in the profession of nursing shall serve until July 1, 1970 or until her successor is appointed and qualifies. Thereafter, any appointment to fill a vacancy shall be for a term of five years. Any vacancy occurring in the position of any appointed member shall be filled by the governor for the unexpired term. Appointed members may be removed by the governor for misconduct, incapacity, incompetence or negligence of duty after being served with a written statement of charges and after the completion of a hearing on such charges. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~

Sec. 7. Minnesota Statutes 1974, Section 147.05, is amended to read:

147.05 SUPPLIES; SECRETARY, EXECUTIVE SECRETARY, COMPENSATION. The state board of medical examiners shall provide blanks, books, certificates, and such stationery and assistance as is necessary for the transaction of the business pertaining to the duties of such board and all money received by the secretary shall be paid into the state treasury and credited to the general fund and the unexpended balance in any special account of the board in the state treasury as of July 1, 1973 shall also be credited to the general fund. The expenses of

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administering sections 147.01 to 147.29 shall be paid from the appropriations made to the Minnesota state board of medical examiners. The board may employ, discharge, and fix the compensation of an executive secretary, in the unclassified service, to perform duties prescribed by the board. ~~The secretary and executive secretary of the board shall each give a bond in the sum of \$10,000 to the state of Minnesota for the faithful performance of his duties. Each member of the board shall receive as compensation for his services the sum of \$50 per day, to be fixed by the board for each day spent in the execution of duties imposed on the board by chapter 147, and rules and regulations adopted pursuant thereto, including attendance at meetings of the Federation of State Medical Boards, and, regular and special meetings of the board, and the secretary and other members of the board shall receive all expenses actually and necessarily incurred by them in connection therewith, subject to the regulations of the department of administration adopted pursuant to section 16.02, subdivision 20. The secretary shall receive a salary of not to exceed \$9,600 per annum, the amount thereof to be fixed by the board. The salary and expenses of the members of the board shall be paid as determined by the board by the state treasurer on warrants signed by the president or secretary, or other authorized person, drawn by the commissioner of finance on the state treasurer on the funds appropriated to said board.~~

Sec. 8. Minnesota Statutes 1974, Section 148.03, is amended to read:

148.03 **APPOINTMENT:** The governor shall appoint a state board of chiropractic examiners consisting of two public members as defined for purposes of Laws 1973, Chapter 638 and five resident chiropractors who shall have practiced chiropractic in this state for at least three years immediately prior to the time of appointment, all of whom shall be graduates of a course of chiropractic, but no more than two of whom shall be graduates of the same school or college of chiropractic ; ~~one resident chiropractor to be appointed each year to serve five years and until his successor is appointed and qualifies to the end that each member shall serve five years after the first appointment. The terms of the initial public members shall be for three and five years from the date of appointment respectively .~~ Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51. The board shall have the authority to prescribe rules and regulations relative to the examination of applicants for license to practice chiropractic and for the annual renewal of licenses. Vacancies caused by death or otherwise shall be filled by the governor within 60 days. No member of the board shall be financially interested in any chiropractic school or college or be in any way affiliated with the practice of other methods of healing as are now regulated by law in this state.

Sec. 9. Minnesota Statutes 1974, Section 148.04, is amended to read:

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148.04 PROCEDURE. The officers of the ~~state~~ board of chiropractic examiners shall have power to administer oaths, summon witnesses, and take testimony as to matters pertaining to its duties. It shall adopt a minimum of educational requirements not inconsistent with the provisions of sections 148.01 to 148.10, which shall be without prejudice, partiality, or discrimination as to the different schools or colleges of chiropractic. The board shall meet ~~each year in March and September~~ and at such ~~other~~ times as the majority of the board may deem proper. A majority of the board shall constitute a quorum for the transaction of business. The secretary shall keep a record of its proceedings. This report shall be prima facie evidence of all matters therein recorded.

Sec. 10. Minnesota Statutes 1974, Section 148.181, Subdivision 1, is amended to read:

148.181 BOARD OF NURSING; MEMBERSHIP, APPOINTMENTS, VACANCIES, REMOVALS. Subdivision 1. The ~~Minnesota~~ board of nursing shall consist of 11 members appointed by the governor, each of whom shall be a resident of this state. Seven members shall be nurses who shall have completed at least an approved four-year high school course of study or its equivalent; shall have graduated from an accredited school of nursing; shall be licensed as a registered nurse in this state; shall have had at least five years experience in nursing following graduation, and four of whom shall have at least two years executive or teaching experience in nursing education and shall have been actively engaged in the practice of nursing within two years of her appointment. The remaining members shall be public members as defined for purposes of Laws 1973, Chapter 638 ~~who shall serve five-year terms; provided that of the initial public members appointed, two shall serve a four-year term and two shall serve a five-year term beginning July 1, 1973 .~~ Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51. Each member of the board shall file with the department of state, the constitutional oath of office before beginning his or her term of office. ~~Provided, however, that the present members of the Minnesota state board holding office under the provisions of the Minnesota nurse practice act shall serve as members of said board until the expiration of their respective terms or until their successors have been appointed and qualified.~~

Sec. 11. Minnesota Statutes 1974, Section 148.181, Subdivision 2, is amended to read:

Subd. 2. On expiration of the term of a member who is a nurse, the governor may appoint a nurse, from a list of members submitted by the Minnesota nurses' association and other professional nursing groups; ~~a nurse to hold office for a term of five years~~. Such list should contain names of persons in number at least twice the number of places to be filled. Vacancies occurring on the board, when the

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member is a nurse, may be filled for the unexpired terms by appointments to be made by the governor from nominations submitted by the Minnesota nurses' association and other professional nursing groups in the manner aforesaid, within a period of 90 days.

~~Subd. 2. The governor may remove any member from the board for neglect of any duty required by law or for incompetency or unprofessional or dishonorable conduct.~~

Sec. 12. Minnesota Statutes 1974, Section 148.191, Subdivision 1, is amended to read:

148.191 OFFICERS; RULES; EXECUTIVE SECRETARY. Subdivision 1. The board shall ~~meet annually in the month of August and shall elect from its members a president and a secretary~~secretary-treasurer who shall also be the treasurer who shall each serve for one year or until his successor is elected and qualifies. The board may appoint and employ an executive secretary as hereinafter provided who need not be a member of the board. ~~It shall hold such other meetings during the year as may be deemed necessary to transact its business.~~ A majority of the board, including one officer, shall constitute a quorum at any meeting.

Sec. 13. Minnesota Statutes 1974, Section 148.29, Subdivision 2, is amended to read:

Subd. 2. "Board" means "Minnesota Board of Nursing," ~~the board of licensed practical nursing which shall consist of the members of the board of nursing,~~ provided that one registered nurse who is a member of the Minnesota board of nursing, chosen by lot, shall not be a member of the ~~licensed practical nurses board of licensed practical nursing~~ for purposes of this definition, and for the purposes of sections 148.29 to 148.297 and Laws 1971, Chapter 418 only, five additional members shall be appointed by the governor, one of whom shall be a doctor of medicine duly licensed and registered in this state, one of whom shall be an administrator or superintendent of a licensed hospital located outside of a city of the first class, and three of whom shall be duly licensed and registered practical nurses.

~~Upon May 21, 1971, the governor shall appoint one of the new members for a two year term and one of the new members for a one year term; thereafter each new appointment shall be for a three year term. Members shall hold office until a successor is appointed and qualifies. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~

Sec. 14. Minnesota Statutes 1974, Section 148.29, Subdivision 3, is amended to read:

Subd. 3. "Licensed Practical Nurse," abbreviated L.P.N., means a ~~Changes or additions indicated by underline deletions by ~~strikeout~~~~

person licensed by the ~~Minnesota board of Nursing~~ to practice practical nursing.

Sec. 15. Minnesota Statutes 1974, Chapter 148, is amended by adding a section to read:

[148.298] DISPOSITION OF FEES. All fees charged and collected by the board shall be deposited in the general fund. The cost of administering sections 148.29 to 148.298 shall be paid from appropriations made to the board of nursing.

