

CHAPTER 326

EMPLOYMENTS LICENSED BY STATE BOARDS

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326.01. DEFINITIONS. Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the words, terms, and phrases defined in subdivisions 2 to 5, for the purposes of sections 326.24 to 326.32, shall be given the meanings subjoined to them; the word defined in subdivision 6, for the purposes of sections 326.33 to 326.36, shall be given the meaning subjoined to it; the words, terms, and phrases defined in subdivisions 7 to 9, for the purposes of sections 326.37 to 326.45, shall be given the meanings subjoined to them; the words, terms, and phrases defined in subdivisions 10 to 13, for the purposes of sections 326.46 to 326.52, shall be given the meanings subjoined to them; and the words, terms, and phrases defined in subdivisions 14 to 19, for the purposes of sections 326.523 to 326.526, shall be given the meanings subjoined to them.

Subdivision 2. **Master electrician.** The term "master electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of wiring, apparatus, and equipment for electric light, heat, power, and other purposes in accordance with the standard rules and regulations governing such work.

Subdivision 3. **Journeyman electrician.** The term "journeyman electrician" means a person having the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical apparatus and equipment in accordance with the standard rules and regulations governing such work.

Subdivision 4. **Special electrician.** The term "special electrician" means a person having the necessary qualifications, training, and experience in wiring for,

installing, or repairing special classes of electrical apparatus or equipment; or making minor alterations, extensions, and repairs to existing electrical systems in towns, villages, or cities of the fourth class.

Subdivision 5. **Electrical contractor.** The term "electrical contractor" means any person, firm, copartnership, corporation, association, or combination thereof, who undertakes or offers to undertake with another to plan for, lay out, supervise, and install or to make additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric light, heat, and power for a fixed sum, price, fee, percentage, or other compensation.

Subdivision 6. **Person.** The word "person" means person, persons, copartnership, or corporation.

Subdivision 7. **Journeyman plumber.** A "journeyman plumber" is any person, other than a master plumber, who, as his principal occupation, is engaged as an employee of, or otherwise working under the direction of, a master plumber in the practical installation of plumbing.

Subdivision 8. **Master plumber.** A "master plumber" is any person skilled in the planning, superintending, and the practical installation of plumbing and otherwise lawfully qualified to contract for plumbing and installations and to conduct the business of plumbing and who is familiar with the laws, rules, and regulations governing the same.

Subdivision 9. **Plumber's apprentice.** A "plumber's apprentice" is any person, other than a journeyman or master plumber, who, as his principal occupation, is engaged in working as an employee of a master plumber under the immediate and personal supervision of either a master or journeyman plumber in learning and assisting in the installation of plumbing.

Subdivision 10. **High pressure steam piping.** "High pressure steam piping" means steam piping operating under a pressure of 15 pounds or more per square inch.

Subdivision 11. **Journeyman steamfitter.** A "journeyman steamfitter" is any person, other than a contracting steamfitter, who, as his principal occupation, is engaged in the practical installation of high pressure steam work.

Subdivision 12. **Contracting steamfitter.** A "contracting steamfitter" is any person skilled in the planning, superintending, and the practical installation of high pressure steamfitting, and who is familiar with the laws, rules, and regulations governing the same.

Subdivision 13. **Steamfitter's apprentice.** A "steamfitter's apprentice" is any person, other than a journeyman or master steamfitter, who, as his principal occupation, is engaged in learning and assisting in the installation of high pressure steamfitting.

Subdivision 14. **Person.** The term "person" includes an individual, partnership, association, joint stock company, trust, or corporation.

Subdivision 15. **Distributor.** The term "distributor" includes any person who engages, or contracts to engage, in the distribution of motion picture films and is a resident of, or legally authorized to do business in, this state.

Subdivision 16. **Exhibitor.** The term "exhibitor" includes any person who engages, or contracts to engage, in the exhibition of motion picture films and is a resident of, or legally authorized to do business in, this state.

Subdivision 17. **License.** The term "license" includes the offering, intending or making of a license agreement, contract, or any type of agreement whereby a film, the distribution of which is controlled by one of the parties is to be supplied to and exhibited in a theatre owned, controlled, or operated by the other party.

Subdivision 18. **Feature motion picture film.** The term "feature motion picture film" means all motion pictures, whether copyrighted or uncopyrighted, including positive and negative prints and copies or reproductions of such prints, which films contain photoplays or other subjects and are produced for public exhibition. The term shall not include films commonly known as short subjects, newsreels, trailers, serials, re-issues, foreign, and western pictures, and road shows.

Subdivision 19. **Exhibition season.** The term "exhibition season" means a period of 12 months as may be selected by the producer-distributor, but there shall be no lapse of time between the termination of one season and the beginning of the next.

[1907 c. 457 s. 8; 1913 c. 554 s. 1; 1933 c. 349 s. 5; 1937 c. 314 s. 1; 1937 c. 367 ss. 1, 6; 1937 c. 370 s. 4; 1941 c. 460 s. 1] (5872) (5887) (5887-23) (5887-30) (5887-30e)

ARCHITECTS, ENGINEERS, AND SURVEYORS

326.02 REGISTRATION OF ARCHITECTS, ENGINEERS, AND SURVEYORS.

In order to safeguard life, health, and property, any person practicing, or offering to practice, as an architect, a professional engineer, or land surveyor in this state shall be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided. It shall be unlawful for any person to practice, or to offer to practice, in this state as an architect, a professional engineer (hereinafter called engineer), or a land surveyor except under the provisions of sections 326.02 to 326.15. No person shall practice, or offer to practice, as an architect, engineer, or land surveyor, nor accept employment for compensation, in responsible charge of the preparation of plans and specifications for building, engineering, or surveying work in this state unless he shall have registered under the terms of sections 326.02 to 326.15, except that the provisions of sections 326.02 to 326.15 shall not apply to practice with regard to any single family or two-family dwelling, nor to any farm dwelling or building accessory thereto, nor to any building work the total cost of which does not exceed \$7,500, nor to the erection, enlargement, or alteration of any building or structure, by any person, firm, or corporation, or the employees thereof, exclusively for his or its own occupancy or use, nor to any building or the plans or specifications therefor, when such plans and specifications are prepared by an established contractor or builder in negotiating for employment as such or in detailing his proposal to or agreement with a person for whom he proposes to build as a contractor or builder or for use in obtaining a building permit in connection with such constructing or building work and that the same are signed by the authors thereof, with a true statement of their relation to such construction and not as architects or engineers.

