

Section 1. Minnesota Statutes 1961, Section 648.31, Subdivision 1, is amended to read:

648.31 Minnesota Statutes; biennial publication. Subdivision 1. **Revisor to prepare copy.** Immediately after the end of the biennial session of the Legislature in 1947 and each biennial session thereafter, the revisor of statutes shall prepare and deliver to the commissioner of administration printer's copy for a volume to be called "Minnesota Statutes," appending thereto the year of such biennial session, which shall contain the constitution of the United States, the constitution of this state, all general and permanent statutes in force, ~~a table of the statutes which have been revised by the revisor of statutes;~~ an alphabetical index, a table showing the terms of the district courts, and such other information as the revisor of statutes deems desirable and practicable; ~~and which shall conform, as far as practicable, in classification, arrangement, printing, and binding with Minnesota Statutes 1945.~~ The decimal system of numbering of sections contained in Minnesota Statutes 1945 shall be continued in all future editions of Minnesota Statutes, *except that the use of alphabetical letters in addition to the decimal numbers is permitted.*

Sec. 2. Minnesota Statutes 1961, Section 648.31, Subdivision 3, is amended to read:

Subd. 3. **Specifications for copy.** When printer's copy for any edition of Minnesota Statutes is prepared, the revisor of statutes shall compile and include therein, in an appropriate place and classification, having reference to the arrangement and classification thereof, all laws of a general and permanent nature which were enacted at such biennial session and at any extra session held since the last preceding biennial session, assigning to such laws such chapter and section identification; ~~by the decimal system of numbering;~~ as is appropriate. After each section so included there shall be placed a source note indicating the chapter and section of the session law from which the same was derived. Chapters and sections so compiled and included shall be prima facie evidence of the law contained therein in all courts and proceedings.

Sec. 3. *Minnesota Statutes 1961, Section 648.38, is repealed.*

Approved April 15, 1965.

CHAPTER 204—H. F. No. 599

[Coded in Part]

An act relating to the practice of veterinary medicine; amending Minnesota Statutes 1961, Sections 156.01, 156.02, 156.03, 156.05,

Changes or additions indicated by italics, deletions by strikeout.

156.06, 156.07, as amended, 156.12, and 156.14; amending Minnesota Statutes 1961, Chapter 156, as amended, by adding sections thereto; repealing Minnesota Statutes 1961, Section 156.08.

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

Section 1. Minnesota Statutes 1961, Chapter 156, as amended by Laws 1963, Chapter 578, Section 1, is amended by adding a section to read:

[156.001] Veterinary medicine; definitions. *Subdivision 1. Except where the context otherwise indicates, for the purposes of Minnesota Statutes, Chapter 156, and acts amendatory thereof, the terms defined in this section have the meanings given them.*

Subd. 2. "Animal" does not mean poultry or birds of any kind.

Subd. 3. "Board" means the state veterinary examining board.

Subd. 4. "Compensation" includes but is not limited to all fees, monetary rewards, discounts, and emoluments received directly or indirectly.

Subd. 5. "Licensee" means a person licensed to practice veterinary medicine in the state of Minnesota.

Subd. 6. "Operation" includes but is not limited to any act of cutting, scraping, or disturbing the intact body surface in any way, and any surgical or dental procedure, except as otherwise provided in Minnesota Statutes, Chapter 156.

Subd. 7. "Practice of veterinary medicine" has the meaning given by Minnesota Statutes, Section 156.12.

Sec. 2. Minnesota Statutes 1961, Section 156.01, 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 five qualified veterinarians appointed by the governor. Each appointee shall be a resident of the state of Minnesota, shall have practiced veterinary medicine in this state for at least five years prior to his appointment, and shall be a graduate of a reputable 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. Vacancies*

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occurring during an appointed term shall be filled by the governor for the unexpired term.

Subd. 2. Whenever the occasion arises pursuant to this chapter for the appointment of a member of the board by the governor the board of trustees of the Minnesota state veterinary medical society shall recommend to the governor, at least 30 days in advance of the date that the appointment is to be made, three veterinarians qualified to serve on the board for each appointment so to be made and the governor may appoint one of these persons so recommended to fill the vacancy.

