

# MINNESOTA STATUTES 1977 SUPPLEMENT

## 207.19 ABSENT AND DISABLED VOTERS

or otherwise:

### REQUEST FOR BALLOTS

To the County Auditor of ..... County, Minnesota, United States of America:

The name of the person for whom ballots are requested is ..... He is a member of the armed forces of the United States. He expects to be absent from his place of residence in Minnesota on the primary or general election date. Request is therefore made that ballots be furnished to him to be used by him in voting at such elections and be sent to him at the address herein stated. He is a citizen of the United States. He is a resident of the State of Minnesota and has been such resident for more than 20 days last past. He was born on the ..... day of ..... in the year .... His home and place of residence is and on said election days will be at ..... in the ..... of ..... (Town or City) County of ..... State of Minnesota. His voting precinct according to the best information of the undersigned is ..... (Give precinct and ward number or name of precinct if you know it.) Ballots are to be sent to said member of the armed forces at the following address: .....

(If this request is signed by the spouse, parent, or a brother, sister, or child over the age of 18 years, of the member of the armed forces, fill in the following paragraph.) The relative who signs this request is the ..... of said voter above-named, and is of the age of 18 years or over ..... (signature of member of armed forces or relative) Subscribed and sworn to before me this ..... day of ....., 19.... (State title of office. If officer of armed forces, must be a commissioned, noncommissioned, or petty officer not below rank of sergeant or its equivalent. Affix seal, if any.)

[For text of subds 2 and 3, see M.S.1976]

[ 1977 c 91 s 11; 1977 c 347 s 35 ]

### 207.31 Hospital patients and health care facility residents.

Each municipal clerk shall designate election judges to deliver absentee ballots to any eligible voter who has applied for an absentee ballot as provided in section 207.03 and who is a resident or patient in a health care facility or hospital located in the municipality to which the application has been submitted. The ballots shall be delivered to any such voter by two election judges, each of whom is affiliated with a different political party. When the judges are engaged in delivering or returning ballots as provided in this section, they shall travel together in the same vehicle. Both judges shall be present when an applicant completes his voter's certificate and casts his absentee ballot, and may assist an applicant to mark his ballot in the manner provided in section 204A.34. The judges shall deposit the return envelopes containing the voted absentee ballots in a sealed container and deliver them to the clerk on the same day that they are delivered and cast. Except as provided in subdivision 2, the judges shall deliver absentee ballots to the applicant during the ten days preceding an election.

[ 1977 c 395 s 11 ]

## CHAPTER 214. EXAMINING AND LICENSING BOARDS

Sec.  
214.01 Definitions.  
214.04 Services.  
214.05 Repealed.

Sec.  
214.06 Fees; license renewals.  
214.10 Complaints; investigation and hearing.

### 214.01 Definitions.

[For text of subds 1 and 2, see M.S.1976]

## EXAMINING AND LICENSING BOARDS 214.06

Subd. 3. "Non-health related licensing board" means the board of teaching established pursuant to section 125.183, the board of barber examiners established pursuant to section 154.22, the board of cosmetology examiners established pursuant to section 155.04, the board of assessors established pursuant to section 270.41, the board of architecture, engineering and land surveying established pursuant to section 326.04, the board of accountancy established pursuant to section 326.17, the board of electricity established pursuant to section 326.241, the private detective and protective agent licensing board established pursuant to section 326.541, the board of boxing established pursuant to section 326.33, the board of examiners in watchmaking established pursuant to section 326.541, the board of boxing established pursuant to section 341.02, the board of abstractors established pursuant to section 386.63, and the peace officer standards and training board established pursuant to section 626.841.

