



Minnesota Geographic Board.
Records.

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Variations between Chapter 35, Session Laws of 1937
and
Chapter 63 of the Same Laws
regarding the
State Geographic Board

Observations.

1. It should be noted that these two session laws, while apparently intended to supplement each other, and bearing consecutive S.F. numbers (556 and 557) were not passed at the same time. S.F. 557, passed as Chapter 35 Session Laws of 1937, laying down the procedure to be followed in the counties for name changes, received approval on February 24. S.F. 556, passed as Chapter 63 of the same laws, setting up the State Geographic Board, was not approved until March 8, 1937. Chapter 35 refers to the State Geographic Board in several places although there was no such body at the time of the passage of this particular act.

Chapter 63, setting up the State Geographic Board, Section 5, provides that "All acts or parts of acts now in effect inconsistent with the provisions of this act are hereby superseded, modified or amended to conform to and give full force and effect to the provisions of the act. These variations appear to be the following.

A. Chapter 63, the act setting up the State Geographic Board largely removes the jurisdiction over the re-naming of and the naming of unnamed geographical features from the county boards and vests it in the State Geographic Board. The jurisdiction is further increased from "changing name of or giving a name to any lake, river, stream, or other body of water" within the State, to include "lakes, streams, places and other geographic features." (Chapters 35, title, and 63 Sections 2, 3, and 4)

B. The power to "change" names is apparently to be exercised by the State Geographic Board jointly with the county boards "in cooperation" and "with their approval," but it does not appear that regular hearings are required prior to such action of the two bodies. A resolution of the county board with the "written approval of the State Geographic Board endorsed on" the resolution appears to be all that is required. (Ch. 63 Sec. 2 c & Sec. 4)

On the other hand, "No County Board shall order the change of or establish the name of any lake, river, or other body of water without the written approval of the State Geographic Board endorsed on any resolution determining or fixing said name, which endorsement must be made on the same prior to recording with the Register of Deeds." In other words, the State Geographic Board has an absolute veto upon such changes either through direct action or through failure to act affirmatively. (Ch. 63 Sec. 4)

C. Authority of the State Geographic Board to "determine the correct and most appropriate names of the lakes, streams, places, and other geographic features in the state, and the spelling thereof,"

and to "pass upon and give names to lakes, streams, places and other geographic features in the state for which no single generally accepted name has been in use," seems to be complete, and not dependent in any way upon local petition or county board action.

(Ch. 63 Sec. 2 a and b).

D. The restriction set up in Chapter 35 Sec. 751-2, "Provided that no name of any lake, river, stream, or other body of water, which name has existed for forty (40) years shall be changed under the provisions of this act," is undoubtedly wiped out by the general provisions of Chapter 63 Sec. 5 as "inconsistent with the provisions of this act," and hence "superseded, modified, or amended to conform to and give full effect to the provisions of the act."

E. The right on the part of 15 or more individuals to petition a county board for a name change or for the naming of an unnamed lake, river, stream, or body of water presumably is still retained as provided in Chapter 35 Section 751-2, and the procedure prescribed in the same statute, Section 751-3 would probably be followed. Such hearing and action by the county board, however, would only have the force of a local recommendation, and be subject to the veto of the State Geographic Board, as noted in Comment B above.

2. Essentially, then, the State Geographic Board becomes supreme in matters affecting the names of lakes, streams, places, and other geographic features in Minnesota, and the county boards become minor assisting agencies in certain phases of the procedure. Even the U. S. Geographic Board rulings do not necessarily force the State board into compliance, although under Chapter 63, Section 2 e, there is an obvious intention to have the two sets of rulings harmonious and in agreement. The State Geographic Board, indeed, has already made one decision in the case of Culkan Lake in Lake County, which is not in line with U. S. Geographic Board policies.
3. Despite the rather large powers granted to the State Geographic Board under the law, it would seem to be policy to proceed slowly, in line with local sentiment as expressed through the county boards and petitions of individuals. Such action would avoid local friction and politics. One further question should be considered. Shall individual petitions direct to the State Geographic Board instead of to the county board be acted upon, or shall the Board regard itself as a kind of supreme court to accept or reject the decisions of the county boards? The latter policy would probably result in a minimum of friction and a lightening of the labors of the State Board. It would also avoid the necessity for special hearings at frequent intervals by throwing that part of the work upon the county boards.
4. In general I agree with the recommendations made by Mr. Pleva, although I believe that he is mistaken in his interpretation of the time limit provision mentioned in his General Comments, Section I, Paragraph G. In his statement of Procedure for Officially Changing Names of Lakes and Streams Mr. Pleva apparently overlooks completely the right of initiatory action by the State Geographic Board, and relies entirely upon the provisions of Chapter 35, the earlier act, without considering the provisions of Chapter 63.