[1921 c. 523 s. 1; 1933 c. 404 s. 1] (5697-1)

326.03 REGISTRATION REQUIRED; CERTAIN NAMES OR TITLES, USE OF. No person shall represent himself as, or use the title of, "registered architect," "registered professional engineer," or "registered land surveyor" unless such person is qualified by registration under sections 326.02 to 326.15.

No person, except an architect, engineer, or land surveyor registered as provided in sections 326.02 to 326.15, shall be employed in responsible charge of the preparation of plans or specifications for any public work or public improvement in this state or in responsible charge or supervision of architectural, engineering, or land surveying for any public work or public improvement in this state.

No plat, map, or drawing of any survey or subdivision of lands required by law to be filed or recorded with the register of deeds or registered with the registrar of titles of any county, shall be filed, recorded, or registered therein unless there shall be endorsed thereon a certificate by a registered land surveyor.

The provisions hereof shall not apply to any person holding an elective office when in discharging the duties thereof such person is required to do work or perform service of the character of work or service usually done or performed by an architect, engineer, or land surveyor.

[1921 c. 523 s. 2; 1933 c. 404 s. 1] (5697-2)

326.04 STATE 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 seven members, who shall be appointed by the governor. Three members shall be registered architects, three members shall be registered engineers, and one member shall be a registered land surveyor. Not more than one member of the board shall be from the same branch of the profession of engineering. The term of office of each 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 shall have qualified. 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.

[1921 c. 523 s. 3] (5697-3)

326.05 QUALIFICATIONS OF BOARD MEMBERS. Each member of the board shall be a citizen of the United States and a resident of this state at the time of his appointment. He shall have been engaged in the practice of his profession for at

least ten years and shall have been in responsible charge of work for at least five years. He shall be a member in good standing of a recognized society of architects, engineers, or land surveyors; and, except as provided in section 326.06, shall be a registered architect, registered engineer, or registered land surveyor.

[1921 c. 523 s. 4] (5697-4)

326.06 GENERAL POWERS AND DUTIES OF BOARD. Each member of the board shall receive a certificate of appointment from the governor, and, before beginning his term of office, shall file with the secretary of state the constitutional oath of office. The board, or any committee thereof, shall be entitled to the services of the attorney general in connection with the affairs of the board, and the board shall have power to compel the attendance of witnesses, administer oaths, and take testimony and proofs concerning all matters within its jurisdiction. The board shall adopt and have an official seal, which shall be affixed to all certificates of registration granted; shall make all by-laws and rules, not inconsistent with law, needed in performing its duties; and shall fix standards for determining the qualifications of applicants for certificates, which shall not exceed the requirements contained in the curriculum of a recognized school of architecture or engineering.

[1921 c. 523 s. 5] (5697-5)

326.07 BOARD, MEETINGS OF, OFFICERS, QUORUM. The board shall hold at least two regular meetings each year. Special meetings shall be held at such times as the by-laws of the board may provide. Notice of all meetings shall be given in such manner as the by-laws may provide. The board shall elect annually, from its members, a chairman, a vice-chairman, and a secretary-treasurer. A quorum of the board shall consist of not less than four members, of whom two shall be architects and two engineers.

[1921 c. 523 s. 6] (5697-6)

326.08 FEES, DISPOSAL OF; PAY OF BOARD MEMBERS; BONDS. All fees and other moneys accruing from the operation of sections 326.02 to 326.15 shall be paid to the board and shall be used for the purposes of sections 326.02 to 326.15. The expenses of the board shall be paid by voucher made by the secretary-treasurer and approved by the chairman. Each member of the board shall receive such compensation as the board may direct, not to exceed \$10.00 per day for time spent in attending meetings of the board. The members of the board shall be reimbursed for actual expenses incurred in travel to and from meetings and for expenditures for hotel bills, meals, stationery, postage, printing, typewriting, and the like necessary expenses incurred in the performance of their duties under sections 326.02 to 326.15. The secretary-treasurer of the board shall give a surety bond satisfactory to the state treasurer, conditioned upon the faithful performance of his duties. The premium on the bond shall be regarded as a proper and necessary expense of the board.

[1921 c. 523 s. 7] (5697-7)

326.09 RECORDS AND REPORTS 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 qualifications, place of business, and 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 of the board during the month of January, of each 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 February, of each year, the board shall submit to the governor and file with the secretary of state a copy of the report of its transactions for the preceding year, together with a complete statement of the receipts and expenditures of the board, signed by the chairman and the secretary-treasurer, accompanied by a certified audit, and a copy of the roster of registered architects, registered engineers, and registered land surveyors.

[1921 c. 523 s. 8] (5697-8)

326.10 CERTIFICATES OF REGISTRATION. The board shall, on application therefor, on prescribed form, and the payment of a fee of not to exceed \$10.00, issue a certificate of registration as an architect or an engineer, and on the payment of a fee of not to exceed \$5.00, issue a certificate of registration as a land surveyor:

(1) To any person over 25 years of age, who is a citizen of the United States or Canada, or who has made declaration of his intention to become a citizen of the United States; who speaks and writes the English language; who is of good moral character and repute, and has been actively engaged, either as an employer or an employee, for five or more years in the practice of architecture or engineering, or engaged for four or more years in surveying work. (The character of such practice or work shall be equal to the standards fixed by the board. Each year of teaching or of study satisfactorily completed, of architecture, engineering, or surveying in a school of architecture or engineering of a standard recognized by the board, shall be considered as equivalent to one year of such active engagement);

(2) To any person who holds a like unexpired certificate of registration issued to him by proper authority in the District of Columbia, in any state or territory of the United States, or in any province of Canada, in which the requirements for registration of architects, engineers, or land surveyors are equal to those fixed by the board for this state, and in which similar privileges are extended to the holders of certificates of registration issued by this state;

(3) To any person who, prior to the passage of this section, resided in this state and practiced as an architect, engineer, or land surveyor.