Sec. 16. Minnesota Statutes 1974, Section 148.52, is amended to read:

148.52 BOARD OF OPTOMETRY. The state board of optometry shall consist of two public members as defined for purposes of Laws 1973, Chapter 638 and five qualified optometrists appointed by the governor ; each for a term of three years and until his successor qualifies . ~~Vacancies in the board shall be filled by like appointments for unexpired terms. The terms of the initial public members shall expire two and three years from the date of appointment respectively. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~

Sec. 17. Minnesota Statutes 1974, Section 148.54, is amended to read:

148.54 BOARD; OFFICERS; SEAL. The state board of optometry shall elect from among its members a president and may adopt a seal. An executive secretary or assistant may be employed who need not necessarily be a member of the board. ~~For the purpose of examining applicants for license to practice optometry, the board shall meet at least once a year.~~

Sec. 18. Minnesota Statutes 1974, Section 148.55, is amended to read:

148.55 COMPENSATION OF SECRETARY; ATTORNEY; ASSISTANTS; RECORDS. ~~Each member shall receive from the funds of the state board of optometry \$35 a day for actual services and necessary travel and expense allowance not to exceed 24 days in any calendar year. For administrative and clerical services the secretary shall receive such compensation as the board may deem just and proper. The board may employ an attorney or other necessary assistants to aid in the enforcement of the provisions of sections 148.52 to 148.62, the attendant expense to be met from the funds of the board. The secretary shall keep a record of all proceedings, including therein the name of every applicant for examination or registration, which record shall be open for inspection.~~

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Sec. 19. Minnesota Statutes 1974, Section 148.60, is amended to read:

148.60 DISPOSAL OF FEES. All fees collected under sections 148.52 to 148.62 shall be received by the secretary and deposited together with any unexpended balance in a special fund of the board as of July 1, 1973 in the general fund. The secretary shall give such bond as the board shall from time to time require. The expenses of administering sections 148.52 to 148.62 shall be paid from appropriations made to the state board of optometry. ~~On or before October 1 in each even numbered year, the board shall make a biennial report to the governor of its proceedings, receipts and disbursements for the preceding two fiscal years.~~

Sec. 20. Minnesota Statutes 1974, Section 148.67, is amended to read:

148.67 EXAMINING COMMITTEE. ~~There is hereby created a state examining committee for physical therapists to assist~~ The state board of medical examiners shall appoint an examining committee in carrying out the provisions of this law, regarding the qualifications and examination of physical therapists. The examining committee shall consist of five members, citizens and residents of the state of Minnesota, composed of three physical therapists, one licensed and registered doctor of medicine in the general practice of medicine, and one professor or associate or assistant professor from a course in physical therapy accredited by the state board of medical examiners.

Sec. 21. Minnesota Statutes 1974, Section 148.70, is amended to read:

148.70 APPLICANTS, QUALIFICATIONS. It shall be the duty of the state board of medical examiners ~~with the advice and assistance of the state examining committee~~ to pass upon the qualifications of applicants for registration, provide for and conduct all examinations, determine the applicants who successfully pass examination, and duly register such applicants. A person who desires to be registered as a physical therapist and who

(a) is at least 18 years old;

(b) is of good moral character;

(c) has obtained a high school education or its equivalent as determined by the board, and

(d) has been graduated by a school of physical therapy approved by the board for training physical therapists, may make application on a form furnished by the board, for examination for registration as a physical therapist as defined in sections 148.65 to 148.78. In determining whether or not such approval shall be given, the board may take

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into consideration the approval or nonapproval of such schools by the appropriate council of the American Medical Association or of the Canadian Medical Association, if any, at the time of his graduation, or if graduated prior to 1936, the school or course was approved by the American Physical Therapy Association at the time of his graduation. Such examination shall embrace the following subjects: the applied sciences of anatomy, neuroanatomy, kinesiology, physiology, pathology, psychology, physics, physical therapy, as defined in sections 148.65 to 148.78, applied to medicine, neurology, orthopedics, pediatrics, psychiatry, surgery; medical ethics; and technical procedures in the practice of physical therapy as defined in sections 148.65 to 148.78, and such other subjects as the board may determine to be necessary. At the time of making such application, the applicant shall pay to the board \$15, no portion of which shall be returned.

Sec. 22. Minnesota Statutes 1974, Section 148.90, Subdivision 2, is amended to read:

Subd. 2. The members of the board shall:

(1) Be appointed by the governor :

Public members of the board shall broadly represent the public interest and shall not:

(a) be members of health professions licensed by the state of Minnesota;

(b) be a spouse, parent, child, or employee of a practicing psychologist or of a health professional licensed by the state of Minnesota;

(c) be persons who are or were before their retirement persons who were engaged on a full or part time basis in the practice of psychology;

(2) Be residents of the state;

(3) ~~Subject to subdivision 3, serve for terms of four years, each term of office to expire on June 30, and no member of the board shall~~ Serve for not more than two consecutive terms;

(4) ~~Designate its the officers of the board~~ , fix the compensation of its employees, employ such personnel as it deems necessary, and pursuant to chapter 15, prescribe such rules and regulations as may be necessary to enable it to carry into effect the provisions of Laws 1973, Chapter 685; and

(5) Administer oaths pertaining to the business of the board.

Public members of the board shall broadly represent the public interest and shall not: (a) be members of health professions licensed by

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the state of Minnesota; (b) be a spouse, parent, child, or employee of a practicing psychologist or of a health professional licensed by the state of Minnesota; or (c) be persons who are or were before their retirement persons who were engaged on a full or part time basis in the practice of psychology.

Sec. 23. Minnesota Statutes 1974, Section 148.90, Subdivision 3, is amended to read:

Subd. 3. The governor shall appoint the two appointees at the psychologist level for their initial term of office so as to give one a two year term; and one a three year term; the three appointees at the consulting psychologist level shall be appointed so as to give one a two year term; and one a four year term; the remaining two psychologists shall be appointed so as to give one a three year term and one a four year term. The governor shall appoint the initial public members of the board so that one member has a one year term; one member has a two year term; one member has a three year term and one member has a four year term. Thereafter, all appointees shall serve full four year terms of office. Each member shall hold office until a successor is appointed and qualifies. If a vacancy occurs, it shall be filled by appointment by the governor for the unexpired portion of the term. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 24. Minnesota Statutes 1974, Section 148.95, Subdivision 1, is amended to read:

148.95 SUSPENSION AND REVOCATION. Subdivision 1. The license of any consulting psychologist or psychologist may be suspended or revoked by the board upon proof that he has been guilty of unprofessional conduct as defined by the rules established by the board or has violated the code of ethics adopted by the board.

(1) No license shall be suspended or revoked or reprimand issued until after a hearing before the board. A notice of at least 30 days shall be served upon the licensee charged, either personally or by registered mail, stating the time and place of the hearing and setting forth the ground or grounds constituting the charges against him. The licensee is entitled to be heard in his defense and by counsel and may produce testimony and may testify in his own behalf. A record of the hearing shall be taken and presented. The hearing may be adjourned as necessary. If the licensee fails or refuses to appear, the board may proceed to hear and determine the charges in his absence. If he pleads guilty, or if upon hearing the charges, six members of the board find them to be true, the board may enter an order suspending or revoking the license or reprimanding him, as the case may be. The board shall record its findings and orders in writing.

(2) The board, through its chairman or vice chairman, may com-

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pel the attendance of witnesses and the production of physical evidence before it from witnesses upon whom process is served anywhere within the state as in civil cases in the district court by subpoena issued over the signature of the chairman or vice chairman and the seal of the board. Upon request by an accused licensee and statement under oath that the testimony or evidence is reasonably necessary to his defense, the subpoena shall be served out of the district courts in this state and returned as a return in such case is made."

(3) For reasons it deems sufficient and upon a vote of ~~five~~six of its members, the board may restore a license which has been revoked, reduce a period of suspension or withdraw a reprimand.