Subd. 3. The board shall elect from its number a president, ~~and a secretary-treasurer~~ *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 ~~meetings at the capitol for the examination of~~ *examinations for applicants for license to engage in veterinary practice on the Tuesday preceding the second Wednesday in January and July twice each year and 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 deems necessary; but no meeting shall exceed three days duration. Each member shall receive \$10.35 per day for actual services together with mileage at the rate of five cents per mile for necessary travel and subsistence at the rates provided for state employees. Such fees and mileage shall be paid out of the funds of the board.*

Subd. 4. The board shall have the power to provide for its office and necessary furniture, fixtures, and supplies and to appoint and employ and at will to remove and discharge such officers, agents, and other employees as it deems necessary to perform its duties, and to fix the salaries and define the duties of such officers, agents, and employees.

Subd. 5. The secretary shall conduct all correspondence necessary to carry out the provisions of this chapter; ~~he~~ *The board shall keep an official record of all proceedings, meetings, including the name of every applicant for registration or examination, which record shall show the age of the applicant; the extent of his study and practice, the name of the veterinary college from which he was*

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~~graduated, and the date of such graduation. The board shall keep an official register of all applicants for licenses and a register of licensees. Such record registers shall be prima facie evidence of the matters therein contained. The secretary shall receive such compensation as the board may provide.~~

Sec. 3. Minnesota Statutes 1961, Section 156.02, is amended to read:

156.02 Applicants for license; qualifications. *Subdivision 1.* Application for a license to practice veterinary medicine in this state shall be made *in writing* to the veterinary examining board upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least 21 years of age, is of good moral character, and has received a diploma conferring the degree of doctor of veterinary medicine, or its equivalent, from some reputable veterinary school approved by the board. The application shall contain *the information and material required by subdivision 2 and any other information that the board may, in its sound judgment, require. The application shall be filed with the secretary of the board at least 30 days before the date of the examination.* If the board deems it advisable, it may require that such application be verified by the oath of the applicant.

Subd. 2. Every application shall contain the following information and material: (1) A fee of \$50 in the form of a check or money order payable to the state treasurer, which fee shall not be returnable in the event permission to take the examination is denied upon good cause; (2) A certificate from the dean or secretary of an approved college of veterinary medicine showing the time spent in such school, and the date when the applicant was duly and regularly graduated therefrom. If the applicant attended more than one college of veterinary medicine, he shall furnish transcripts from each as to work done in each; (3) Affidavits of at least two veterinarians and three adults who are not related to the applicant setting forth how long a time, when, and under what circumstances such persons have known the applicant, details respecting the applicant's habits and general reputation, and such other facts as may be proper to enable the board to determine the moral character of the applicant; (4) If the applicant has served in the armed forces, he shall furnish a copy of his discharge papers.

Sec. 4. Minnesota Statutes 1961, Section 156.03, is amended to read:

156.03 Fee; examination. Upon filing such application and any other papers, affidavits, or proof that the veterinary examining board may require, together with the payment to the board of

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a fee of ~~\$25~~ \$50, the board, if satisfied, shall issue to the applicant for license an order for examination. Every applicant for a license shall submit to a theoretical or practical examination, or both, as designated by the board. The examination may be oral, or written, or both.

Sec. 5. Minnesota Statutes 1961, Section 156.05, is amended to read:

156.05 **License.** The license shall be subscribed by the members of the veterinary examining board and have affixed to it by the ~~secretary-treasurer~~ *secretary* the seal of the board.

Sec. 6. Minnesota Statutes 1961, Section 156.06, is amended to read:

156.06 **License recorded.** The license, before issued, shall be recorded in a book to be kept in the office which the veterinary examining board shall establish for the purpose of carrying out the provisions of this chapter. ~~The number of the book and the page therein containing the recorded copy of the license shall be noted upon the face of the license.~~ These records shall be open to public inspection with proper restrictions as to their preservation.