5. Mr. Pleva makes several references to the costs involved in place name changes, but I fail to see where any large amounts will be involved. These official changes can be made gradually and substitutions made on maps, stationery, etc., as replacements are necessary. The State Geographic Board certainly is not held for any such costs, and again I believe that the later statute supersedes in its application the previous one. If there are costs, they should be borne by the county or counties affected.

Respectfully submitted

William H. McE
Curator of Museum

CHAPTER 157.—H. F. No. 717.

An act providing for a method for changing the name of, or giving a name to, any lake, river, stream or other body of water, wholly within the boundaries of this state.

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

Section 1. May petition County Board to change name of body of water.—That whenever it is desired to change the name of, or give a name to any unnamed lake, river, stream or body of water located within the boundaries of this state, any 15 or more legal voters, residing within the county where all or any part of such body of water is located, may petition the County Board of the County wherein said petitioners reside, to change the name of, or to give a name to any previously unnamed lake, river, stream or other body of water, however designated. Said petitioners shall describe in their petition with reasonable correctness, the location of any such lake, river, stream or other body of water; the name, of any, by which it may then be known, or if without any name, such fact shall be stated; also the name which said petitioners desire given to said body of water; and the reason for such change of name or for giving the designated name to any previously unnamed body of water. Said petitioners shall also set out after each of their names, as signed to said petition, their place of residence. Provided no name of any lake, river, stream or other body of water, which name has existed for forty (40) years shall be changed under the provisions of this act.

Sec. 2. County Board to fix time of hearing.—That on the filing of such petition with the County Auditor of the County wherein said petitioners reside, and presenting therewith the necessary copies thereof hereafter required, such auditor shall present said petition to the County Board of his county, which board shall by order fix the day and place of hearing on said petition to be held more than 30 days thereafter, of which hearing on said petition at least three weeks published notice shall be given in the newspaper designated by the County Board of said county as the official newspaper for said county, provided that said hearing may be held at any convenient place within the county, as shall be determined by the Board. On the day fixed for said hearing any legal voters in said county, or any municipality may appear by attorney or in person, and file an answer to said petition, setting out in plain concise language why the prayer of said petitioners should not be granted in whole or in part, and, may in said answer pray the County Board to give another or different name to said lake, river, stream or other body of water than the one prayed for in said original petition. Said petitioners may include in said petition any number of lakes, rivers, streams or other bodies of water, the names of

which they may petition to have changed, or any number of previously unnamed lakes, rivers, streams, or other bodies of water which they may desire to have given a name by said Board in said proceedings, and the same procedure shall be had on said petition in such event as though only one lake, river, stream or other body of water be described in said petition.

Sec. 3. Notice to be served on certain officials.—That notice of the time and place of hearing on any such petition shall also be served personally on the Chairman of the Town Board of any township, on the President of any Village Board of Trustees, and on the Mayor of any city within or adjoining limits of which political sub-division any such lake, river, stream or other body of water involved in said hearing may be located and it shall be the duty of such official on whom said notice of hearing shall be served, to present such notice to said Board or Council who shall take such action thereon as they shall deem to be for the public interest.

Sec. 4. Hearing on petition.—That at the time fixed by said notice of hearing on said petition, or at any time to which said hearing may be adjourned by the County Board, said Board shall hear all parties desiring to be heard thereon and shall make an order by resolution fixing and determining the name which any lake, river, stream or other body of water described in said petition shall have and bear, and the name so fixed by said Board shall be the name of such lake, river, stream or other body of water and such designation shall thereafter be used and followed as its legal name. If any petition so filed shall describe a lake, river, stream or other body of water located within the boundaries of more than one county, then the County Boards of the several counties affected shall act jointly and as one body, a majority of such joint body being sufficient to determine upon a name; the County Auditor with whom such a petition shall be filed shall forward by mail a certified copy of the same to each of the County Auditors of the county so affected, who shall present same to their respective County Boards, and the notice of hearing thereon determined upon by said joint body shall be published in each such county as provided in Section two thereof. The Auditor of the County in which said petition was filed shall make and file certified copies of the resolution so adopted in the office of the Register of Deeds of each county affected at the expense of the petitioners.