Sec. 25. Minnesota Statutes 1974, Section 150A.02, Subdivision 1, is amended to read:

150A.02 **BOARD OF DENTISTRY.** ~~Subdivision 1:~~ There is hereby created a state board of dentistry whose duty it shall be to carry out the purposes and enforce the provisions of sections 150A.01 to 150A.12. The board shall consist of two public members as defined for purposes of Laws 1973, Chapter 638 and five qualified resident dentists appointed by the governor. ~~The terms of office of the members shall be five years; provided, however, board members shall serve until their successor is appointed and qualifies, but such successor term shall be for a period ending five years from the expiration of the previous term, so that one vacancy occurs every year. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~ Each board member who is a dentist shall have been lawfully in active practice in this state for five years immediately preceding his appointment; and no board member shall be eligible for appointment to more than two consecutive ~~five~~ four year terms, and members serving on the board at the time of the enactment hereof shall be eligible for reappointment provided they shall not have served more than ~~ten consecutive~~nine consecutive years at the expiration of the term to which they are to be appointed. ~~The governor shall appoint a successor to the member whose term expires, for a term of five years and until his successor qualifies. Each year~~ The Minnesota state dental association, at least 90 days prior to the expiration of the ~~term~~terms of a dentist ~~expiring in such year~~dentists, shall recommend to the governor ~~for each term expiring~~ not less than two dentists ~~for the term~~ qualified to serve on the board, and from the list of dentists so recommended the governor may appoint ~~one member~~members to the board for the term of ~~five~~four years, the ~~appointment~~appointments to be made within 30 days after the expiration of the ~~term~~terms. Within 60 days after the occurrence of a dental vacancy, prior to the expiration of the term, in the board, the Minnesota state dental association shall recommend to the governor not less than two dentists qualified to serve on the board and from the list of dentists so recommended the governor, within 30 days after receiving such list of dentists, may appoint one member to the board for the unexpired term occasioned by

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such vacancy. Any appointment to fill a vacancy shall be made within 90 days after the occurrence of such vacancy. ~~The present members of the board now in existence shall continue to serve the balance of the term to which they were appointed and until their successors have been appointed and qualified.~~

Sec. 26. Minnesota Statutes 1974, Section 150A.03, Subdivision 1, is amended to read:

150A.03 OFFICERS; SALARIES; EQUIPMENT AND SUPPLIES.
Subdivision 1. The state board of dentistry shall elect from its members a president, a vice-president, and a secretary-treasurer. The board shall have a common seal. ~~It shall hold two regular meetings each year, at times to be fixed by it, and may give examinations to applicants at either one or both such regular meetings.~~ It may hold special meetings at such other times as may be necessary and as it may determine. The board may hold special meetings outside of the state for the purpose of conducting examinations in conjunction with the boards of dentistry of other states, provided that the cost of such examinations be borne entirely by those persons wishing to have the state board of dentistry conduct such examinations.

Sec. 27. Minnesota Statutes 1974, Section 150A.03, Subdivision 2, is amended to read:

Subd. 2. ~~Out of the funds coming into the possession of the board, the members thereof shall receive as compensation a sum of \$50 per day and necessary traveling expenses for each day actually engaged in the duties of their offices.~~ The secretary-treasurer shall ; ~~in addition thereto,~~ be paid a salary in the amount to be set by the board, not to exceed \$4,000 per year. The board may expend funds for administrative, consultant, secretarial, clerical, and stenographic services for the board, the amount of such expenditures to be set by the board after consultation with the department of personnel. The board may accept any funds which may be made available to the board from any source. All funds received by the board under sections 150A.01 to 150A.12 shall be paid to the secretary-treasurer thereof, who shall deposit the same each month with the state treasurer, the funds to be credited to the general fund together with any unexpended balance in the special account of the board as of July 1, 1973. The expenses of administering sections 150A.01 to 150A.12 shall be paid from the appropriation made to the state board of dentistry.

Sec. 28. Minnesota Statutes 1974, Section 150A.03, Subdivision 3, is amended to read:

Subd. 3. ~~The president and secretary-treasurer of the board shall give a bond in the amount of \$10,000, in form to be approved by the attorney general, and conditioned for the faithful discharge of their official duties, respectively. On or before October 1, in each year, the board shall report its proceedings and the items of its receipts and dis-~~

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bursements to the governor. The board may expend the necessary funds for its offices and furniture, fixtures, and supplies. The board may affiliate with the American association of dental examiners as an active member and pay regular annual dues to this association, and send members of the board as delegates to the meetings of the American association of dental examiners. These delegates may receive the per diem above provided for the time spent in attending such meetings and reimbursement for actual and necessary traveling expenses.

Sec. 29. Minnesota Statutes 1974, Section 151.03, is amended to read:

151.03 MEMBERSHIP. The members of the state board of pharmacy shall be appointed by the governor, each to serve for a term of five years and until his successor shall have been appointed and has qualified, provided that the initial public members shall serve terms of four and five years respectively. Vacancies shall be filled by the appointment for the unexpired term. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51. Any pharmacist on the board who, during his incumbency, ceases to be actively engaged in the practice of pharmacy in this state shall be automatically disqualified from membership. Any member may be removed from office by the governor upon proof of malfeasance or misfeasance in office. The members of the board heretofore appointed and now holding office shall continue until their respective terms expire.

Sec. 30. Minnesota Statutes 1974, Section 151.06, Subdivision 1, is amended to read:

151.06 POWERS AND DUTIES. Subdivision 1. The state board of pharmacy shall have the power and it shall be its duty:

- (1) To regulate the practice of pharmacy;
- (2) To regulate the manufacture, wholesale, and retail sale of drugs or medicines within this state;
- (3) To regulate the identity, labeling, purity, and quality of all drugs and medicines dispensed in this state, using the United States pharmacopoeia and the national formulary, or any revisions thereof, or standards adopted under the federal act as the standard;
- (4) It may, by its duly authorized representative, enter and inspect any and all places where drugs or medicines are sold, vended, given away, compounded, dispensed, manufactured, wholesaled or held; it may secure samples or specimens of any drug or medicine after paying or offering to pay for such sample; it shall be entitled to inspect and make copies of any and all records of shipment, purchase, manufacture, quality control, and sale of drugs or medicines provided, however,

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that such inspection shall not extend to financial data, sales data, or pricing data;

(5) To examine and register as pharmacists all applicants whom it shall deem qualified to be such;

(6) To deny, suspend, revoke, or refuse to renew any registration or license required under chapter 151, to any applicant or registrant or licensee upon any of the following grounds:

(a) Fraud or deception in connection with the securing of such license;

(b) In the case of a pharmacist, conviction in any court of a felony;

(c) In the case of a pharmacist, conviction in any court of an offense involving moral turpitude;

(d) Habitual indulgence in the use of narcotics, stimulants, or depressant drugs; or habitual indulgence in intoxicating liquors in a manner which could cause conduct endangering public health;

(e) Unprofessional conduct or conduct endangering public health;

(f) Gross immorality;

(g) Employing, assisting, or enabling in any manner an unlicensed person to practice pharmacy;

(h) Conviction of theft of drugs, or the unauthorized use, possession, or sale thereof;

(i) Violation of any of the provisions of this chapter or any of the rules or regulations of the state board of pharmacy;

(j) In the case of a pharmacy license, operation of such pharmacy without a pharmacist present and on duty;

(k) In the case of a pharmacist, physical or mental disability which could cause incompetency in the practice of pharmacy;

~~(7) On or before October 1 in each even numbered year to make a biennial report to the governor with such information and recommendations as it deems proper, giving the names of all pharmacists registered during the two preceding fiscal years, and the items of its receipts and disbursements;~~

~~(8)~~-(7) To employ necessary assistants and make rules for the conduct of its business;

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~~(9)~~-(8) To perform such other duties and exercise such other powers as the provisions of the act may require;

~~(10)~~-(9) For the purposes aforesaid it shall be the duty of the board to make and publish uniform rules and regulations not inconsistent herewith for carrying out and enforcing the provisions of this chapter.

Sec. 31. Minnesota Statutes 1974, Section 151.07, is amended to read:

151.07 MEETINGS; EXAMINATION FEE. The board shall meet at ~~least once in every six months~~ times as may be necessary and as it may determine to examine applicants for registration and to transact its other business, giving reasonable notice of all examinations by mail to known applicants therefor. The secretary shall record the names of all persons registered by the board, together with the grounds upon which the right of each to registration was claimed. The fee for examination shall be in such amount as the board may determine not exceeding the sum of \$50, which fee may in the discretion of the board be returned to applicants not taking the examination.

Sec. 32. Minnesota Statutes 1974, Section 153.02, is amended to read:

153.02 BOARD OF EXAMINERS AND REGISTRATION. The governor shall appoint a state board of podiatry examiners and registration consisting of two public members as defined for purposes of Laws 1973, Chapter 638 and five resident podiatrists of good standing in their profession ; ~~each member shall serve five years and until his successor is appointed and has qualified; provided that the initial two public members shall serve four and five year terms respectively .~~ Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 33. Minnesota Statutes 1974, Section 153.03, is amended to read:

153.03 APPLICATION FOR REGISTRATION; FEES; DISPOSITION. Application for registration shall be made upon blanks furnished by the board and signed and sworn to by the applicant.

All fees received by the board shall once a month be paid by its secretary into the state treasury and credited to the general fund together with any unexpended balance in the special fund of the board as of July 1, 1973. The expenses of administering sections 153.01 to 153.15 shall be paid from the appropriations made to the state board of podiatry .