Sec. 7. Minnesota Statutes 1961, Section 156.07, as amended by Laws 1963, Chapter 578, Section 1, is amended to read:

156.07 **Veterinarians; annual registration.** *Every person licensed under Minnesota Statutes, Chapter 156, shall conspicuously display his license in his principal place of business.*

Each person now qualified to practice veterinary medicine in this state, or who shall hereafter be licensed by the veterinary examining board to engage in such practice, shall register with the board before ~~the first day of May~~ *March 1* each year and thereupon the license of such veterinarian shall be renewed for such calendar year.

The *annual fee for such registration shall be \$2 and not more than \$10 as deemed necessary by the board to maintain sufficient funds to carry out its duties. Such fees shall be paid by each licensed veterinarian in this state to the secretary of the board before the first day of May* ~~March 1~~ *each year. Notice of such fee shall be given to all veterinarians licensed in the preceding year by January 1 of the year for which the license fee is due.*

Any such veterinarian failing so to register and pay this registration fee before ~~May first~~ *March 1* each year shall pay to the ~~secretary-treasurer~~ *secretary* of the board the sum of ~~\$5~~ *\$10 plus*

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the regular fee before his license shall be renewed; provided, that in the event any such licensed veterinarian fails to register ~~and to~~ pay the registration fee provided herein within 60 days after ~~May~~ *first March 1* in any year, then and in that event the board shall ~~revoke~~ *suspend* his license to practice veterinary medicine in this state.

Any person who, ~~on March 31, 1937, shall be legally~~ *is* licensed to practice veterinary medicine in this state *pursuant to Minnesota Statutes, Chapter 156*, shall be entitled to receive a license to continue such practice upon making application to the board and complying with the terms of this section for annual registration.

Any person who was qualified to practice veterinary medicine on or before March 31, 1937, and who has remained active in the field of veterinary medicine for a period of 35 years but who has failed to register with the state veterinary examining board may receive a license to practice veterinary medicine upon making application to the board and complying with the terms of this section for annual registration.

Sec. 8. Minnesota Statutes 1961, Chapter 156, as amended by Laws 1963, Chapter 578, Section 1, is amended by adding a section to read:

[156.071] Reinstatement of expired license. *Except as otherwise provided in Minnesota Statutes, Chapter 156, an expired license, which is suspended by the board pursuant to Minnesota Statutes, Section 156.07, may be reinstated at any time within five years after its suspension on filing an application for reinstatement on a form prescribed by the board and by payment of the renewal fee in effect on the last preceding regular renewal date, plus all back fees and the late filing fee.*

A person who fails to renew his license within five years after its suspension may not renew it, and it shall not be restored, reissued, or reinstated thereafter, but such person may apply for and obtain a new license if he complies with the following conditions: (1) He is of good moral character; (2) No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension; (3) He takes and passes the examination, if any, which would be required of him if he were then applying for a license for the first time, or otherwise establishes to the satisfaction of the board that, with due regard for the public interest he is qualified to practice veterinary medicine; and (4) He pays all of the fees that would be required of him if he were then applying for the license for the first time.

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Sec. 9. Minnesota Statutes 1961, Chapter 156, as amended by Laws 1963, Chapter 578, Section 1, is amended by adding a section to read:

[156.072] Nonresidents; licenses. *Subdivision 1. A doctor of veterinary medicine duly admitted to practice in any of the other states or territories or District of Columbia desiring permission to practice veterinary medicine in this state shall submit his application to the board upon forms prescribed by the board. Upon proof that he has been duly licensed to practice in such other state or territory or in the District of Columbia and has been actively engaged in practicing veterinary medicine therein, for at least five years next preceding his application, or has been engaged in full time teaching of veterinary medicine in an approved college for at least five years next preceding his application, the examination may be waived, upon the recommendation of the board, and the applicant be admitted to practice without examination. However, the board may impose such other tests as it considers proper.*

Subd. 2. Such doctor of veterinary medicine shall accompany his application by the following:

(1) *A certified copy of his license registration and affidavits of two practicing doctors of veterinary medicine of the state, territory or District of Columbia so certifying that they are well acquainted with such applicant, that he is a person of good moral character, that he has been actively engaged in practicing or teaching as the case may be in such state, territory, or District of Columbia for the period above prescribed;*

