

EMPLOYMENTS LICENSED BY STATE 326.02

In event of a consumer sale by means of a mail order catalog, the catalog may contain the required writing in lieu of the requirement of notification prior to the sale.

[1973 c 692 s 2]

325.953 Express warranties

Subdivision 1. Disclaimers. No express warranty arising out of a consumer sale of new goods shall disclaim implied warranties of merchantability, or, where applicable, of fitness.

Subd. 2. Honoring of express warranties. The maker of an express warranty arising out of a consumer sale in this state shall honor the terms of the express warranty. In a consumer sale, the manufacturer shall honor an express warranty made by the manufacturer; the distributor shall honor an express warranty made by the distributor; and the retail seller shall honor an express warranty made by the retail seller.

Subd. 3. Liability of manufacturer to retailer. Every manufacturer who makes an express warranty pursuant to a consumer sale, who authorizes a retail seller within this state to perform services or repairs under the terms of the express warranty shall be liable to the retail seller in an amount equal to that which is charged by the retail seller for like service or repairs rendered to retail consumers who are not entitled to warranty protection.

[1973 c 692 s 3]

325.954 Remedies

A violation of sections 325.951 to 325.954 shall be treated as a violation of section 325.79. The remedies provided by sections 325.951 to 325.954 are cumulative and shall not be construed as restricting any remedy that is otherwise available.

[1973 c 692 s 4]

CHAPTER 326. EMPLOYMENTS LICENSED BY STATE

ARCHITECTS, ENGINEERS, SURVEYORS		Sec.	
Sec.		326.18	Board, duties, officers, examinations, report.
326.02	Registration of architects, engineers, and surveyors.	326.19	Certification; qualification of accountant.
326.04	State board of registration for architects, engineers and surveyors.	326.22	Fees.
326.05	Qualifications of board members.	MINNESOTA ELECTRICAL ACT	
326.07	Board, meetings of, officers, quorum.	326.241	State board of electricity.
326.08	Fees, disposal of; pay of board members; bonds.	STEAMFITTERS	
	ACCOUNTANTS	326.52	Deposit of fees.
326.17	State board of accountancy.	WATCHMAKERS	
		326.541	Board of examiners in watch-making.

ARCHITECTS, ENGINEERS, SURVEYORS

326.02 Registration of architects, engineers, and surveyors

[For text of subds. 1 to 4, see M.S.1971]

Subd. 5. Limitation. The provisions of sections 326.02 to 326.16 shall not apply to the preparation of plans and specifications for the erection, enlargement, or alteration of any building or other structure by any person, for his exclusive occupancy or use, unless such occupancy or use involves the public health or safety or the health or safety of the employees of said person, or of the buildings listed in section 326.03, subdivision 2, nor to any detailed or shop plans required to be furnished by a contractor to a registered engineer or architect, nor to any standardized manufactured product, nor to any construction superintendent supervising the execution of work designed by an architect or engineer registered in accordance with section 326.03, nor to the

326.02 EMPLOYMENTS LICENSED BY STATE

planning for and supervision of the construction and installation of work by an electrical contractor or master plumber as defined in and licensed pursuant to this chapter, where such work is within the scope of such licensed activity and not within the practice of professional engineering or architecture as defined in section 326.02, subdivisions 2 and 3.

[1973 c 245 s 1]

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 fifteen members, who shall be appointed by the governor. Three members shall be registered architects, five members shall be registered engineers, one member shall be a registered land surveyor and six members shall be public members as defined for purposes of Laws 1973, Chapter 638. Not more than one member of said board shall be from the same branch of the profession of engineering. The members of the first board shall be appointed to serve for the following terms: two members for one year; two members for two years; two members for three years; and one member for four years, said term ending on the first day of January of the succeeding years. On the expiration of each of said terms the term of office of each newly appointed or reappointed member of the board shall be for a period of four years and shall terminate on the first day of January; except that each member shall hold over after the expiration of his term until his successor shall have been duly appointed and qualified. The two engineering members of the board added by this amendment shall be appointed for the following term: one for a term ending on the first day of January of the next succeeding year, and one for a term ending on the first day of January of the second succeeding year following his appointment. Thereafter their successors shall be appointed for a term of four years as provided for the other members of the board. Each public member of the board shall be appointed for a term of four years, provided that of the initial public members appointed two shall serve for a term of one year, two shall serve for a term of two years, and two shall serve for a term of three years. The governor may remove any member of the board for misconduct, incompetency or neglect of duty. Vacancies in the membership of the board, however created, shall be filled by appointment by the governor for the unexpired term.