Sec. 34. Minnesota Statutes 1974, Section 153.04, is amended to
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read:

153.04 REGISTRATION BY EXAMINATION. Any person entitled to registration, who shall furnish the ~~state board of podiatry examiners and registration~~ with satisfactory proof that he is 18 years of age or over and of good moral character, provide documentary evidence of preliminary education received prior to entering the study of podiatry equal to that required for completion of four years work in a first grade high school course, and one year in a college of liberal arts, and present a diploma or certificate from a school of podiatry recognized by the board having a minimum requirement of at least four years course of at least eight months each shall, upon payment of a fee of \$50, be examined; and, if found qualified, registered and receive in testimony thereof a certificate signed by the chairman and secretary of the board.

An applicant who fails to pass an examination satisfactory to the board and is therefore refused registration shall be entitled, within one year after such refusal, to a reexamination at a meeting of the board called for the examination of applicants, upon payment of an additional fee of \$20 for each such reexamination, but two such reexaminations shall exhaust his privilege under his original application.

Any person to whom a certificate of registration is granted under the provisions of this chapter shall designate himself as a doctor of surgical podiatry.

Before the first of June each year, every registered podiatrist shall pay to the board a license renewal fee of \$15, and in default of such payment the board may, upon hearing and notice, revoke the registration of the podiatrist in default, but the payment of such fee on or before the time of hearing, together with a penalty of \$5, shall excuse the default. Such fee may also be collected by the board in a civil action.

Sec. 35. Minnesota Statutes 1974, Section 153.13, is amended to read:

153.13 RECIPROCITY. The board may accept the certificate of license of the board of registration and examination of any other state or territory or any foreign country whose standards of qualifications and requirements for practice are equivalent to those of this state, on payment of the required fee of \$200, with the endorsement of the chairman and secretary of the ~~state board of podiatry examiners~~ .

Sec. 36. Minnesota Statutes 1974, Section 153.14, is amended to read:

153.14 EXEMPTION OF PHYSICIANS. This chapter shall not apply to the commissioned surgical officers of the United States army, navy, or marine hospital service when in the actual performance of their official duties, nor to any physicians duly registered under the

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general laws of the state, nor to any legally registered podiatrist of another state taking charge of the practice of a legally registered podiatrist of this state temporarily during the latter's absence therefrom, upon the written request to the board of ~~the registered podiatrist of this state~~ a podiatrist registered in this state .

Sec. 37, Minnesota Statutes 1974, Section 153.15, is amended to read:

153.15 OFFENSES; PENALTIES. Any person who shall unlawfully obtain registration under this chapter, whether by false or untrue statements contained in his application to the board or by presenting to the board a fraudulent diploma, certificate, or license, or one fraudulently obtained, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, punished by a fine of not less than \$25 nor more than \$100 or by imprisonment for not less than 30 nor more than 90 days; and any person not being lawfully authorized to practice podiatry in this state and registered as aforesaid, who shall advertise as a podiatrist in any form, or hold himself out to the public as a podiatrist, or who shall attempt to mislead any person or the public into assuming that he or she is licensed, or who, not being duly licensed to practice medicine, osteopathy, or chiropractic in this state, shall offer to diagnose or treat the ailments of the human foot, or who shall diagnose or treat the ailments of the human foot by medicinal, mechanical, or surgical means, shall be guilty of a misdemeanor; and, upon conviction thereof, for each offense, punished by a fine of not less than \$25 nor more than \$100 or by imprisonment for not less than 30 nor more than 90 days; *provided, that the simple sale of shoes, appliances or similar devices including arch supports and the adjustment thereof, or the sale of heel pads, cushions or other devices shall not be considered the practice of podiatry; however the adjusting of, or the addition of corrective wedging of said shoes, appliances or similar devices for correction of feet ailments except as provided above shall be by prescription of a licensed practitioner under the terms of this chapter. Provided, however, that no appliance prescribed by a podiatrist for the prevention, correction or relief of foot ailments or troubles shall be in any manner altered, adjusted or readjusted by any person other than licensed practitioner of podiatry.*

It shall be unlawful for any person, firm, or corporation to publish directly or indirectly or circulate any fraudulent, false, or misleading statements as to the skill or method of practice of any person or operator in the practice of podiatry, or in any way to advertise podiatry as to be practiced without pain, or to advertise in any manner with a view to deceiving the public, or to claim superiority over other podiatrists, or to publish reports of cases or certificates of same in any advertising media, or to advertise as using any anaesthetic, drug, formula, material, medicine, method, or system, or to advertise free podiatry services or examinations, or to advertise any amount as a price or fee for the service of any person engaged in the practice of podiatry. Any licensed and registered podiatrist may announce by way of

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a professional card containing only the name, title, degree, office location, office hours, telephone number, and residence address and telephone number, if desired, and if he limits his practice to a specialty he may announce it, but such card shall not be greater in size than eight column inches, and such information may be inserted in public print when not more than two columns in width and four inches in depth; outdoor or similar signs shall not exceed 12 by 18 inches and the text limited to the above qualifications. It shall not be considered unprofessional or unlawful to conduct an educational campaign to give information as to the practice of podiatry, providing such campaign is first approved by the **Minnesota state board of podiatry examiners**. Any person violating any of the provisions of this section as it relates to advertising shall be guilty of a misdemeanor.

Sec. 38. Minnesota Statutes 1974, Section 154.22, is amended to read:

154.22 BOARD OF BARBER EXAMINERS CREATED; TERMS. A ~~board, to be known as~~ the board of barber examiners; is established to consist of four members appointed by the governor. Three of such members shall be practical barbers who have followed the occupation of a registered barber in this state for at least five years immediately prior to their appointment; shall be graduates from the twelfth grade of a high school, or have an equivalent education; and shall have knowledge of the matters to be taught in approved schools of barbering, as set forth in section 154.07. The remaining member of the board shall be a public member as defined for purposes of Laws 1973, Chapter 638. One of the members shall be a member of, or recommended by, a union of journeymen barbers which shall have existed at least two years, and one shall be a member of, or recommended by, the master barbers association of Minnesota.

~~The members of the board shall serve for three years. The governor may remove a member for cause. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~

Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors. ~~The present members of the board of barber examiners shall remain in office until the completion of their respective terms.~~

Sec. 39. Minnesota Statutes 1974, Section 154.23, is amended to read:

154.23 OFFICERS; COMPENSATION; FEES; DISPOSITION. The board of barber examiners shall elect a chairman and secretary. It shall adopt and use a common seal for the authentication of its orders and records.

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The secretary shall keep a record of all proceedings of the board and turn over to the state treasurer all moneys and fees collected pursuant to this chapter which shall be credited to the general fund in the state treasury together with the unexpended balance in any special account of the board as of July 1, 1973. The expenses of administering sections 154.01 to 154.26 shall be paid from the appropriations made to the state board of barber examiners.

Each member of the board shall give a bond in the sum of \$5,000, with sureties to be approved by the secretary of state, conditioned for the faithful performance of his duties and take the oath provided by law for public officers.

A majority of the board, in meeting duly assembled, may perform and exercise all the duties and powers devolving upon the board.

The secretary shall receive as compensation \$9,000 per annum and the other members of the board shall receive a compensation of \$35 per day for each day of actual service spent on board activities, but not to exceed 20 days in any calendar month nor 100 days in any calendar year; in discharge of their duties as such. All members of the board shall receive necessary traveling expenses incurred in the discharge of their duties. Each member of the board of barber examiners is entitled to sick leave and vacation leave with pay to be computed in the manner prescribed by the civil service rules. Each member shall file monthly with the secretary a complete report showing his activities during the preceding month, stating in detail the places, shops, or schools visited or inspected by the member. On or before October 1 in each even numbered year the board shall make a biennial report to the governor containing a full statement of the receipts and disbursements of the board and a full statement of its doings and proceedings during the preceding two fiscal years, with such recommendations as it may deem expedient.

The board shall have authority to employ such inspectors, clerks, deputies, and other assistants as it may deem necessary to carry out the provisions of this chapter.

Sec. 40. Minnesota Statutes 1974, Section 155.05, is amended to read:

155.05 MEMBERS OF BOARD. The governor shall appoint the members of the Minnesota state board of cosmetology. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51. Three of such members shall have an official seal, shall have had five years of experience within the last seven years and practice in this state in the occupation and practices as named within this chapter, and shall be senior instructors or have the qualifications to take the examination therefor, prior to the first appointment; one to serve one year, one to serve two years, and

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one to serve three years; or until their successors are duly appointed and have qualified; and thereafter the term of each such member shall be three years. The governor may remove any member of the board with or without cause. The board members shall be citizens of this state and not members of, nor affiliated with, any school duly approved and teaching the practices, as defined herein, while a member of the board, nor shall any two members of the board be graduates of the same school, or system of schools, teaching the practices, as defined herein. Each member of the board shall take the oath provided by law for public officers.