Sec. 5. Not to duplicate names.—That in choosing and fixing the name of any river, lake, stream or other body of water, the County Board or Boards shall, as far as possible not duplicate names of existing lakes, rivers, streams or other bodies of water, and shall select and approve such names therefor, as shall in their judgment be for the permanent good and best interests of the county or counties affected. To that end, the auditor of the county wherein a petition shall be filed as herein provided shall cause a copy thereof,

together with a copy of the notice of hearing thereon, to be forwarded by mail to the State Commissioner of Drainage and Waters, who shall compare the names suggested in said petition with the names of other lakes, rivers, streams or bodies of water within the state and report back to said auditor before the date of said hearing, his findings and recommendations.

Sec. 6. Petitioners to give bond.—Before any petition filed under this act shall be acted upon or the notice of hearing given, the petitioners shall give a bond to be approved by the County Attorney of such county wherein said petition has been filed, conditioned upon the full payment of all reasonable expenses which the county or counties shall incur in such proceeding.

Approved April 8, 1925.

CHAPTER 158—H. F. No. 754.

An act to amend Section 1002, General Statutes 1923, relating to the powers of town meetings.

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

Section 1. Town Board to purchase or build town hall.—That Subdivision 9, Section 1002, General Statutes 1923, shall be and the same is hereby amended so as to read as follows:

"9. To authorize the town board to purchase or build a town hall or other building for the use of the town, and to determine by ballot the amount of money to be raised for that purpose, but if a site for a town hall is once obtained it shall not be changed for another site except by vote therefor designating a new site by two-thirds votes cast at such election of the legal voters of the township.

Approved April 8, 1925.

CHAPTER 159—H. F. No. 783.

An act to legalize and validate the defective execution of deeds, mortgages and other instruments, and the record thereof.

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

Section 1. Certain mortgage foreclosures legalized.—That in all cases where deeds, mortgages or other instruments affecting real estate within this state, or letters of attorney authorizing the same, have heretofore been actually recorded in the office of the register of deeds of the county where the real estate thereby affected was, at the time of making of such records, or is, situate, whether such deeds or other instruments were duly or properly admitted to record or otherwise; all such instruments and the record thereof are hereby legalized and confirmed; and all such records may nevertheless be read in evidence in any court within this state, and shall be received as prima facie evidence of the contents of the original instruments of which they purport to be records;

And all such records shall in all respects have the same force and effect as they would have if such original instruments at the time that they were so recorded had been legally entitled to record and were legally recorded.

Sec. 2. Copies may be received as evidence.—That duly authenticated copies of such records may be read in evidence in any court within this state, with the same effect as the records themselves aforesaid.

Provided, that nothing in this act shall be held to apply to any action heretofore commenced or now pending in any of the courts in this state nor to any deed, mortgage or other instrument or the record thereof, on which any mortgage registry tax provided by law has not been paid.

Approved April 8, 1925.

CHAPTER 160—H. F. No. 921.

An act authorizing certain counties to reimburse county agricultural societies for the cost of lands and improvements on property owned by such societies and used for county agricultural purposes, upon conveying the same to the county.

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

Section 1. Counties to reimburse agricultural societies in certain cases.—Whenever a county agricultural society in any county having more than six thousand and less than seven thousand inhabitants and having an assessed valuation of more than three million and less than four million dollars, exclusive of moneys and credits, and having not less than fifteen and not more than seventeen full or fractional congressional townships, has heretofore purchased and acquired title to not less than twenty and not more than fifty acres of real property and erected or constructed or contributed funds for the erection or construction of a building, buildings, fence, fences, roads, streets, race track, waterworks, well, or for the filling in of lands, situate upon said real property, which real property and the building, buildings, fence, fences, roads, streets, race track, waterworks, well or filled lands are used for county fair purposes and title to such real property and the improvements thereon has been or may hereafter be conveyed to the county or was at the time of the construction of such improvements vested in the county, the county board of such county is hereby authorized and empowered to acquire and accept title to said real property and improvements and to assume and agree to pay the encumbrances thereon, if any, and to pay to such society an amount equal to the purchase price of said real property and the cost of erecting, constructing, repairing, installing or making such improvements, provided, however, that the

An act to amend Mason's Minnesota Statutes of 1927, Sections 751-2, 751-3, 751-4, 751-7, relating to changing name of or giving a name to any lake, river, stream, or other body of water wholly within the boundaries of this state.