[1973 c 638 s 42]

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. Each member except the public members 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. Each such member 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.

[1973 c 638 s 43]

326.07 Board, meetings of, officers, quorum

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

[1973 c 638 s 44]

EMPLOYMENTS LICENSED BY STATE 326.18

326.08 Fees, disposal of; pay of board members; bonds

Subdivision 1. 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 credited to the general fund in the state treasury together with any unexpended balance in a special fund of the board as of July 1, 1973. The expenses of administering sections 326.02 to 326.16 shall be paid from the appropriation made to the state board of registration for architects, engineers and surveyors. 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 \$35 for each day or portion thereof that he attends a meeting of the board or is otherwise engaged in performing official business of the board. The members of the board shall be reimbursed for ordinary and actual expenses in the same amount and manner as state employees.

[1973 c 638 s 45]

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 seven citizens of this state to be appointed by the governor, two of whom shall be public members as defined for purposes of Laws 1973, Chapter 638 and five of whom shall be the holders of certificates issued under the provisions of sections 326.17 to 326.23. Each member shall hold office until the expiration of their respective terms and until their successors are appointed and have qualified. The members of the state board of accountancy in office on June 30, 1962, shall continue in office for the remainder of their respective unexpired terms, which terms expire on December 31 of successive years. If a member is unable or unwilling to complete the term for which he was appointed, the governor shall appoint a member for the remainder of his term. The initial terms of the public members of the board shall be for four and five years respectively. Upon the expiration of any term, the governor shall appoint a member of the board for a term of five years.

[1973 c 638 s 46]

326.18 Board, duties, officers, examinations, report

A majority of the board shall constitute a quorum. The board shall elect one of its number as chairman, another as vice chairman, and another as secretary and treasurer, who shall hold their respective offices for a term of one year and until their successors are elected. The affirmative vote of four members of the board shall be considered as the action of the board. The board shall enforce the standard of general education; the standard of special education in the science and art of accounting; the standard of moral character and general public experience, as prescribed in sections 326.17 to 326.23, in all examination conducted thereunder. The board shall make rules and regulations for the conduct of applicants' examinations and the character and scope of such examinations, the method and time of filing applications for examinations and their form and contents, and all other rules and regulations proper to carry into effect the purposes of sections 326.17 to 326.23. All such examinations shall be conducted by the state board of accountancy. The time and place of holding examinations shall be advertised for not less than three consecutive days in one daily newspaper published in each of the counties where the examinations are to be held, and not less than 20 days prior to the date of each examination. The examinations shall take place as often as may be convenient in the opinion of the board, but not less than once in each year. The board may make further rules and regulations, including but not limited to rules of professional conduct, pertaining to corporations practicing public accounting which it deems consistent with or required by the public welfare.

326.18 EMPLOYMENTS LICENSED BY STATE

The board shall keep records of its proceedings, an accurate list of all applications made, certificates issued, certificates registered, and certificates revoked, and shall keep proper financial records in which there shall be entered a complete statement of the cash receipts and disbursements. It shall adopt and provide itself with a seal with a band inscribed "Certified Public Accountant, State of Minnesota," with the coat of arms of Minnesota in the center, which seal shall be affixed to each certificate issued or registered under sections 326.17 to 326.23. All records of the board shall be open to the inspection of the public at the office of its secretary. It shall report biennially, on or before October 1 in each even numbered year to the governor for the two preceding fiscal years, as follows:

- (1) Its receipts and disbursements;
- (2) Names of persons to whom certificates have been issued;
- (3) Names of all persons whose certificates have been revoked;
- (4) Recommendations, if any, for new legislation; and
- (5) Such other matters as the board may deem proper.