Sec. 41. Minnesota Statutes 1974, Section 155.06, Subdivision 1, is amended to read:

155.06 BOARD; ORGANIZATION, RULES, RECORDS, INSPECTIONS. Subdivision 1. The board shall ~~on the second Tuesday of each year assemble at the state capitol or at such other place as such board has established offices pursuant to the provisions of this chapter and then and there~~ organize by electing ~~elect~~ from among its members a president, a vice-president, and a secretary-treasurer to serve until their successors are elected and have qualified. The board shall appoint such assistants, inspectors, and clerical help as it may deem necessary to perform the work of the board. The appointments shall be made in accordance with the rules and regulations to be adopted by the board and chosen upon the basis of experience, training, and general qualifications for the work. ~~Necessary expenses incurred in the transaction of the business of the board and necessary expenses of assistants, inspectors, and clerical help shall be fixed by the board.~~ The board shall maintain an office for the conduct of its business. ~~The secretary-treasurer and such other persons as are charged with and shall actually handle funds of the board shall provide to the state of Minnesota a corporate surety bond in the amount of \$10,000. The secretary-treasurer of the board shall maintain its office and devote his entire time to the duties thereof and receive an annual salary of \$9,000, payable in semimonthly installments; and any necessary expenses incurred in the performance of his official duties.~~

Sec. 42. Minnesota Statutes 1974, Section 155.06, Subdivision 2, is amended to read:

Subd. 2. The board shall meet for the purpose of examining applicants for license and of examining and granting applications for license ~~at the state capitol or at such other place as said board has established offices pursuant to the provisions of this chapter not less than ten times each year, these at times to be designated by the board; and at such other meetings during each year, the time and place of which the board shall designate.~~ A quorum for the transaction of business of the board shall consist of ~~at least two-thirds of the three~~ members of the board. The board shall have power to formulate rules for the proper administration of its business.

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Sec. 43. Minnesota Statutes 1974, Section 155.08, is amended to read:

155.08 COMPENSATION OF BOARD MEMBERS. Each member of the board except the secretary-treasurer shall receive the sum of ~~\$25~~ be compensated for each day employed in the actual discharge of his official duties spent on board activities and any necessary expenses incurred incidental thereto. Such days employed are not to exceed 100 days in any one year except that in the months when state board examinations are given this limitation will not apply. ~~Compensation and expenses of and for the board shall be paid out of the funds of the board deposited in the state treasury and not otherwise.~~

Sec. 44. Minnesota Statutes 1974, Section 156.01, Subdivision 1, is amended to read:

156.01 STATE VETERINARY EXAMINING BOARD. Subdivision 1. There is hereby created a state veterinary examining board which shall consist of two public members as defined for purposes of Laws 1973, Chapter 638 and five qualified veterinarians appointed by the governor. Each appointee shall be a resident of the state of Minnesota, and the veterinarian members of the board shall have practiced veterinary medicine in this state for at least five years prior to their appointment and shall be graduates of an accredited veterinary college. ~~Each member of the board shall be appointed for a term of five years and until his successor is appointed and qualifies; provided, that the first board appointed by the governor pursuant to this chapter shall consist of five members, who shall hold office for one, two, three, four, and five years, respectively. The initial public members of the board shall be appointed for four and five year terms respectively. Vacancies occurring during an appointed term shall be filled by the governor for the unexpired term. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~

Sec. 45. Minnesota Statutes 1974, Section 156.01, Subdivision 3, is amended to read:

Subd. 3. The board shall elect from its number a president ; ~~vice president, secretary, treasurer,~~ and such other officers as are necessary, all from within its membership. One person may hold the offices of both secretary and treasurer. The board shall have a seal and the power to subpoena witnesses, to administer oaths, and take testimony. It shall make, alter, or amend such rules and regulations as may be necessary to carry into effect the provisions of this chapter. It shall hold examinations for applicants for license to engage in veterinary practice ~~twice each year~~ at a time and place of its own choosing. Notice of such examination shall be posted 90 days before the date set for an examination in all veterinary schools approved by the board in the state, and shall be published in the journal of the American Veterinary Medical Association. The board may hold such other meetings as it

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deems necessary; but no meeting shall exceed three days duration. ~~Each member shall receive \$35 per day for actual services together with mileage and subsistence at the rates provided for state employees. Such fees and mileage shall be paid out of the funds of the board.~~

Sec. 46. Minnesota Statutes 1974, Section 214.01, Subdivision 2, is amended to read:

Subd. 2. "Health related licensing board" means the board of examiners of nursing home administration established pursuant to section 144.952, ~~the board of examiners in basic sciences established pursuant to section 146.03,~~ the state board of medical examiners created pursuant to section 147.01, the ~~Minnesota~~ board of nursing created pursuant to section 148.181, the ~~state~~ board of chiropractic examiners established pursuant to section 148.02, the board of licensed practical nurses examining board-nursing created pursuant to section ~~148.206-148.29~~, the state board of optometry established pursuant to section 148.52, ~~the state examining committee for physical therapists established pursuant to section 148.66,~~ the board of examiners of psychologists established pursuant to section 148.90, the state board of dentistry established pursuant to section 150A.02, the state board of pharmacy established pursuant to section 151.02, the state board of podiatry examiners and registration established pursuant to section 153.02, and the state veterinary examining board, established pursuant to section 156.01.

Sec. 47. Minnesota Statutes 1974, Section 214.01, Subdivision 3, is amended to read:

Subd. 3. "Non-health related licensing board" means ~~the state board of examiners of psychologists established pursuant to section 148.79 or its successor board,~~ the teacher standards and certification commission established pursuant to section 125.183, the board of barber examiners established pursuant to section 154.22, the state board of cosmetology examiners established pursuant to section 155.04, the board of assessors established pursuant to section 270.41, the state board of architects, engineers and land surveyors established pursuant to section 326.04, the state board of accountancy established pursuant to section 326.17, the state board of electricity established pursuant to section 326.241, the private detective and protective agent licensing board established pursuant to section 326.33, the ~~Minnesota~~ board of examiners in watchmaking established pursuant to section 326.541, the state boxing commission established pursuant to section 341.02, and the ~~Minnesota~~ abstracters' board of examiners established pursuant to section 386.63.

Sec. 48. Minnesota Statutes 1974, Section 214.04, is amended to read:

214.04 SERVICES. Subdivision 1. The commissioner of administration at his discretion with respect to the health related licensing

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boards with respect to the board of electricity, the commissioner of education with respect to the teacher standards and certification commission, and the commissioner of non-health related boards may revenue with respect to the board of assessors, shall provide at a central location suitable offices and other space, joint conference and hearing facilities, examination rooms, and the following administrative support services: purchasing service, accounting service, advisory personnel services, data processing, duplicating, mailing services, automated printing of license renewals, and such other similar services of a housekeeping nature as are generally available to other agencies of state government. ~~With respect to the health related licensing boards, the commissioner of administration shall consult with the state board of health.~~ The commissioner of health with respect to the health related licensing boards and the commissioner of commerce with respect to the remaining non-health related licensing boards shall provide the above facilities and services at a central location for the health related and remaining non-health related licensing boards.

Subd. 2. The health related licensing boards and the non-health related licensing boards shall be required to provide compensation for the reasonable costs associated with providing the services required by subdivision 1. Such compensation shall be based upon biennial budgeting statements prepared by each licensing board. Transfers of funds to the account of the appropriate department of administration ~~as specified in subdivision 1 with respect to the health related boards and the non-health related boards~~ shall be made on the first day of each quarter of the biennium for services to be furnished, and all funds so transferred shall be deposited to the account of the appropriate department of administration .