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

Section 1. Law amended--That Mason's Minnesota Statutes of 1927, Sections 751-2, 751-3, 751-4, 751-7, be and the same hereby is amended to read as follows.

751-2. Naming or changing names of lakes, rivers, etc.--Petition to county board----That whenever it is desired to change the name of or give a name to any unnamed lake, river, stream, or body of water located within the boundaries of this state, [the State Geographic Board,] or any 15 or more legal voters, residing within the county where all or any part of such body of water is located, may petition the County Board of the County wherein said petitioners reside, [or in which said body of water is located,] to change the name of or to give a name to any previously unnamed lake, river, stream, or other body of water, however designated. Said petitioners shall describe with reasonable correctness, the location of any such lake, stream, or other body of water; the name if any, by which it may then be known, or if without any name, such fact shall be stated; also the name (or names) which said petitioners desire given to said body of water; and the reason for such change of name or for giving the designated name to any previously unnamed body of water. Said petitioners shall also set out after each of their names, as signed to said petition, their places of residence. Provided no name of any lake, river, stream, or other body of water, which name has existed for forty (40) years shall be changed under the provisions of this act.

751-3. Same--Hearings by County Board---That on the filing of such petition with the County Auditor of the County wherein said petitioners reside [or in which said body of water is located,] and presenting therewith the necessary copies hereof afterward required, such auditor shall present said petition to the County Board of his county, which board shall by order fix the day and place of hearing on said petition to be held more than 30 days thereafter, of which hearing of said petition at least three weeks published notice shall be given in the newspaper designated by the County Board, as the official newspaper for said county, provided that said hearing may be held at any convenient place within the county, as shall be determined by the Board. On the day fixed for said hearing any legal voters in said county, or any municipality may appear by attorney or in person, and file an answer to said petition, setting out in plain concise language why the prayer of said petitioners should not be granted in whole or in part, and, may in said answer pray the County Board to give another or different name to said lake, river, stream, or other body of water than the one prayed for in said original petition. Said petitioners may include in said petition any number of lakes, rivers, streams, or other bodies of water, the names of which they may petition to have changed, or any number of previously unnamed lakes, rivers, streams, or other bodies of water which they may desire to have given a name by said Board in said proceedings, and the same procedure shall be had on said petition in such event as though only one lake, river, stream, or other body of water shall be described in said petition.

751-4. Same-Notices of hearings---That notice of the time and place of hearing on any such petition shall also be served on the [State Geographic Board] and personally on the chairman of the Town Board of any township, on the President of any Village Board, and on the Mayor of any city within or adjoining the limits of which political sub-division any such lake, river, stream, or other body of water involved in said hearing may be located and it shall be the duty of such official on whom said notice of hearing shall be served, to present such notice to said Board or Council who shall take such action thereon as they shall deem to be for the public interest.

751-7. Same-Bonds of petitioners---Before any petition filed under this act shall be acted upon or the notice of hearing given, the petitioners shall give a bond to be approved by the County Attorney of such county wherein said petition has been filed, conditioned upon the full payment of all reasonable expenses which the county or counties shall incur in such proceeding; [provided that the State Geographic Board shall not be required to give bond hereunder.]

An act to amend Mason's Minnesota Statutes of 1927, Sections 751-2, 751-3, 751-4, 751-7 relating to changing name of or giving a name to any lake, river, stream or other body of water wholly within the boundaries of this state.

(In the printed copy of the Session Laws of 1937, the material which was added to the 1927 statute is indicated in italics. The italics are not indicated in this copy.)