[1973 c 638 s 47]

326.19 Certification; qualification of accountant

Subdivision 1. Certificates, to whom granted. No certificate for a certified public accountant shall be granted, except as provided herein or in subdivisions 2 and 3, to any person other than one who is over the age of 18 years and of good moral character and who shall have completed at least three years of public accounting experience (1) as a staff employee of a certified public accountant or public accountant or (2) as an examiner in the office of public examiner, an auditor in the division of cooperative accounting, state department of agriculture, or as an auditor or examiner with any other agency of government, which experience, in the opinion of the board is equally comprehensive and diversified or (3) as a self-employed public accountant or as a partner in a firm of public accountants or (4) in any combination of the foregoing capacities, and who shall have successfully passed an examination in such subjects as the board may prescribe in its rules. No person qualifying under this section shall be permitted to take such examination unless he shall have completed the above experience requirements. This subdivision shall expire July 1, 1976.

[1973 c 725 s 56]

Subd. 2. Certificates; granting; examination. The certificate, certified public accountant, shall be granted to any person:

- (a) Who has attained the age of 18 years; and
- (b) Who is of good moral character; and
- (c) Who holds:

(i) a master's degree with a major in accounting from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or who has in the opinion of the board at least an equivalent education, providing at least one year of experience of the type specified in subdivision 4, has been completed; or

(ii) a baccalaureate degree, with a major in accounting, from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least two years experience of the type specified in subdivision 4, has been completed; or

(iii) a baccalaureate degree from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to

EMPLOYMENTS LICENSED BY STATE 326.241

the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least three years experience of the type specified in subdivision 4, has been completed; or

(iv) evidence of having completed two or more years of study with passing grade average or above from a college or university that is fully accredited by the North Central Association of Colleges and Secondary Schools, or an equivalent accrediting association, or whose credits are acceptable to the University of Minnesota for admission to graduate study, or who has in the opinion of the board at least an equivalent education, providing at least five years experience of the type specified in subdivision 4, has been completed; or

(v) a diploma as a graduate of an accredited high school or who has in the opinion of the board at least an equivalent education, providing at least six years experience of the type specified in subdivision 4, has been completed; and

(d) Who has completed successfully an examination in such subjects and at such times, as the board may prescribe in its rules. The examination shall be administered by the board only to a candidate who holds:

(i) a baccalaureate degree with a major in accounting or higher degree, as described in clause (c)(i) or clause (c)(ii) or to persons having at least an equivalent education, or to candidates for such degree providing such candidate is currently registered in his final semester or quarter preceding graduation, or

(ii) a baccalaureate degree, as described in clause (c)(iii), provided at least one years experience of the type specified in subdivision 4, has been completed, or

(iii) evidence of having completed two or more years of study with passing grade average or above from a college or university, as described in clause (c)(iv), provided at least three years experience of the type specified in subdivision 4, has been completed, or

(iv) a diploma as a graduate of an accredited high school, as described in clause (c)(v), provided at least five years experience of the type specified in subdivision 4, has been completed.

[1973 c 725 s 57]

[For text of subds. 3 and 4, see M.S.1971]

326.22 Fees

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. Expenses of administration. The board shall pay all ordinary and necessary expenses in the same amount and manner as state employees. The fees collected under sections 326.17 to 326.23 shall be paid into the state treasury and credited to the general fund together with the unexpended balance in any special fund of the board as of July 1, 1973. The expenses of administering sections 326.17 to 326.23 shall be paid from appropriations made to the state board of accountancy. The members of the board of accountancy shall be paid \$35 per day spent in the performance of their duties and all necessary expenses.

[1973 c 638 s 48]

MINNESOTA ELECTRICAL ACT

326.241 State board of electricity

Subdivision 1. Composition. The state board of electricity shall consist of nine members, residents of the state, appointed by the governor with the advice and consent of the senate, each for a term of five years, except that the initial public members shall serve four and five year terms respectively and until his successor qualifies, of whom at least two shall be representatives of

326.241 EMPLOYMENTS LICENSED BY STATE

the electrical suppliers in the rural areas of the state, two shall be master electricians, who shall be contractors, two journeyman electricians, one registered consulting electrical engineer and two public members as defined for purposes of Laws 1973, Chapter 638.