Sec. 49. Minnesota Statutes 1974, Chapter 214, is amended by adding a section to read:

[214.07] REPORTS. Subdivision 1. BOARD REPORTS. The health related licensing boards and the non-health related licensing boards shall prepare reports by October 1 of each even numbered year on forms prepared by the commissioner of administration. Copies of the reports shall be delivered to the legislature in accordance with section 3.195, the governor and the commissioner of administration. The reports shall contain the following information relating to the two year period ending the previous June 30:

(a) A general statement of board activities;

(b) The number of meetings and approximate total number of hours spent by all board members in meetings and on other board activities;

(c) The receipts and disbursements of board funds;

(d) The names of board members and their addresses, occupa-

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tions, and dates of appointment and reappointment to the board;

(e) The names and job classifications of board employees;

(f) A brief summary of board rules proposed or adopted during the reporting period with appropriate citations to the state register and published rules;

(g) The number of persons having each type of license and registration issued by the board as of June 30 in the year of the report;

(h) The locations and dates of the administration of examinations by the board;

(i) The number of persons examined by the board with the persons subdivided into groups showing age categories, sex, and states of residency;

(j) The number of persons licensed or registered by the board after taking the examinations referred to in clause (h) with the persons subdivided by age categories, sex, and states of residency;

(k) The number of persons not licensed or registered by the board after taking the examinations referred to in clause (h) with the persons subdivided by age categories, sex, and states of residency;

(l) The number of persons not taking the examinations referred to in clause (h) who were licensed or registered by the board or who were denied licensing or registration with the reasons for the licensing or registration or denial thereof and with the persons subdivided by age categories, sex, and states of residency;

(m) The number of persons previously licensed or registered by the board whose licenses or registrations were revoked, suspended, or otherwise altered in status with brief statements of the reasons for the revocation, suspension or alteration;

(n) The number of written and oral inquiries and complaints received by the board from residents of the state relating to activities which the board is required to license or regulate;

(o) A summary by category of the substance of the inquiries and complaints referred to in clause (n) and the responses or dispositions of the board thereto;

(p) Any other objective information which the board members believe will be useful in reviewing board activities.

Subd. 2. SUMMARY OF BOARD REPORTS. Not later than December 15 of each even numbered year, the commissioner of administration shall prepare a summary report compiling the information

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required by subdivision 1, clauses (b) and (g) to (p) and contained in the reports submitted by the boards the preceding year pursuant to subdivision 1. The summary report shall be distributed to the legislature pursuant to section 3.195 and to the governor.

Sec. 50. Minnesota Statutes 1974, Chapter 214, is amended by adding a section to read:

[214.08] FISCAL YEAR. All health related boards and all non-health related boards shall adopt the fiscal year system employed by the state.

Sec. 51. Minnesota Statutes 1974, Chapter 214, is amended by adding a section to read:

[214.09] MEMBERSHIP; COMPENSATION; REMOVAL; VACANCIES. Subdivision 1. GENERAL. The following standard provisions shall apply to the health related and non-health related licensing boards and to agencies created after July 1, 1975 in the executive branch, other than departments, whose primary functions include licensing, registration or certification of persons in specified professions or occupations.

Subd. 2. MEMBERSHIP TERMS. The terms of the members shall be four years with the terms ending on the first Monday in January. The appointing authority shall appoint as nearly as possible one-fourth of the members to terms expiring each year. If the number of members is not evenly divisible by four, the greater number of members, as necessary, shall be appointed to terms expiring in the year of commencement of the governor's term and the year or years immediately thereafter. If the membership is composed of categories of members from occupations, industries, political subdivisions, the public or other groupings of persons, and if the categories have two or more members each, the appointing authority shall appoint as nearly as possible one-fourth of the members in each category at each appointment date. Members may serve until their successors are appointed and qualify. If the appointing authority fails to appoint a successor by July 1 of the year in which the term expires, the term of the member for whom a successor has not been appointed shall extend until the first Monday in January four years after the scheduled end of the original term.

Subd. 3. COMPENSATION. Members of the boards shall be compensated at the rate of \$35 per day spent on board activities plus expenses in the same manner and amount as received by state employees. Members who are full-time state employees or employees of the political subdivisions of the state shall not receive the \$35 per day, but they shall suffer no loss in compensation or benefits from the state or a political subdivision as a result of their service on the board. Members who are state employees or employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source.

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Subd. 4. REMOVAL; VACANCIES. A member may be removed by the appointing authority at any time (1) for cause after notice and hearing, (2) if the board fails to prepare and submit the report required by section 49, or (3) after missing three consecutive meetings. The chairman of the board shall inform the appointing authority of a member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the member in writing that he may be removed if he misses the next meeting. In the case of a vacancy on the board, the appointing authority shall appoint a person to fill the vacancy for the remainder of the unexpired term.

Sec. 52. Minnesota Statutes 1974, Section 270.41, is amended to read:

270.41 BOARD OF ASSESSORS. A board to be known as a state board of assessors ; hereinafter called "the board" is hereby created. ~~Such~~The board shall be for the purpose of establishing, conducting, reviewing, supervising, coordinating or approving courses in assessment practices, and establishing criteria for determining assessor's qualifications. The board shall also have authority and responsibility to consider other matters relating to assessment administration brought before it by the commissioner of revenue. The board shall consist of ~~seven~~ nine members, who shall be appointed by the governor, in the manner provided herein.

1. Two from the department of revenue,
2. Two county assessors,
3. Two assessors who are not county assessors, one of whom shall be a township assessor, and
4. One from the private appraisal field holding a professional appraisal designation ;
5. Two public members as defined by section 214.02.

The appointment provided in 1, 2 and 3, may be made from a list of not less than three names submitted to the governor by the commissioner of revenue containing recommendations for appointees described in 1, the Minnesota Association of Assessing Officers or its successor organization containing recommendations for the appointment of appointees described in 2, and the Minnesota Association of Assessors, Inc. or its successor organization containing recommendations for the appointees described in 3, 30 days before the commencement of the term. In the case of a vacancy, a new list shall be furnished to the governor by the respective organization immediately. In the event any member of the board shall no longer be engaged in the capacity listed above, he shall automatically be disqualified from membership in the board.

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The board shall designate one of the appointees from the department of revenue to be the secretary of the board.

Sec. 53. Minnesota Statutes 1974, Section 270.42, is amended to read:

270.42 MEMBERSHIP. The term of office shall be for a period of four years commencing July of the year appointed and members may be reappointed for subsequent terms at the discretion of the governor. In the first appointment, one of the two appointees from the first three groups described in section 270.41 shall be appointed for a two year term; thereafter the term shall be four years. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 54. Minnesota Statutes 1974, Section 270.45, is amended to read:

270.45 DISPOSITION OF FEES. All fees so established and collected shall be paid to the department of revenue. Fees so received by the department of revenue shall be paid to the state treasurer; and an amount of money equal to the amount so paid over is hereby appropriated to the board for the purpose for deposit in the general fund. The expenses of carrying out the provisions of sections 270.41 to 270.53 shall be paid from appropriations made to the board of assessors.

Sec. 55. Minnesota Statutes 1974, Section 326.04, is amended to read:

326.04 BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND SURVEYORS. To carry out the provisions of sections 326.02 to 326.15 there is hereby created a state board of registration for architects, engineers, and land surveyors (hereinafter called the board) consisting of fifteen members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers, one member shall be a registered land surveyor and six members shall be public members as defined for purposes of Laws 1973, Chapter 638. Not more than one member of said board shall be from the same branch of the profession of engineering. The members of the first board shall be appointed to serve for the following terms: two members for one year; two members for two years; two members for three years; and one member for four years; said term ending on the first day of January of the succeeding years. On the expiration of each of said terms the term of office of each newly appointed or reappointed member of the board shall be for a period of four years and shall terminate on the first day of January; except that each member shall hold over after the expiration of his term until his successor shall have been duly appointed and qualified. The two engineering members of the board added by this amendment shall be appointed for the following term: one for a term ending on the first day

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of January of the next succeeding year, and one for a term ending on the first day of January of the second succeeding year following his appointment. Thereafter their successors shall be appointed for a term of four years as provided for the other members of the board. Each public member of the board shall be appointed for a term of four years, provided that of the initial public members appointed two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years. The governor may remove any member of the board for misconduct, incompetency or neglect of duty. Vacancies in the membership of the board, however created, shall be filled by appointment by the governor for the unexpired term: Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 56. Minnesota Statutes 1974, Section 326.07, is amended to read:

326.07 BOARD, MEETINGS OF, OFFICERS, QUORUM. The board shall hold a meeting within 30 days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such times as the bylaws of the board may provide. Notice of all meetings shall be given in such manner as the bylaws may provide. The board shall elect annually from its members a chairman, a vice-chairman and, a ~~secretary-treasurer-secretary and a treasurer~~. A quorum of the board shall consist of not less than eight members, of whom two shall be architects, three engineers, and three public members.