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

Section 1. Law amended. -- That Mason's Minnesota Statutes of 1927, Sections 751-2, 751-3, 751-4, 751-7, be and the same hereby is amended to read as follows:

"751-2. Naming or changing names of lakes, rivers, etc. -- Petition to county board. -- That whenever it is desired to change the name of, or give a name to any unnamed lake, river, stream or body of water located within the boundaries of this state, the State Geographic Board or any 15 or more legal voters, residing within the county where all or any part of such body of water is located, may petition the County Board of the County wherein said petitioners reside, or in which said body of water is located, to change the name of, or to give a name to any previously unnamed lake, river, stream or other body of water, however designated. Said petitioners shall describe in their petition with reasonable correctness, the location of any such lake, river, stream or other body of water; the name, if any, by which it may then be known, or if without any name, such fact shall be stated; also the name or names which said petitioners desire given to said body of water; and the reason for such change of name or for giving the designated name to any previously unnamed body of water. Said petitioners shall also set out after each of their names, as signed to said petition, their place of residence. Provided no name of any lake, river, stream or other body of water, which name has existed for forty (40) years shall be changed under the provision of this act."

"751-3. Same. -- Hearings by County Board. -- That on the filing of such petition with the County Auditor of the County wherein said petitioners reside, or in which said body of water is located, and presenting therewith the necessary copies thereof hereafter required, such auditor shall present said petition to the County Board of his county, which board shall by order fix the day and place of hearing on said petition to be held more than 30 days thereafter, of which hearing on said petition at least three weeks published notice shall be given in the newspaper designated by the County Board of said county as the official newspaper for said county, provided that said hearing may be held at any convenient place within the county, as shall be determined by the Board. On the day fixed for said hearing any legal voters in said county, or any municipality may appear by attorney or in person, and file an

answer to said petition, setting out in plain concise language why the prayer of said petitioners should not be granted in whole or in part, and, may in said answer pray the County Board to give another or different name to said lake, river, stream or other body of water than the one prayed for in said original petition. Said petitioners may include in said petition any number of lakes, rivers, streams, or other bodies of water, the names of which they may petition to have changed, or any number of previously unnamed lakes, rivers, streams, or other bodies of water which they may desire to have given a name by said Board in said proceedings, and the same procedure shall be had on said petition in such event as though only one lake, river, stream or other body of water be described in said petition."

"751-4. Same.-- Notices of hearings. -- That notice of the time and place of hearing on any such petition shall also be served on the State Geographic Board and personally on the Chairman of the Town Board of any township, on the President of any Village Board of Trustees, and on the Mayor of any city within or adjoining limits of which political sub-division any such lake, river, stream, or other body of water involved in said hearing may be located and it shall be the duty of such official on whom said notice of hearing shall be served, to present such notice to said Board or Council who shall take such action thereon as they shall deem to be for the public interest."

"751-7. Same. -- Bonds of petitioners. -- Before any petition filed under this act shall be acted upon or the notice of hearing given, the petitioners shall give a bond to be approved by the County Attorney of such county wherein said petition has been filed, conditioned upon the full payment of all reasonable expenses which the county or counties shall incur in such proceeding; provided that the State Geographic Board shall not be required to give bond hereunder."

Approved February 24, 1937.

(Sections 751-5, and 751-6 of Mason's Minnesota Statutes of 1927, which were not changed by this act, are as follows:)

751-5. Same -- Hearings -- Procedure -- Waters in more than one county -- That at the time fixed by said notice of hearing on said petition, or at any time to which said hearing may be adjourned by the County Board, said Board shall hear all parties desiring to be heard thereon and shall make an order by resolution fixing and determining the name which any lake, river, stream or other body of water described in said petition shall have and bear, and the name so fixed by said Board shall be the name of such lake, river, stream or other body of water and such designation shall thereafter be used and followed as its legal name. If any petition so filed shall describe a lake, river, stream or other body of water located within the boundaries of more than one county, then the County Boards of the several counties affected shall act jointly and as one body, a majority of such joint body being sufficient to determine upon a name; the County Auditor with whom such a

petition shall be filed shall forward by mail a certified copy of the same to each of the County Auditors of the counties so affected, who shall present same to their respective County Boards, and the notice of hearing thereon determined upon by said joint body shall be published in each such county as provided in Section two thereof. The Auditor of the County in which said petition was filed shall make and file certified copies of the resolution so adopted in the office of the Register of Deeds of each county affected at the expense of the petitioners. ('25, c. 157, § 4)

751-6. Same -- Names not to be duplicated -- That in choosing and fixing the name of any river, lake, stream or other body of water, the County Board or Boards shall, as far as possible not duplicate names of existing lakes, rivers, streams or other bodies of water, and shall select and approve such names therefor, as shall in their judgment be for the permanent good and best interests of the county or counties affected. To that end, the auditor of the county wherein a petition shall be filed as herein provided shall cause a copy thereof, together with a copy of the notice of hearing thereon, to be forwarded by mail to the State Commissioner of Drainage and Waters, who shall compare the names suggested in said petition with the names of other lakes, rivers, streams or bodies of water within the state and report back to said auditor before the date of said hearing, his findings and recommendations. ('25, c. 157, § 5)

An Act establishing a State Geographic Board and defining the duties thereof.