When the evidence presented by an applicant for a certificate of registration shall not be conclusive or convincing as warranting the issuance of a certificate, the board may require further evidence to be presented, or may subject the applicant to such examination as may be deemed necessary to establish his qualifications.

In determining the qualifications in such cases of applicants for registration as architects, a majority vote of the architect members of the board only shall be required; in determining the qualifications in such cases of applicants for registration as engineers, a majority vote of the engineer members of the board only, shall be required; and in determining the qualifications of applicants for registration as land surveyors, the affirmative vote of the land surveyor member and of one engineer of the board only, shall be required.

The board may make reasonable rules and regulations for classifying and registering engineers in divisions according to their qualifications to practice different classes of engineering work, and shall, in such case, register qualified applicants in one or more such divisions in which they shall qualify under the terms of sections 326.02 to 326.15, and shall, in any event, provide one such division for highway engineers.

Any person so qualified may be registered in two or all of these three professions; but the aggregate fee for such registration shall not exceed \$15.00.

In case the board denies the issuance of a certificate to an applicant, the registration fee deposited shall be returned by the board to the applicant.

Certificates of registration shall expire on the last day of the calendar year for which they are issued and shall become invalid on that date unless renewed. It shall be the duty of the secretary-treasurer of the board to notify, by mail, every person registered of the date of the expiration of his certificate and the amount of the fee required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of the certificate. Renewal may be effected at any time during the month of December by the payment of a fee of \$3.00 for an architect or an engineer, and \$1.00 for a land surveyor.

The failure on the part of any registrant to renew his certificate annually in the month of December shall not deprive such person of his right of renewal thereafter, but the fees to be paid for the renewal of the certificate after the succeeding first day of January shall be \$5.00 for an architect or an engineer, and \$2.00 for a land surveyor. The aggregate fee for renewal of registration in two or three of the professions shall be the same as the single renewal fee for registration as an architect or an engineer.

[1921 c. 523 s. 9; 1933 c. 404 s. 2] (5697-9)

326.11 CERTIFICATES OF REGISTRATION, REVOCATION, RE-ISSUE, DUPLICATES. The board shall have the power to revoke the certificate of registration of any architect, engineer, or land surveyor, who is found guilty of any fraud or deceit in obtaining a certificate of registration, or of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, or land surveying. Any person may prefer charges of such fraud, deceit, negligence, incompetency, or misconduct against any registered architect, engineer, or land surveyor. Such charges shall be in writing, sworn to by the complainant and submitted to the

board; and, unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within three months after the date on which they are preferred. A time and place for such hearing shall be fixed by the board. A copy of the charges, together with a notice of the time and place of hearing, shall be legally served on the accused at least 30 days before the date fixed for the hearing; and, in the event that such service cannot be effected 30 days before the hearing, the date of hearing and determination shall be postponed as may be necessary to permit the carrying out of this condition. At the hearing the accused shall have the right to appear personally and by counsel, to cross-examine witnesses against him, and to produce evidence and witnesses in his defense. If, after the hearing, five or more members of the board vote in favor of finding the accused guilty of any fraud or deceit in obtaining a certificate, or of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, or land surveying, the board shall revoke the certificate of registration of the accused.

The board may re-issue a certificate of registration to any person whose certificate has been revoked, provided five or more members of the board vote in favor of such reissuance for reasons the board may deem sufficient.

A new certificate of registration to replace any certificate revoked, lost, destroyed, or mutilated may be issued, subject to the rules and regulations of the board. A charge of \$1.00 shall be made for such reissuance.

[1921 c. 523 s. 10] (5697-10)

326.12 CERTIFICATES AS EVIDENCE; SEALS OF REGISTRANTS. The issuance of a certificate of registration by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered architect, registered engineer, or registered land surveyor while the certificate remains unrevoked or has not expired.

Each registrant may, upon registration, obtain a seal of the design authorized by the board, bearing the registrant's name and the legend "registered architect," "registered professional engineer," or "registered land surveyor." Plans, specifications, plats, reports, or other documents issued by a registrant may be stamped with the seal during the life of registrant's certificate; but it shall be unlawful for anyone to stamp or seal any document with the seal after the certificate of the registrant named thereon has expired or has been revoked.

[1921 c. 523 s. 11] (5697-11)

326.13 PERSONS EXEMPT FROM REGISTRATION. The following shall be exempted from the provisions of sections 326.02 to 326.15:

(1) Practice as an architect, an engineer, or a land surveyor in this state, by any person not a resident of and having no established place of business in this state, or any person resident in this state, but whose arrival in the state is recent; provided, however, such person shall have filed an application for registration as an architect, an engineer, or a land surveyor and shall have paid the fee provided for in section 326.10. Such exemption shall continue for only such reasonable time as the board requires in which to consider and grant or deny the application for registration; and, provided, such person is legally qualified to practice such profession in his own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in sections 326.02 to 326.15;

(2) Practice as an architect, an engineer, or a land surveyor by any person not a resident of, and having no established place of business in, this state, as a consulting associate of an architect, an engineer, or a land surveyor registered under the provisions of sections 326.02 to 326.15; provided, the non-resident is qualified for such professional service in his own state or country;

(3) Practice as an architect, an engineer, or a land surveyor solely as an officer or employee of the United States.

[1921 c. 523 s. 13; 1933 c. 404 s. 4] (5697-13)

326.14 CORPORATIONS AND PARTNERSHIPS MAY ENGAGE IN SUCH BUSINESS. A corporation or partnership may engage in work of an architectural or engineering character, or in land surveying, in this state, provided the person connected with such corporation or partnership in responsible charge of such work is registered as an architect, engineer, or land surveyor, or is otherwise authorized or permitted to practice as an architect, engineer, or land surveyor. The same

exemptions shall apply to corporations and partnerships as apply to individuals under sections 326.02 to 326.15.