Sec. 57. Minnesota Statutes 1974, Section 326.08, Subdivision 2, is amended to read:

Subd. 2. Any member of the board, the executive secretary of the board, or the attorney for the board may be authorized by the board to attend any architectural, engineering, or land surveying conference or meeting held outside of this state, the major purpose of which is the consideration of problems directly associated with the registration of architects, professional engineers, or land surveyors. ~~In addition to any subsistence and travel allowance prescribed by law for travel outside of the state, a member of the board who attends such an architectural, engineering, or land surveying conference or meeting pursuant to authorization by the board shall receive \$25 for each day or portion thereof he attends the conference or meeting or travels to or from the conference or meeting.~~

Sec. 58. Minnesota Statutes 1974, Section 326.09, is amended to read:

326.09 RECORDS OF BOARD. The board shall keep a record of its proceedings and a register of all applicants for registration, showing for each the date of application, name, age, educational and other qual-

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ifications, place of business, and the place of residence, whether or not an examination was required and whether the applicant was rejected or a certificate of registration granted, and the date of such action. The books and register of the board shall be prima facie evidence of all matters recorded therein. A roster showing the names and places of business and of residence of all registered architects, engineers, and land surveyors shall be prepared by the ~~secretary-treasurer-executive secretary~~ of the board during the month of ~~January-July~~, of each ~~even-numbered~~ year; such roster shall be printed out of the funds of the board, as provided in section 326.08. ~~On or before the first day of October in each even numbered year, the board shall submit a biennial report to the governor covering its activities during the two preceding fiscal years, together with a complete statement of the receipts and expenditures of the board, signed by the chairman and the secretary-treasurer, and a copy of the roster of registered architects, registered engineers, and registered land surveyors.~~

Sec. 59. Minnesota Statutes 1974, Section 326.17, is amended to read:

326.17 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 seven citizens of this state to be appointed by the governor, two of whom shall be public members as defined for purposes of Laws 1973, Chapter 638 and five of whom shall be the holders of certificates issued under the provisions of sections 326.17 to 326.23. Each member 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 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. The initial terms of the public members of the board shall be for four and five years respectively. Upon the expiration of any term, the governor shall appoint a member of the board for a term of five years. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 60. Minnesota Statutes 1974, Section 326.18, is amended to read:

326.18 BOARD, DUTIES, OFFICERS, EXAMINATIONS. A majority of the board shall constitute a quorum. 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 four members of the board shall be considered as the action of the board. The board shall enforce the standard of general education; the

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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 may make further rules and regulations, including but not limited to rules of professional conduct, pertaining to corporations practicing public accounting which it deems consistent with or required by the public welfare.

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. 61. Minnesota Statutes 1974, Section 326.22, Subdivision 3, is amended to read:

Subd. 3. EXPENSES OF ADMINISTRATION; FEES; DISPOSITION. The board shall pay all ordinary and necessary expenses in the ~~same amount and manner as state employees~~ . The fees collected under sections 326.17 to 326.23 shall be paid into the state treasury and credited to the general fund together with the unexpended balance in any special fund of the board as of July 1, 1973. The expenses of ad-

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ministering sections 326.17 to 326.23 shall be paid from appropriations made to the state board of accountancy. ~~The members of the board of accountancy shall be paid \$35 per day spent in the performance of their duties and all necessary expenses.~~

Sec. 62. Minnesota Statutes 1974, Section 326.241, Subdivision 1, is amended to read:

326.241 BOARD OF ELECTRICITY. Subdivision 1. **COMPOSITION.** The state board of electricity shall consist of nine members, residents of the state, appointed by the governor with the advice and consent of the senate, each for a term of five years, except that the initial public members shall serve four and five year terms respectively and until his successor qualifies; of whom at least two shall be representatives of the electrical suppliers in the rural areas of the state, two shall be master electricians, who shall be contractors, two journeyman electricians, one registered consulting electrical engineer and two public members as defined for purposes of Laws 1973, Chapter 638. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 63. Minnesota Statutes 1974, Section 326.241, Subdivision 3, is amended to read:

Subd. 3. FEES AND FINANCES; DISPOSITION. Each member of the board shall be paid compensation of \$35 per day for each day spent in performance of his duties; plus ordinary and necessary expenses in the same amount and manner as state employees. Compensation and expenses shall not be paid for more than 30 days in any calendar year, exclusive of days spent in actual attendance at required public hearings on matters before the board in regard to rules and regulations; appeals; or license proceedings. All license fees collected under the provisions of Laws 1967, Chapter 602 are to be credited to the general fund in the state treasury along with any; Of the unexpended balance in a special fund of the board as of July 1, 1973, those portions attributable to previously collected license fees credited to the fund, but not inspection fees held in escrow, shall be credited to the general fund. The expenses of administering sections 326.241 to 326.248 shall be paid from appropriations made to the state board of electricity.

Sec. 64. Minnesota Statutes 1974, Section 326.33, Subdivision 1, is amended to read:

326.33 PRIVATE DETECTIVE AND PROTECTIVE LICENSING BOARD; CREATION; DUTIES; APPEAL. Subdivision 1. There is hereby created a private detective and protective agent licensing board, consisting of the attorney general or a departmental employee designated by him; the superintendent of the bureau of criminal apprehension or a departmental employee designated by him; a licensed private detective and two public members appointed by the governor to a

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term of three years . Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

The board members shall meet ~~on a regular basis~~ as they deem necessary and conduct such business ascribed to the board by the provisions of sections 326.331 to 326.339. The board shall designate one of the board members to fulfill the capacity of board chairman who will remain in the capacity of chairman for a term of one year. The board shall have the option of retaining or replacing a board member as chairman.

Sec. 65. Minnesota Statutes 1974, Section 326.334, Subdivision 7, is amended to read:

Subd. 7. All fees accruing to the board shall be paid into the general fund ~~in the state treasury~~ . The cost of administering ~~Laws 1974, Chapter 210 sections 326.32 to 326.339~~ shall be paid from appropriations made to the board.

Sec. 66. Minnesota Statutes 1974, Section 326.37, is amended to read:

326.37 PLUMBERS; SUPERVISION BY STATE BOARD OF HEALTH; RULES; VIOLATION; PENALTY. The state board of health may, by ~~regulation~~ rule , prescribe minimum standards which shall be uniform, and which standards shall thereafter be effective for all new plumbing installations, including additions, extensions, alterations, and replacements connected with any water or sewage disposal system owned or operated by or for any municipality, institution, factory, office building, hotel, apartment building, or any other place of business regardless of location or the population of the city or town in which located. ~~Such regulations, upon approval of the attorney general and their legal publication, shall have the force of law, and the violation of any part thereof shall constitute a misdemeanor. Violation of the rules shall be a misdemeanor.~~

The board shall administer the provisions of sections 326.37 to 326.45 and for such purposes may employ plumbing inspectors and other assistants.

Sec. 67. Minnesota Statutes 1974, Section 326.541, is amended to read:

326.541 BOARD OF EXAMINERS IN WATCHMAKING; FEES; DISPOSITION. (1) There is created a board to be known as the "~~Minnesota~~ Board of Examiners in Watchmaking," whose duties it shall be to administer the provisions of Laws 1943, Chapter 474. Such board shall consist of seven members, appointed by the governor. All persons so appointed shall have been residents of this state and five such members shall have actually engaged in watchmaking, as defined in section

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326.01, subdivision 20, for at least five years immediately preceding the time of their appointment. The remaining members shall be public members as defined for purposes of Laws 1973, Chapter 638. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51. Each member of the board shall hold office for four years and until his successor shall be appointed, and qualifies; except that in the first appointments three members shall be appointed for four years, two for two years, and the term of office in such case shall be designated by the governor at the time of the appointment. The board of seven shall have at least two employees as members. The initial public members shall serve terms of three and four years respectively.

(2) The board shall choose annually, one of its members as president and one as secretary, who shall severally have power to administer oaths and take affidavits certifying thereto under the seal of the board. The board shall meet at such times and places as the officers may direct. A majority of the board shall constitute a quorum. The secretary shall give such bond as the board shall determine to be proper. The secretary shall keep a full record of its proceedings, which shall be open to inspection at all reasonable times. ~~The members and officers of the board shall be paid a per diem of \$35 for time spent in the performance of their duties but not to exceed in one year the total sum of \$950; and they shall receive ordinary and necessary expenses in the same amount and manner as state employees.~~ The secretary, in addition to such per diem and expenses, may be paid an annual salary not to exceed \$2,500.