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

Section 1. State Geographic Board established. -- There is hereby established a state Geographic Board which shall consist of the Commissioner of Conservation, the Commissioner of State Highways, and the Superintendent of the Minnesota Historical Society.

Sec. 2. Powers and duties. -- It shall be the duty of the State Geographic Board and it shall have power and authority:

(a) To determine the correct and most appropriate names of the lakes, streams, places and other geographic features in the state, and the spelling thereof;

(b) To pass upon and give names to lakes, streams, places and other geographic features in the state for which no single generally accepted name has been in use;

(c) In cooperation with the county boards and with their approval, to change the names of lakes, streams, places and other geographic features, with the end in view of eliminating, as far as possible, duplication of names within the state;

(d) To prepare and publish an official state dictionary of geographic names and to publish the same, either as a completed whole or in parts when ready;

(e) To serve as the state representatives of the United States geographic board and to cooperate with the said board to the end that there shall be no conflict between the state and federal designations of geographic features in the state.

Sec. 3. Board to name lakes, streams, etc. -- Whenever the State Geographic Board shall have given a name to any lake, stream, place and other geographic feature within the State, such name shall be used in all maps, records, documents and other publications issued by the State or any of its departments and political subdivisions, and such name shall be deemed the official name of such geographic features.

Sec. 4. County Boards must have approval of Geographic Board. -- No County Board shall order the change of or establish the name of any lake, river, or other body of water without the written approval of the State Geographic Board endorsed on any resolution determining or fixing said name, which endorsement must be made on the same prior to recording with the Register of Deeds.

Sec. 5. Inconsistent acts repealed. -- All acts or parts of acts now in effect inconsistent with the provisions of this act are hereby superseded, modified or amended to conform to and give full force and effect to the provisions of this act.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved March 8, 1937.

354.01 STATE GEOGRAPHIC BOARD, ESTABLISHED. There is hereby established a state geographic board, which shall consist of the commissioner of conservation, the commissioner of highways, and the superintendent of the Minnesota historical society.

[1937 c. 63 s. 1] (128-2)

354.02 POWERS AND DUTIES. It shall be the duty of the state geographic board, and it shall have power and authority:

(1) To determine the correct and most appropriate names of the lakes, streams, places and other geographic features in the state, and the spelling thereof;

(2) To pass upon and give names to lakes, streams, places, and other geographic features in the state for which no single, generally accepted name has been in use;

(3) In cooperation with the county boards and with their approval, to change the names of lakes, streams, places, and other geographic features, with the end in view of eliminating, as far as possible, duplication of names within the state;

(4) To prepare and publish an official state dictionary of geographic names and to publish the same, either as a completed whole or in parts, when ready;

(5) To serve as the state representatives of the United States geographic board and to cooperate with that board to the end that there shall be no conflict between the state and federal designations of geographic features in the state.

[1937 c. 63 s. 2] (128-3)

354.03 NAMES GIVEN TO BE OFFICIAL. When the state geographic board shall have given a name to any lake, stream, place, or other geographic feature within the state, such name shall be used in all maps, records, documents, and other publications issued by the state or any of its departments and political subdivisions, and such name shall be deemed the official name of such geographic feature.

[1937 c. 63 s. 3] (128-4)

354.04 COUNTY BOARDS NAMING GEOGRAPHIC FEATURES MUST HAVE APPROVAL OF GEOGRAPHIC BOARD. No county board shall order the change of or establish the name of any lake, river, or other body of water without the written approval of the state geographic board endorsed on any resolution determining or fixing such name, which endorsement must be made on the same prior to recording with the register of deeds.