(2) *A certificate from the proper body therein having jurisdiction over the conduct of practice of veterinary medicine that such applicant is in good standing and not under pending charges of misconduct; and*

(3) *A fee of \$100 in form of check or money order payable to the treasurer of the state of Minnesota, no part of which shall be refunded, should the application be denied.*

Subd. 3. A doctor of veterinary medicine duly admitted to practice in any of the other states or territories or in the District of Columbia desiring admission to practice in this state but who has not been actively engaged in the practice thereof for the period prescribed herein must be examined for admission in accordance with the rules prescribed herein for those not admitted to practice anywhere and in addition, must meet all of the requirements of this section except that the fee shall be \$50 instead of \$100.

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Sec. 10. Minnesota Statutes 1961, Chapter 156, as amended by Laws 1963, Chapter 578, Section 1, is amended by adding a section to read:

[156.081] Revocation; suspension. *Subdivision 1. The board may revoke or suspend for a certain time the license of any person to practice veterinary medicine or any branch thereof in this state after notice and hearing for any of the causes provided in this section. Such person shall be entitled to counsel of his own choosing. The board shall have the power to subpoena witnesses and take testimony. The secretary, in all cases of suspension or revocation of licenses, shall enter on the register the fact of suspension or revocation, as the case may be. The record of such suspension or revocation so made by the secretary shall be prima facie evidence of the fact thereof, and of the regularity of all the proceedings of the board in the matter of the suspension or revocation.*

Subd. 2. The board may revoke or suspend a license for any of the following causes:

(1) *The employment of fraud, misrepresentation or deception in obtaining such license.*

(2) *Conviction of a crime involving moral turpitude or conviction of a felony, in which case the record shall be conclusive evidence of such conviction.*

(3) *Chronic inebriety or addiction to the use of habit forming drugs.*

(4) *Existence of professional connection with or the lending of one's name to any illegal practitioner of veterinary medicine and the various branches thereof.*

(5) *Violation or attempt to violate, directly or indirectly, any of the provisions of Minnesota Statutes, Chapter 156.*

(6) *Revocation by a sister state or territory of a license or certificate by virtue of which one is licensed to practice veterinary medicine in that state or territory, notwithstanding that such license or certificate did not support the application for license to practice in this state.*

(7) *Conviction of or cash compromise of a charge or violation of the Harrison Narcotic Act, regulating narcotics, in which case the record of such conviction or compromise, as the case may be, shall be conclusive evidence.*

(8) *Fraud or dishonesty in applying, treating, or reporting on tuberculin or other biological tests.*

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(9) *Employment of anyone but a veterinarian licensed in the state of Minnesota to demonstrate the use of biologics in the treatment of animals.*

(10) *False or misleading advertising having for its purpose or intent deception or fraud.*

(11) *Habitual conduct reflecting unfavorably on the profession of veterinary medicine or conduct in violation of law or rules or regulations of the board.*

(12) *Conviction on a charge of cruelty to animals.*

(13) *Failure, after written notification by the board, to keep one's premises and all equipment therein in a clean and sanitary condition, according to reasonable standards adopted by the board.*

(14) *Fraud, deception, or incompetence in the practice of veterinary medicine.*

A plea or verdict of guilty to a charge of a felony or of any offense involving moral turpitude is deemed to be a conviction within the meaning of this section. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal.

Subd. 3. The adjudication of insanity or mental illness, of any licensee shall operate as a suspension of his right to practice under Minnesota Statutes, Chapter 156. Such suspension shall continue until such licensee is restored to capacity by proper authorities, except that any such licensee may practice veterinary medicine while on a provisional discharge.