[1921 c. 523 s. 14; 1933 c. 404 s. 5] (5697-14)

326.15 LAND SURVEYING. "Land surveying," as covered by sections 326.02 to 326.15, refers only to surveys for the establishment or reestablishment of land boundaries, the subdivision and platting of land, and the determination of areas.

[1921 c. 523 s. 15] (5697-15)

326.16 APPEALS TO DISTRICT COURT. Any person aggrieved by any ruling or order of the board made under the provisions of sections 326.02 to 326.15 may appeal therefrom to any district court of the state by serving written notice of such intention upon the secretary of the board, specifying such court, within 30 days after the same is made. The secretary of the board shall thereupon file with the clerk of the court a certified copy of the order or rulings or findings of fact upon which the same are based, which shall be prima facie evidence of the facts therein stated. Thereupon the court shall summarily hear and determine the questions involved on the appeal, and such ruling or order of the board shall be stayed pending the appeal.

[1933 c. 404 s. 6] (5697-16)

ACCOUNTANTS

326.17 STATE BOARD OF ACCOUNTANCY. A board of examiners, to be known as the state board of accountancy, is hereby created to carry out the purposes and enforce the provisions of sections 326.17 to 326.23. It shall consist of three citizens of this state to be appointed by the governor, and who shall be the holders of certificates issued under the provisions of sections 326.17 to 326.23, and shall hold office for the term of three years and until their successors are appointed and have qualified. The term of office of each member is to be designated by the governor in his appointment; and, upon the expiration of any term, the governor shall appoint a member of the board for a term of three years.

[1909 c. 439 s. 1] (5698)

326.18 BOARD, DUTIES, OFFICERS, EXAMINATIONS, ANNUAL REPORT. A majority of the board shall constitute a quorum. The board shall appoint one of its number as chairman, another as secretary, and another as treasurer, or may appoint one member to serve as both secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. In the absence of the chairman or the secretary, the board may appoint a chairman pro tem., or a temporary secretary. The affirmative vote of two members of the board shall be considered as the action of the board. The board shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all 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 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 annually to the governor, in the month of December, 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.

[1909 c. 439 s. 2] (5699)

326.19 CERTIFICATES, TO WHOM GRANTED. No certificate for a certified public accountant shall be granted to any person other than a citizen of the United States, or a person who has, in good faith, duly declared his intention of becoming such citizen, is over the age of 21 years and of good moral character, and, except under the provisions of section 326.20, shall have successfully passed an examination in accounting, auditing, and commercial law, affecting accountancy, and in such other subjects as the board may deem advisable. No person shall be permitted to take such examination unless he shall, for a period of at least three years, have been employed in the office of a public accountant as an assistant, or shall have been practicing as a public accountant on his own account, or who shall have served for a like time as chief examiner or a senior examiner in the office of the public examiner, or as an internal revenue agent or collector of the bureau of internal revenue of the United States, or shall have, for a like time, engaged in auditing the income tax returns of any person, copartnership, corporation, or fiduciary, and who shall not, at least three years prior to the date of the examination, have successfully passed an examination in such subjects as may be prescribed by the board, touching his general education, qualification, and fitness for an accountant; provided, that the board may, in its discretion, waive the preliminary examination of an applicant who, in its opinion, has had a general education equivalent to that which may be prescribed by its rules and is otherwise qualified.

[1909 c. 439 s. 3; 1933 c. 236] (5700)

326.20 CERTIFICATE WITHOUT EXAMINATION, TO WHOM; RECIPROCAL. The state board of accountancy may, in its discretion, waive the examination of and may issue a certificate for certified public accountant to any person possessing the qualifications mentioned in section 326.19, who:

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

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

[1909 c. 439 s. 4] (5701)

326.21 HOLDER OF CERTIFICATE, HOW STYLED. Any person who has received from the state board of accountancy a certificate of his qualifications to practice as a public accountant shall be known and styled a certified public accountant; and no other person, and no partnership, all of its members who have not received such certificate, and no corporation shall assume such title or the title of certified accountant, or the abbreviation C.P.A., or any other words, letters, or abbreviations tending to indicate that the person, firm, or corporation so using the same is a certified public accountant.

[1909 c. 439 s. 5] (5702)

326.22 FEE FOR EXAMINATION AND CERTIFICATE. The state board of accountancy shall charge for each examination and certificate provided for in sections 326.17 to 326.23 a fee of \$25.00 to meet the expenses of such examination. This fee shall be payable by the applicant at the time of making his initial application, and shall not be refunded and no additional charge shall be made for the issuance of a certificate to any applicant. From the fees collected under sections 326.17 to 326.23 the board shall pay all expenses incident to the examinations, hearings, and expense of issuing certificates, traveling expenses of the members of the board while performing their duties. The members of the board of accountancy shall be paid all necessary expenses incurred in the performance of their duties.

[1909 c. 439 s. 6] (5703)

326.23 REVOCATION AND REINSTATEMENT OF CERTIFICATES OF CERTIFIED PUBLIC ACCOUNTANTS. The state board of accountancy may revoke any certificate issued under sections 326.17 to 326.23, or may cancel the registration

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

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

[1909 c. 439 s. 7; 1933 c. 283] (5704)

ELECTRICIANS

326.24 STATE BOARD OF ELECTRICITY. The state board of electricity shall consist of five members, residents of the state, appointed by the governor, each for a term of five years, and until his successor qualifies, of whom two shall be master electricians, who shall be contractors, two journeymen electricians, and one a consulting electrical engineer or electrical inspector of a city of the first class. Vacancies shall be filled in the same manner and from the same class from which the retiring member belonged. The board shall select from its members a president, a secretary, and a treasurer, prescribe rules for the management of its affairs, and adopt a seal. Each member shall receive \$10.00 a day for actual services rendered and, in addition thereto, actual expenses for employees, rent, office supplies, postage, and printing as the board may allow; all to be paid out of the treasury of the board. The board shall meet at least once a month and may meet at any other time at places designated by it, for the purpose of conducting examinations and transacting such other business necessary in the conduct of its affairs. The present board of electricity shall be continued, and the governor shall appoint new members, as designated herein, when the terms of the present members shall expire.