*abstractor*

[ 1977 c 433 s 14 ]

### 214.04 Services.

[For text of subds 1 and 2, see M.S.1976]

Subd. 3. The executive secretary of each health related and non-health related board shall be the chief administrative officer for the board but he shall not be a member of the board. He shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive secretaries and other employees of the following boards shall be hired by the board, and the executive secretaries shall be in the unclassified civil service: dentistry; medical examiners; nursing; pharmacy; accountancy; architecture, engineering, land surveying and landscape architecture; barber examiners; cosmetology; electricity; and teaching. The executive secretaries serving the remaining boards shall be hired by those boards, and shall be in the unclassified civil service except for part-time executive secretaries, who are not required to be in the unclassified service. Boards not requiring a full-time executive secretary may employ such services on a part-time basis. To the extent practicable the sharing of part-time executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive secretaries of the boards and employees of the attorney general, shall be classified civil service employees of the department servicing the board. To the extent practicable the commissioner shall insure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

Subd. 4. Two or more health related licensing boards or two or more non-health related licensing boards may hold joint rule making proceedings on proposed rules relating to similar subject matters.

[ 1977 c 444 s 13,14 ]

### 214.05 [ Repealed, 1977 c 444 s 21 ]

### 214.06 Fees; license renewals.

Subdivision 1. Notwithstanding any law to the contrary, the board of health as authorized by section 214.13, all health related licensing boards and all non-health related licensing boards may by rule, with the approval of the commissioner of finance, adjust any fee which the board is empowered to assess a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures during the fiscal biennium. Examination fees, if any, shall be set by rule so that the total amount of annual examination fee income approximately meets the anticipated cost of administering the examinations during

# MINNESOTA STATUTES 1977 SUPPLEMENT

## 214.06 EXAMINING AND LICENSING BOARDS

the fiscal biennium. All fees received shall be deposited with the state treasurer and credited to the general fund.

[For text of subd 2, see M.S.1976]

[ 1977 c 444 s 15 ]

## 214.10 Complaints; investigation and hearing.

[For text of subds 1 and 2, see M.S.1976]

Subd. 2a. **Proceedings.** A board shall initiate proceedings to suspend or revoke a license or shall refuse to renew a license of a person licensed by the board who is convicted in a court of competent jurisdiction of violating sections 609.23, 609.231, 609.465, 609.466, 609.52, or 626.555.

[For text of subd 3, see M.S.1976]

[ 1977 c 326 s 10 ]

## CHAPTER 216. DEPARTMENT OF PUBLIC SERVICE, PROCEDURE

Sec.  
216.25 Appeals; orders not appealed; proceedings; review by supreme court.

Sec.  
216.271 Appeal denial of hearing. [New]

### 216.25 Appeals; orders not appealed; proceedings; review by supreme court.

The person serving such notice of appeal shall, within such 30 day period, file the same with proof of service, with the clerk of the court to which such appeal is taken; and thereupon the district court shall have jurisdiction over the appeal and the same shall be entered upon the records of the district court and shall be tried therein according to the rules relating to the trial of civil actions so far as the same are applicable. The complainant before the commission, if there was one (otherwise the state of Minnesota), shall be designated as complainant in the district court. No further pleadings than those filed before the commission shall be necessary. Such findings of fact shall be prima facie evidence of the matters therein stated, and the order shall be prima facie reasonable, and the burden of proof upon all issues raised by the appeal shall be on the appellant. The review shall be conducted by the court without a jury and shall be confined to the record, except that in cases of alleged irregularities in procedure before the commission, not shown on the record, testimony thereon may be taken by the court. If the court shall determine that the order appealed from is lawful and reasonable, it shall be affirmed and the order enforced as provided by law. If it shall be determined that the order is unlawful or unreasonable, it shall be vacated and set aside. Such appeal shall not stay or supersede the order appealed from unless the commission so orders or unless the court upon examination of the order and the return made on the appeal, and after giving the respondent notice and opportunity to be heard, shall so direct. If such appeal is not taken such order shall become final, and it shall thereupon be the duty of the regulated persons affected to adopt and perform the acts therein prescribed. When no appeal is taken from an order, as herein provided, the parties affected by such order shall be deemed to have waived the rights to have the merits of such controversy reviewed by a court, and there shall be no trial of the merits or reexamination of the facts of any controversy in which such order was made, by any district court to which application may be made for a writ to enforce the same. Any party to a proceeding in the district court or the commission may appeal to the supreme court of Minnesota from the order or judgment of such district court within the time and in the manner and under the procedure provided in rules of civil appellate procedure; provided that if the department be the appellant, no bond upon such appeal shall be required.

[ 1977 c 253 s 1 ]