(3) The board shall establish suitable and proper uniform apprenticeship regulations; may retain administrative or legal counsel, if it deems needed or proper; and ~~to~~ may appoint one clerk or assistant to the secretary, exempt from civil service; ~~and to fix the salary therefor.~~

(4) The secretary shall collect the fees and shall pay the same into the state treasury, to be credited to the general fund together with any unexpended balance in a special fund of the board as of July 1, 1973. The secretary chairman or his designee shall draw by warrant for necessary expenses. The expenses of administering sections 326.54 to 326.546 shall be paid from appropriations made to the ~~Minnesota board of examiners in watchmaking.~~

Sec. 68. Minnesota Statutes 1974, Section 326.542, is amended to read:

326.542 EXAMINATIONS; FEES. Applicants for certificates shall be examined at a time and place fixed by the board. Applications for examination shall be filed with the board at least ten days before the date set for the examination and shall be accompanied by an examination fee of \$25. The applicant shall be of good character, at least ~~10-18~~

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years of age, and possess such training and experience as the board shall determine to be requisite.

Sec. 69. Minnesota Statutes 1974, Section 326.66, is amended to read:

326.66 WATER CONDITIONING ADVISORY BOARD. A water conditioning advisory board of nine members may be appointed by the ~~state board of health-commissioner~~ or his designee to assist in the establishment of rules, regulations, and standards for water conditioning installation and servicing. This board shall consist of at least three members who are actively engaged as water conditioning contractors and the terms, removal, duties, and powers of such board shall be in accordance with such rules and regulations as the ~~state board of health commissioner~~ or his designee may prescribe.

Sec. 70. Minnesota Statutes 1974, Section 341.01, is amended to read:

341.01 CREATION. There is hereby created the state boxing commission, to consist of seven ~~commissioners~~ members, citizens of this state, two of whom shall be public members as defined for purposes of Laws 1973, Chapter 638; ~~who shall be appointed by the governor and hold office for a term of three years, except as hereinafter provided, and until their successors are appointed and have qualified.~~ Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Sec. 71. Minnesota Statutes 1974, Section 341.02, is amended to read:

341.02 LIMITATIONS. ~~The governor shall appoint as members of this 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. The initial public members appointed to the board shall serve two and three year terms respectively; such terms to commence on the first day of the month following such appointment. Any vacancy in office shall be filled by appointment by the governor for the unexpired portion of the term. No commissioner-member shall directly or indirectly promote any boxing or sparring exhibition or directly or indirectly engage in the managing of any boxer or be interested in any manner in any proceeds from any boxing match.~~

Sec. 72. Minnesota Statutes 1974, Section 386.63, Subdivision 1, is amended to read:

386.63 ABSTRACTERS BOARD OF EXAMINERS. Subdivision 1. There is hereby created a board to be known as the ~~"Minnesota Ab-~~

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~~stracters Board of Examiners,"~~ an abstracters board of examiners whose duties it shall be to administer the provisions of sections 386.61 to 386.76. The board shall consist of seven members to be appointed by the governor. Four persons so appointed shall be residents of this state and actually engaged in the business of making abstracts of title to real estate for at least five years immediately preceding the time of their appointment, but no more than one such member shall be from a county containing a city of the first class. The fifth member of the board shall be an attorney at law admitted to practice in the state of Minnesota. The remaining members shall be public members as defined for purposes of Laws 1973, Chapter 638. ~~Each member of the board shall qualify by taking the oath provided by law for public officers and shall hold office for six years until his successor shall be appointed and qualified; except that for the first five appointments, two members shall be appointed for two years, two for four years, and one for six years; and the term of office in such case shall be designated by the governor at the time of the appointment. The initial two public members shall serve terms of five and six years respectively. Vacancies caused by death, resignation, expiration of the term of public office to which a board member has been appointed or elected, or otherwise shall be filled by the governor for the unexpired term of such member. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.~~

Sec. 73. Minnesota Statutes 1974, Section 386.63, Subdivision 4, is amended to read:

Subd. 4. The board shall keep a full record of its proceedings, which shall be open to inspection at all reasonable times ; ~~and shall make a biennial report to the governor which shall contain a full statement of its proceedings, receipts and disbursements and such recommendations as it may deem proper .~~

Sec. 74. Minnesota Statutes 1974, Section 115.74, is amended to read:

115.74 BOARD OF CERTIFICATION. Subdivision 1. The board of certification shall be composed of six members. The governor shall appoint four members as follows: A currently employed water supply system operator holding a valid certificate issued by the secretary; a currently employed wastewater treatment facility operator holding a valid certificate issued by the director; a university or college faculty member whose major field is related to water supply or wastewater collection and treatment; and a representative of the league of Minnesota municipalities. The remainder of the board shall be composed of the following persons: A representative of the state department of health who is either the director of the division of environmental health or a qualified member of his staff; the director of the Minnesota pollution control agency or a qualified member of his staff. In the case of the first board, the appointments of a water supply system operator

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and a wastewater treatment facility operator shall be made from currently employed operators holding valid certificates under the voluntary certification program administered by the state department of health and the Minnesota pollution control agency.

Subd. 2. Each member of the board, with the exception of the ex officio members from the state department of health and the Minnesota pollution control agency, shall be appointed for a three year term, except that in the case of the initial appointments the representative of the league of Minnesota municipalities shall be appointed for one year, both operators for two years, and the faculty member for three years. The ex officio members shall serve for indefinite terms. Vacancies shall be filled by appointment pursuant to subdivision 1 of this section and shall be for the unexpired term. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 49 to 51.

Subd. 3. Members of the first board, at the call of the governor, shall organize and elect from their number a chairman and a vice chairman. The ex officio members shall not serve as chairman but shall otherwise have the same rights and duties as the other members, including, but not limited to, the right to vote. Thereafter, annually when new members are appointed to the board a chairman shall be elected at the next board meeting. The state department of health representative or other representative designated by the board shall serve as secretary of the board, except that the secretary shall be responsible for maintaining records relating to certification of water supply system operators and the Minnesota pollution control agency shall be responsible for maintaining records relating to certification of wastewater treatment facility operators.

Subd. 4. The board shall cause at least one examination to be held each year for the purpose of examining candidates for certification at a time and place designated by the board. Those applicants whose competency is acceptable to the board shall be recommended to the secretary or the director for certification. Additional meetings may be called by the chairman as may be necessary to carry out the provisions of sections 115.71 to 115.82. Four members shall constitute a quorum.

Subd. 5. The members of the board shall serve without compensation except for their actual and necessary expenses incurred while discharging their official duties. The cost of such expense reimbursements shall be shared equally by the department of health and the Minnesota pollution control agency.

Sec. 75. The present members of health related licensing boards and nonhealth related licensing boards as defined in sections 46 and 47 shall continue to serve until the end of their terms if the terms are scheduled to end in the month of January; otherwise, they shall serve until the first Monday in January in the year next following the sched-

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uled end of their terms. Initial successors to the current members shall be appointed to terms of a length determined by the appointing authority to be consistent with the schedule of staggered terms as provided in section 51. Thereafter, the members shall be appointed to and shall serve for terms consistent with the provisions of section 1.

Sec. 76. Minnesota Statutes 1974, Chapter 15, is amended by adding a section to read:

[15.058] LICENSING BOARD MEMBERS, COMPENSATION, TERMS, REMOVAL, REPORTS. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements for those agencies in the executive branch other than departments whose primary functions include licensing, certification or registration of persons in specified professions or occupations shall be as provided in sections 49 to 51 of this act.

Sec. 77. Minnesota Statutes 1974, Sections 125.183, Subdivision 2; 148.07, Subdivision 3; 148.181, Subdivision 3; 148.201; 148.296, Subdivision 2; 148.68; 148.69; 148.90, Subdivisions 4 and 5; 150A.02, Subdivision 2; 151.08; 153.12; 341.03; 341.14; and 386.63, Subdivision 5, are repealed.

Sec. 78. This act is effective July 1, 1975.

Approved May 15, 1975.

CHAPTER 137—S.F.No.637

[Coded in Part]

An act relating to county courts; establishing the manner of disposition of fines, fees and other moneys; amending Minnesota Statutes 1974, Section 487.33, Subdivision 5, and by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 487.33, Subdivision 5, is amended to read:

Subd. 5. **COUNTY COURTS; PARKING VIOLATION FINES; DISPOSITION.** The clerk shall provide the county treasurer with the name of the municipality or other subdivision of government where the offense was committed for each fine or penalty and the total amount of fines or penalties collected for each such municipality or other subdivision of government. On or before the last day of each month the county treasurer shall pay over to the treasurer of each municipality or subdivision of government within the county all fines or penalties for

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