All fees collected under the provision of sections 326.24 to 326.32 shall be devoted to the uses of the state board of electricity and, before the second Monday in January, annually, the board shall report to the governor, in writing, the items of its receipts and disbursements for the preceding year. The state board of electricity shall have jurisdiction, and is hereby empowered to enforce the provisions of sections 326.24 to 326.32.

[R. L. s. 2357; 1913 c. 554 s. 1; 1937 c. 314 s. 1] (5872)

326.25 ELECTRICAL CONTRACTOR; JOURNEYMAN OR SPECIAL ELECTRICIAN; LICENSES; TEMPORARY PRACTICE. No person shall operate as an electrical contractor unless he be licensed as a master electrician. No individual, firm, copartnership, or corporation shall engage in business as electrical contractors unless they have a licensed master electrician in their employ.

No person shall work as a journeyman or special electrician unless he be licensed as such by the state board of electricity, except that a person who shall furnish evidence satisfactory to the board as having the required experience as herein set forth may make written application and pay the required fee to the state board of electricity, and may work as a journeyman or special electrician until the next following examination, of which he shall be notified.

[R. L. s. 2358; 1913 c. 554 s. 2; 1937 c. 314 s. 2] (5873)

326.26 BOND OF MASTER ELECTRICIAN; QUALIFICATIONS AND LICENSING OF MASTER, JOURNEYMEN, AND SPECIAL ELECTRICIANS; FEES. Every master electrician shall, before receiving license as such, give bond to the state in the penal sum of \$5,000, which bond shall be approved by, and filed with, the state board of electricity. This bond is to be conditioned upon the faithful performance of all work entered upon or contracted for by the master.

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An applicant for a master electrician's license shall furnish written evidence that he is a graduate of a four-year electrical course of an accredited university or college; or that he is a graduate of an electrical trade school approved by the state board of electricity and has had at least three years of practical experience in electrical work; or that he has had at least five years of experience in planning, laying out, supervising, or installing wiring, apparatus, or equipment for electric light, heat, and power; and shall pay an examination fee of \$5.00.

An applicant for a journeyman electrician's license shall furnish evidence, in writing, that he has had at least four years' experience in wiring for, installing, and repairing electrical apparatus and equipment for light, heat, or power; and shall pay an examination fee of \$3.00.

An applicant for a special electrician's license shall furnish evidence, in writing, that he has had at least two years' experience in some special class of electrical work; and shall pay an examination fee of \$2.00. Such special class of electrical work shall be specified on his license.

[R. L. s. 2359; 1913 c. 554 s. 3; 1937 c. 314 s. 3] (5874)

326.27 ADDITIONAL FEES AFTER PASSING EXAMINATIONS. Every applicant for a master electrician's license who passes the examination shall pay an additional fee of \$10.00 before such license is issued, which fee shall keep his license in force for one year; and shall pay a renewal fee of \$10.00 each year. Every applicant for a journeyman electrician's license who passes the examination shall pay an additional fee of \$1.50 before such license is issued, which fee shall keep his license in force for one year; and shall pay a renewal fee of \$1.50 each year. Every applicant for a special electrician's license who passes the examination shall pay an additional fee of \$1.00 before such license is issued, which shall keep his license in force for one year; and shall pay a renewal fee of \$1.00 each year.

[R. L. s. 2360; 1937 c. 314 s. 4] (5875)

326.28 NEW EXAMINATION AFTER FAILURE TO RENEW LICENSE; APPRENTICES. If a licensee shall fail to renew his license for a period of two years or more after its expiration, such licensee may be required by the board to again take the examination. All examination and license fees shall be paid to the treasurer of the state board of electricity and shall be for the use of the board to carry out the provisions of sections 326.24 to 326.32. Any person may work as an apprentice to a licensed electrician, but shall not do any electrical wiring for or installing electrical apparatus, or equipment for light, heat, or power, except with a licensed electrician.

[R. L. s. 2361; 1913 c. 554 s. 4; 1937 c. 314 s. 5] (5876)

326.29 EMPLOYEES EXCEPTED. Employees of public service corporations or municipal utilities distributing or selling electrical energy for light, heat, or power for operating street railway systems, or telephone or telegraph systems, shall not be required to hold licenses while doing electrical work on, or in connection with, property owned, leased, or operated by any such municipality or corporation. The rules and regulations of the railroad and warehouse commission, the commissioner of insurance, and the industrial commission, and all local municipal ordinances governing such work shall be observed.

[R. L. s. 2362; 1913 c. 554 s. 5; 1937 c. 314 s. 6] (5877)

326.30 FEES, HOW USED; ANNUAL REPORT. All fees collected under sections 326.24 to 326.32 shall be devoted to the uses of the board; and, before the first Monday in January, annually, it shall report to the governor, in writing, the items of its receipts and disbursements for the preceding year.

[R. L. s. 2363] (5878)

326.31 SECOND EXAMINATION; REVOCATION OF LICENSE; HEARING; APPEAL. Any applicant who shall fail to pass the examination shall not be entitled to take another examination until at least six months thereafter, except that he may take an examination for a lesser grade.

Upon written complaint against any licensed electrician the board shall hold a hearing, written notice of which shall be given to the complainant and to such licensed electrician at least ten days in advance of such hearing. After hearing the evidence of both parties the board shall have the power to revoke or suspend such license, subject to appeal before a court of competent jurisdiction.

[1937 c. 314 s. 7] (5878-1)

326.32 COMPLIANCE WITH RULES; ELECTRICAL AND SAFETY CODES AS EVIDENCE; MUNICIPAL REQUIREMENTS; CERTIFICATE OF INSPEC-

TION; PENALTY. All electrical wiring, apparatus, and equipment for electric light, heat, and power shall comply with the rules and regulations of the railroad and warehouse commission, the commissioner of insurance, or the industrial commission, under the authority of the state statutes and in conformity with approved methods of construction for safety to life and property. The regulations as laid down in the national electrical code, in the national electrical safety code and in the national electrical safety code as approved by the American engineering standards committee shall be prima facie evidence of such approved methods; provided, that nothing herein contained shall prohibit any municipality from making and enforcing more stringent requirements than those set forth herein, and that such requirements shall be complied with by all licensed electricians working within the jurisdiction of such municipalities.