Sec. 11. Minnesota Statutes 1961, Section 156.12, is amended to read:

156.12 Practice of veterinary medicine. The practice of veterinary medicine, as used in this chapter, shall include the act or acts of prescribing, or applying, any drug, medicine, biologic, biochemical, *anesthetic*, or other material agency for the treatment of any animal, or for the testing of any animal for the diagnosis of any disease, *condition of pregnancy or sterility*, or for the vaccination of any animal for the prevention of transmissible disease or diseases, *surgically altering the appearance of an animal, spaying of female animals*, or performing any operation for the treatment, relief, or cure of any sick, diseased, or injured animal ~~for any fee or compensation or money or emolument; received or to be received directly~~

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~~or indirectly, or to publicly profess to do any of these things: Nothing in this chapter shall be construed to prohibit Such practice shall not be construed to include the dehorning of cattle and goats or the castration of animals except the spaying of females cattle, swine, goats, and sheep, or the docking of sheep; nor shall any provision of this chapter prohibit any one from rendering necessary gratuitous assistance in the treatment of any animal when the same does not amount to prescribing, testing for, or diagnosing, operating, or vaccinating or when the attendance of a licensed veterinarian cannot be procured, nor shall it prohibit the employment by a licensed veterinarian of a regularly enrolled student in an approved college of veterinary medicine who has successfully completed his third year therein and who has obtained from the board an undergraduate permit to practice in the office and under the direct supervision of a practicing veterinarian licensed within this state, which permit is valid for a period of one year only. The word "animal" as used in this chapter, shall not include poultry or birds of any kind.~~

Nothing herein contained shall be construed to prevent or prohibit any acts performed by state agencies, accredited schools, institutions, foundations, business corporations or associations, physicians licensed to practice medicine and surgery in all its branches, or their employees or associates, in the conduct of experiments and scientific research on animals in the development of pharmaceuticals, biologicals, serums, or methods of treatment, or techniques, for the diagnosis and treatment of human ailments.

Any person who makes both a sale of, and applies or offers to apply, any drug, medicine, biologic preparation, including sera, vaccines, bacterins, tuberculin, mallein, johnin, or any other material agency for the treatment, vaccination, or testing of any animal belonging to another, or in the custody of, the person to whom such sale is made; and from which sale such person derives any profit, commission, discount, or other emolument directly or indirectly; shall be presumed to have engaged in the practice of veterinary medicine. and any profit, discount, commission, gift, or other emolument received directly or indirectly by such person so selling and applying said drug, biologic, biochemical, or other material agency shall be presumed to include a charge for the services in applying the same:

Nothing in this chapter shall prohibit the sale of or offering for sale of or recommending of animal remedies upon the containers of which there are or are not printed directions for the use thereof; provided, that the word "recommending," as used herein, shall not involve a diagnosis by the seller or his agent.

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A person who does not hold a license or permit to practice veterinary medicine and who assumes or uses any of the following titles or designations is guilty of practicing veterinary medicine without a license: Veterinary, veterinarian, animal doctor, animal surgeon, or any other title, designation, word, letter, abbreviation, sign, card, or device tending to indicate that the person is qualified to practice veterinary medicine.

The board may, at any time upon written complaint, inspect the premises in which veterinary medicine is being practiced for cleanliness and sanitation and may direct action to insure such cleanliness and sanitation.

Sec. 12. Minnesota Statutes 1961, Section 156.14, is amended to read:

156.14 Funds paid to state treasurer for benefit of board. All fees collected on behalf of the veterinary examining board, as provided by this chapter, and all receipts of every kind or nature received by the board shall be collected by the ~~secretary-treasurer~~ *treasurer* of the board and by him deposited in the state treasury and credited to the board. Such fund shall be known as the state veterinary examining board fund and shall be under the sole and exclusive jurisdiction of the board for the purposes of carrying out the provisions of this chapter. ~~All expenditures from this fund shall be upon vouchers issued and signed by the secretary-treasurer of the board and transmitted, together with an abstract of such expenditures, to the state auditor for his approval. All money in the state treasury credited to the state veterinary examining board fund is annually appropriated to the board for the purposes of carrying out the provisions of Minnesota Statutes, Chapter 156.~~

Sec. 13. *Minnesota Statutes 1961, Section 156.08, is repealed.*

Approved April 15, 1965.

CHAPTER 205—S. F. No. 500

[Coded]

An act relating to newly born infants; requiring tests for phenylketonuria and other inborn errors of metabolism causing mental retardation; amending Minnesota Statutes 1961, Chapter 144, as amended, by adding a section.

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