[1973 c 638 s 49]

[For text of subd. 2, see M.S.1971]

Subd. 3. Compensation and finances. Each member of the board shall be paid compensation of \$35 per day for each day spent in performance of his duties, plus ordinary and necessary expenses in the same amount and manner as state employees. Compensation and expenses shall not be paid for more than twenty-four days in any calendar year, exclusive of days spent in actual attendance at required public hearings on matters before the board in regard to rules and regulations, appeals, or license proceedings. All fees collected under the provisions of Laws 1967, Chapter 602 are to be credited to the general fund in the state treasury along with any unexpended balance in a special fund of the board as of July 1, 1973. The expenses of administering sections 326.241 to 326.339 shall be paid from appropriations made to the state board of electricity.

[1973 c 638 s 50]

STEAMFITTERS

326.52 Deposit of fees

All fees received under sections 326.46 to 326.52 shall be deposited by the department of labor and industry to the credit of the general fund in the state treasury. The salaries and per diem of the inspectors and examiners hereinbefore provided, their expenses, and all incidental expenses of the department in carrying out the provisions of sections 326.46 to 326.52 shall be paid from the appropriations made to the department of labor and industry.

[1973 c 720 s 59]

WATCHMAKERS

326.541 Board of examiners in watchmaking

(1) There is created a board to be known as the "Minnesota Board of Examiners in Watchmaking," whose duties it shall be to administer the provisions of Laws 1943, Chapter 474. Such board shall consist of seven members, appointed by the governor. All persons so appointed shall have been residents of this state and five such members shall have actually engaged in watchmaking, as defined in section 326.01, subdivision 20, for at least five years immediately preceding the time of their appointment. The remaining members shall be public members as defined for purposes of Laws 1973, Chapter 638. Each member of the board shall hold office for four years and until his successor shall be appointed, and qualifies, except that in the first appointments three members shall be appointed for four years, two for two years, and the term of office in such case shall be designated by the governor at the time of the appointment. The board of seven shall have at least two employees as members. The initial public members shall serve terms of three and four years respectively.

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

HOTELS, PUBLIC RESORTS, MOBILE HOMES 327.41

penses in the same amount and manner as state employees. The secretary, in addition to such per diem and expenses, may be paid an annual salary not to exceed \$2,500.

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

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

[1973 c 638 s 51]

CHAPTER 327. HOTELS, PUBLIC RESORTS, MOBILE HOMES

MOBILE HOME PARKS AND CAMP- ING AREAS		Sec.	
Sec.		327.43	Entrance and transfer fees prohibited; security deposits limited.
327.31	Definitions.	327.44	Termination for cause.
MOBILE HOME LOT RENTALS [NEW]		327.45	Utility rates.
		327.46	Penalties for violations.
327.41	Definitions.	327.47	Damages.
327.42	Lot rental agreements.		

MOBILE HOME PARKS AND CAMPING AREAS

327.31 Definitions

[For text of subds. 1 to 5, see M.S.1971]

Subd. 6. "Mobile home" means a factory-built structure or structures equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be a relocatable structure or structures used for any occupancy without a permanent foundation, but shall not include motor vehicles as defined in Minnesota Statutes 1971, Section 169.01, Subdivision 3, or recreational camping vehicles as defined in Minnesota Statutes 1971, Section 327.14, Subdivision 7. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

[1973 c 370 s 1]

[For text of subds. 7 and 8, see M.S.1971]

MOBILE HOME LOT RENTALS [NEW]

327.41 Definitions

Subdivision 1. As used in sections 327.41 to 327.47 the terms defined in this section have the meanings given them.

Subd. 2. "Mobile home" has the meaning specified in section 327.31, subdivision 6.

Subd. 3. "Mobile home park" has the meaning specified in section 327.14, subdivision 3.

Subd. 4. "Person" means any individual, corporation, firm, partnership, incorporated and unincorporated association, or any other legal or commercial entity.

Subd. 5. "Space or lot" means an area within a mobile home park, designed for the accommodation of a mobile home.