No electrical installation shall be connected for use until proof has been furnished to the person, firm, or corporation supplying electrical energy for such installation that the regulations above recited have been complied with. Proof of such compliance shall consist of a certificate furnished by a municipal or other recognized inspection department or officer; or, if there is no such inspection department or officer, it shall consist of an affidavit furnished by the contractor or other person doing the wiring, certifying that there has been such compliance. For transient projects requiring temporary electrical service or for projects in process of construction, the person, firm, or corporation furnishing electric current shall not be required to obtain a certificate of inspection or an affidavit of compliance with the requirements above stated, until completion of the projects. Any person who shall engage, for a valuable consideration, in the business of installing or repairing electrical wire or apparatus without having complied with the laws respecting registration and license, or who shall violate any of the provisions of sections 326.24 to 326.32 shall be guilty of a misdemeanor.

[R. L. s. 2364; 1937 c. 314 s. 8] (5879)

PRIVATE DETECTIVES

326.33 PRIVATE DETECTIVES; LICENSE; FEE. It shall be unlawful for any person to act as, or hold himself out to be, a private detective or to establish or engage in the keeping, maintaining or operating of any private detective agency, or to carry on any private detective work within this state, without having first obtained a license therefor from the governor upon application therefor on the payment of the fee and the filing of the bond provided for in section 326.34.

Such license, unless sooner revoked, shall be and remain in force for three years from the date thereof.

Each licensed detective agency shall pay a license fee of \$10.00.

[1907 c. 457 ss. 1, 2, 5] (5880) (5881) (5884)

326.34 FEE; BOND; REVOCATION OF LICENSE. No such license shall be issued until such applicant shall have paid into the state treasury the fee provided in section 326.33, and shall have filed with the secretary of state a bond, duly approved by the governor, in the sum of \$2,000, conditioned on the payment of all damages suffered or sustained by any person by reason of any wilful or malicious act on the part of such detective or detective agency or any employee of such detective or agency. The license so issued may be revoked by the governor at any time, but no license shall be so revoked until the licensee shall have had an opportunity to appear and defend any charges made against him. The charges shall be written and filed with the secretary of state, and shall have been served upon the licensee not less than ten days prior to the date of the hearing.

[1907 c. 457 s. 3] (5882)

326.35 EMPLOYEES OF LICENSED DETECTIVE. Nothing contained in sections 326.33 to 326.36 shall be construed to prevent unlicensed persons from entering the employ of or working for and under the supervision of a regularly licensed private detective or detective agency, or any detective from any other state, on a case having originated in another state.

[1907 c. 457 s. 4] (5883)

326.36 VIOLATIONS; PENALTIES. Subdivision 1. **Prohibition.** Unless connected with or employed by a regularly licensed detective agency, no person shall do, or offer to do, any detective work for money or other emolument within this state.

Subdivision 2. **Keeping armed force of detectives for hire.** Every person who shall institute or keep any private detective office for the purpose of keeping or letting out any armed force for hire, and every person, company, or corporation who shall keep or let out any armed force for hire, shall be guilty of a gross misdemeanor and punished by imprisonment in the county jail for not less than three, nor more than 12, months or by a fine of not less than \$50.00 nor more than \$500.00.

[R. L. s. 5172; 1907 c. 457 s. 6] (5885) (10501)

PLUMBERS

326.37 PLUMBERS; SUPERVISION BY STATE BOARD OF HEALTH. The state board of health may, by regulation, 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, village, 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.

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

[1933 c. 349 s. 1; 1937 c. 370 s. 1] (5887-19)

326.38 CITIES OR VILLAGES MAY ADOPT LOCAL REGULATIONS; STATE LICENSE TO CONTROL. Any city or village having a system of water-works or sewerage, may, by ordinance, adopt local regulations providing for plumbing permits, bonds, approval of plans, and inspections of plumbing, which regulations are not in conflict with the plumbing standards on the same subject prescribed by the state board of health. No city or village shall prohibit plumbers licensed by the state board of health from engaging in or working at the business, except cities and villages which, prior to April 21, 1933, by ordinance required the licensing of plumbers.

[1933 c. 349 s. 2; 1937 c. 370 s. 2; 1941 c. 367 s. 1] (5887-20)

326.39 VIOLATIONS TO BE REPORTED TO STATE BOARD OF HEALTH. Such local authority as may be designated by any such ordinance for the issuance of such plumbing permits and approval of such plans shall report to the state board of health persistent or wilful violation of the same and any incompetence of a licensed plumber observed by the local authority.

[1933 c. 349 s. 3] (5887-21)

326.40 PLUMBERS MUST BE LICENSED IN CERTAIN CITIES OR VILLAGES; MASTER AND JOURNEYMAN PLUMBERS; PLUMBING ON ONE'S OWN PREMISES; RULES FOR EXAMINATION. In any city or village now or hereafter having 5,000 or more population, according to the last federal or state census, and having a system of water-works or sewerage, no person, firm, or corporation shall engage in or work at the business of a master plumber or journeyman plumber unless licensed to do so by the state board of health. A master plumber may also work as a journeyman plumber. Anyone not so licensed may do plumbing work which complies with the provisions of the minimum standard prescribed by the state board of health on premises or that part of premises owned and actually occupied by him as his residence, unless otherwise forbidden to do so by a local ordinance.

In any such city or village no person, firm, or corporation shall engage in the business of installing plumbing nor install plumbing in connection with the dealing in and selling of plumbing material and supplies unless at all times a licensed master plumber, who shall be responsible for proper installation, is in charge of the plumbing work of such person, firm, or corporation.

The state board of health shall prescribe rules and regulations, not inconsistent herewith, for the examination and licensing of plumbers.

[1933 c. 349 s. 4; 1937 c. 370 s. 3; 1941 c. 367 s. 2] (5887-22)

326.41 EXAMINERS. The state board of health shall appoint three examiners, of whom one shall be a practical master plumber, one a practical journeyman plumber, and one a representative of the board, to be known as the plumbing examiners. Such master plumber and such journeyman plumber shall each receive his

expenses and such sum per diem for each day actually engaged in duties connected with the carrying out of the provisions of sections 326.37 to 326.45 as the board shall fix by its order.

[1933 c. 349 s. 6] (5887-24)

326.42 APPLICATIONS. Applications for plumber's license shall be made to the state board of health, with fees. Unless the applicant is entitled to a renewal, he shall be licensed by the state board of health only after passing a satisfactory examination by the examiners showing fitness. Fees for journeymen shall be \$2.00 for examination and \$1.00 for renewal, and for the master plumber \$25.00 for examination and \$15.00 for renewal. Licenses shall expire December 31st, but may be renewed upon application made the following January or February, but if in February only upon payment of an additional fee of \$1.00 for a journeyman and \$5.00 for a master plumber.

The board may issue revocable permits pending examination; and, to assist in this, may appoint, without compensation, and authorize one of its examiners or plumbing inspectors to hold a special permit examination, the results to be reported in writing.

All persons residing in cities, villages, or boroughs which have not heretofore been subject to the provisions of sections 326.37 to 326.45, who shall furnish to the board, within 90 days after April 22, 1941, satisfactory evidence that they were actually engaged in the business of a master plumber or journeyman plumber on or before January 1, 1941, in any city, village, or borough of this state having 5,000 population or more, according to the last federal or state census, shall be entitled to receive a license as such master or journeyman plumber, respectively, without examination, upon payment of the fees hereinbefore provided.

[1933 c. 349 s. 7; 1937 c. 370 s. 5; 1941 c. 367 s. 3] (5887-25)

326.43 BOARD MAY REVOKE LICENSES. The board may revoke any license obtained through error or fraud, or if the licensee is shown to be incompetent, and for a wilful violation of any of its rules and regulations, or of local ordinances applicable to such work, or of sections 326.37 to 326.45, or for knowingly aiding or abetting one to do plumbing work who is not properly licensed, or the employing by a master plumber of an unlicensed person to do plumbing work in places where licenses are required. The licensee shall have notice in writing, enumerating the charges, and be entitled to a hearing by the board upon at least five days' notice, with the right to produce testimony. The board may appoint, in writing, any competent person to take testimony, who shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the board shall be based on the testimony and records. One year from the date of revocations application may be made for a new license.

[1933 c. 349 s. 8; 1937 c. 370 s. 6] (5887-26)

326.44 FEES PAID TO STATE TREASURER. All fees received under sections 326.37 to 326.45 shall be paid by the state board of health to the state treasurer, and an amount of moneys equal to the amount so paid over by the board to the treasurer is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to the board for the purpose of carrying out the provisions of sections 326.37 to 326.45. The salaries of the necessary employees of the board and the per diem of the inspectors and examiners hereinbefore provided, their expenses and all incidental expenses of the board in carrying out the provisions of sections 326.37 to 326.45, shall be paid, on order of the board, from such appropriation, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

[1933 c. 349 s. 10] (5887-28)

326.45 STATE LICENSE; EXAMINATION; APPLICATION. The provisions of sections 326.37 to 326.45 which require state licenses to engage in the work or business of plumbing, and the provisions which provide for the examination of applicants for such licenses, shall only apply in cities, villages, or boroughs having a population of 5,000 or more.

[1933 c. 349 s. 11; 1937 c. 370 s. 7] (5887-29)

STEAMFITTERS

326.46 INDUSTRIAL COMMISSION TO SUPERVISE STEAM PIPING. The industrial commission shall supervise all high pressure steam piping in connection

with all building in this state and may prescribe minimum standards which shall be uniform.

The commission shall employ inspectors and other assistants to carry out the provisions of sections 326.46 to 326.52.

[1937 c. 367 s. 2] (5887-30a)

326.47 CITY OR VILLAGE MAY PROVIDE FOR INSPECTION; PERMIT.

Any city or village may, by ordinance, prescribe rules and regulations for materials, construction, and inspection of high pressure steamfitting and provide that it shall not be installed in any building except in accordance with plans approved or provided in the ordinances, and that no steamfitting shall be done except minor repairs upon prescribed conditions.

Such local authority as may be designated by any such ordinance for the issuance of such steamfitting permits and such approved plans shall report to the industrial commission persistent or wilful violations of the same and any incompetency of a licensed steamfitter observed by such local authority.

[1937 c. 367 ss. 3, 4] (5887-30b) (5887-30c)

326.48 STEAMFITTERS MUST BE LICENSED. No person, firm, or corporation shall engage in or work at the business of a contracting steamfitter or journeyman steamfitter unless licensed to do so by the industrial commission. No license shall be required for minor repairs on existing installations, provided such repairs shall be made in compliance with the prescribed minimum standards of the industrial commission. A contracting steamfitter may also work as a journeyman steamfitter.

No person, firm, or corporation shall engage in the business of installing high pressure steam piping, nor install high pressure steam piping in connection with the dealing in and selling of high pressure steam material and supplies, unless, at all times, a licensed steamfitter, who shall be responsible for proper installation, is in charge of the high pressure steamfitting work of such person, firm, or corporation.

The industrial commission shall prescribe rules and regulations, not inconsistent herewith, for the examination and licensing of steamfitting.

[1937 c. 367 s. 5] (5887-30d)

326.49 EXAMINERS. The industrial commission shall appoint three examiners, of whom one shall be a practical contracting steamfitter, one a practical journeyman steamfitter, and one a member or employee of the commission, to be known as the steamfitting examiners. Each examiner, except the regular employee or the secretary of the commission, shall receive his expenses and such sum per diem for each day actually engaged as the commission shall fix by its order.

[1937 c. 367 s. 7] (5887-30f)

326.50 APPLICATION; FEES. Application for a steamfitter's license shall be made to the industrial commission, with fees. Unless the applicant is entitled to a renewal, he shall be licensed only after passing a satisfactory examination by the examiners showing fitness. Fees for journeymen shall be \$2.00 for examination and \$1.00 for renewal, and for contracting steamfitters \$15.00 for examination and \$10.00 for renewal. Licenses shall expire December thirty-first, but may be renewed upon application made the following January or February; but, if in February, only upon payment of an additional fee of \$1.00 for a journeyman and \$5.00 for a contracting steamfitter.

The commission may issue temporary revocable permits pending examination, and, to assist in this, may appoint agents, without compensation, and may authorize one of its examiners or high pressure steam inspectors to hold a special permit examination, the results to be reported in writing.

[1937 c. 367 s. 8] (5887-30g)

326.51 COMMISSION MAY REVOKE LICENSES. The commission may revoke any license obtained through error or fraud, or if the licensee is shown to be incompetent, or for a second wilful violation of any of its rules and regulations applicable to such work. The licensee shall have notice, in writing, enumerating the charges, and be entitled to a hearing by the commission on at least five days' notice, with the right to produce testimony. The commission may appoint, in writing, any competent person to take testimony, who shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the

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commission shall be based on the testimony and records. One year from the date of revocation application may be made for a new license.

[1937 c. 367 s. 9] (5887-30h)

326.52 FEE PAID TO STATE TREASURER. All fees received under sections 326.46 to 326.52 shall be paid by the industrial commission to the state treasurer, and an amount of money equal to the amount so paid over by the commission to the treasurer is hereby appropriated, out of any funds in the state treasury not otherwise appropriated, to the commission for the purpose of carrying out the provisions of sections 326.46 to 326.52. The salaries and per diem of the inspectors and examiners hereinbefore provided, their expenses, and all incidental expenses of the commission in carrying out the provisions of sections 326.46 to 326.52 shall be paid on order of the commission from such appropriation, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

[1937 c. 367 s. 11] (5887-30j)

326.523 CONTENTS OF LICENSES. No distributor shall hereafter license feature motion picture films to an exhibitor to be exhibited, shown or performed in this state unless the license provides:

(1) That all the feature motion picture films, which such distributor will license during the exhibition season, or the unexpired portion thereof, shall be included: the term "all the feature motion picture films" applies to each producer for whom the distributor is acting; and

(2) That the exhibitor shall have the right to cancel a minimum of 20 per cent of the total number of feature motion pictures included in such license where the exhibitor deems the same injurious and damaging to his business or offensive on moral, religious, or racial grounds.

The cancellation shall be made proportionately among the several price brackets, if there be such price brackets in the license agreement. Any number of cancellation to which an exhibitor is entitled, may be made the lowest price bracket at the exhibitor's option.

The right to cancellation shall not be effective, unless the exhibitor exercises such right by giving notice thereof, to the distributor, by registered mail, within 15 days after being notified of the availability of a feature motion picture. In determining the number of feature motion pictures that may be canceled, fractions of one-half or more shall be counted as one and fractions of less than one-half shall not be counted.

[1941 c. 460 s. 2]

326.524 LICENSES MAY NOT CONTAIN CERTAIN RESTRICTIONS. No distributor shall license feature motion picture films to an exhibitor to be exhibited, shown, or performed in this state, upon the condition that the exhibitor must also license short subjects, newsreels, trailers, serials, re-issue, foreign, and western motion picture films.

[1941 c. 460 s. 3]

326.525 LICENSES, WHEN VOID. Any provision of any license hereafter made and entered into which is contrary to any provisions of sections 326.523 to 326.526 and 326.01, subdivisions 14 to 19, is hereby declared to be against public policy and void.

[1941 c. 460 s. 4]

326.526 APPLICATION OF SECTIONS 326.523 to 326.526. The provisions of sections 326.523 to 326.526 and 326.01, subdivisions 14 to 19, shall not apply to the licensing of motion picture films to any school, college, university, church, or any educational, fraternal, or religious organizations in this state.

[1941 c. 460 s. 7]

326.53 VIOLATIONS; PENALTIES. Subdivision 1. **Gross misdemeanors.**

(1) Any violation of the provisions of sections 326.17 to 326.23 shall be a gross misdemeanor.

(2) Any person violating any of the provisions of sections 326.33 to 326.36 shall be guilty of a gross misdemeanor; and, upon conviction thereof, fined not to exceed \$100.00 or imprisoned in the county jail for not to exceed three months, or both, for each and every violation thereof.

(3) Every person violating any of the provisions of sections 326.523 to 326.526, or assisting in such violation, shall, upon conviction thereof, be punished by a fine not exceeding \$1,000, or, in default of the payment of such fine, by imprisonment

in the county jail for not more than one year. In the case of a corporation, the violation of these sections shall be deemed to be also that of the individual directors, officers, or agents of such corporation who have assisted in such violation, or who have authorized, ordered, or done the acts or omissions constituting, in whole or in part, such violation; and, upon conviction thereof, any such directors, officers, or agents shall be punished by fine or imprisonment as herein provided.

Subdivision 2. **Misdemeanors.** (1) Any person violating any of the provisions of sections 326.37 to 326.45 or who shall wilfully make any false representations to the board of health in applying for a license or permit shall be guilty of a misdemeanor.

(2) Any person violating any of the provisions of sections 326.46 to 326.52 or who shall wilfully make any false representation to the industrial commission in applying for a license or permit shall be guilty of a misdemeanor.

(3) Any person who is not authorized to practice in this state as an architect, an engineer, or a land surveyor under the provisions of sections 326.02 to 326.15 and shall so practice or offer so to practice, and any person representing or attempting to file as his own the certificate of registration of another, or who shall give false or forged evidence of any kind to the board, or to any member thereof, for the purpose of obtaining a certificate of registration, or who shall falsely impersonate any other practitioner, of like or different name, or who shall use or attempt to use an expired or revoked certificate of registration, shall be deemed guilty of a misdemeanor.

[1907 c. 457 s. 7; 1909 c. 439 s. 8; 1921 c. 523 s. 12; 1933 c. 349 s. 9; 1933 c. 404 s. 3; 1937 c. 367 s. 10; 1941 c. 460 s. 5] (5697-12) (5705) (5886) (5887-27) (5887-30i)