[1937 c. 63 s. 4] (128-5)

378.01 NAMING LAKES, RIVERS, STREAMS, AND BODIES OF WATER; PETITION. When it is desired to change the name of, or give a name to, any unnamed lake, river, stream, or body of water located within the boundaries of this state, the State Geographic Board, or any 15 or more legal voters residing within the county where all or any part of such body of water is located, may petition the county board of the county wherein the petitioners reside, or in which the body of water is located, to change the name of, or to give a name to, any previously unnamed lake, river, stream, or other body of water, however designated. The petitioners shall describe, in their petition with reasonable correctness, the location of any such lake, river, stream, or other body of water; the name, if any, by which it may then be known, or if without any name, such fact shall be stated; the name or names which the petitioners desire given to the body of water; and the reason for such change of name or for giving the designated name to any previously unnamed body of water. The petitioners shall set out after each of their names, as signed to the petition, their place of residence. No name of any lake, river, stream, or other body of water, which name has existed for 40 years, shall be changed under the provision of sections 378.01 to 378.06.

[1925 c. 157 s. 1; 1937 c. 35 s. 1] (751-2)

378.02 HEARINGS BY COUNTY BOARD. On the filing of such petition with the auditor of the county wherein the petitioners reside, or in which the body of water is located, and presenting therewith the necessary copies thereof hereafter required, such auditor shall present the petition to the county board of the county, which board shall by order fix the day and place of hearing on the petition to be held more than 30 days thereafter, of which hearing at least three weeks' published notice shall be given in the newspaper designated by the county board as the official newspaper for the county; provided that the hearing may be held at any convenient place within the county, as shall be determined by the board. On the day fixed for the hearing any legal voters in the county, or any municipality, may appear, by attorney or in person, and file an answer to the petition, setting out in plain concise language why the prayer of the petitioners should not be granted in whole or in part, and, may in the answer pray the county board to give another or different name to the lake, river, stream, or other body of water than the one prayed for in the original petition. The petitioners may include in the petition any number of lakes, rivers, streams, or other bodies of water, the names of which they may petition to have changed, or any number of previously unnamed lakes, rivers, streams, or other bodies of water which they may desire to have given a name by the board in the proceedings, and the same procedure shall be had on the petition in such event as though only one lake, river, stream, or other body of water be described in the petition.

[1925 c. 157 s. 2; 1937 c. 35 s. 1] (751-3)

378.03 NOTICES OF HEARINGS. Notice of the time and place of hearing on any such petition shall also be served on the State Geographic Board and personally on the chairman of the town board of any town, on the president of any village board of trustees, and on the mayor of any city within or adjoining limits of which political subdivision any such lake, river, stream, or other body of water involved in the hearing may be located and it shall be the duty of such official on whom the notice of hearing shall be served, to present such notice to the board or council who shall take such action thereon as they shall deem to be for the public interest.

[1925 c. 157 s. 3; 1937 c. 35 s. 1] (751-4)

378.04 HEARINGS; PROCEDURE; WATERS IN MORE THAN ONE COUNTY. At the time fixed by the notice of hearing on the petition, or at any time to which the hearing may be adjourned by the county board, the board shall hear all parties desiring to be heard thereon and shall make an order, by resolution, fixing and determining the name which any lake, river, stream, or other body of water described in the petition shall have and bear, and the name so fixed by the board shall be the name of such lake, river, stream, or other body of water and such designation shall thereafter be used and followed as its legal name. If any petition so filed shall describe a lake, river, stream, or other body of water located within the boundaries of more than one county, then the county boards of the several counties affected shall act jointly and as one body, a majority of such joint body being sufficient to determine upon a name; the county auditor with whom such a petition shall be filed shall forward by mail a certified copy of the same to the auditor of each of the counties so affected, who shall present same to the respective county boards, and the notice of hearing thereon determined upon by the joint body shall be published in each such county as provided in section 378.02. The auditor of the county in which the petition was filed shall make and file certified copies of the resolution so adopted in the office of the register of deeds of each county affected at the expense of the petitioners.

[1925 c. 157 s. 4] (751-5)

378.05 NAMES NOT TO BE DUPLICATED. In choosing and fixing the name of any river, lake, stream, or other body of water, the county board or boards shall, as far as possible, not duplicate names of existing lakes, rivers, streams, or other bodies of water, and shall select and approve such names therefor, as shall in their judgment be for the permanent good and best interests of the county or counties affected. To that end, the auditor of the county wherein a petition shall be filed shall cause a copy thereof, together with a copy of the notice of hearing thereon, to be forwarded by mail to the director of water resources and engineering, who shall compare the names suggested in the petition with the names of other lakes, rivers, streams, or bodies of water within the state and report back to the auditor before the date of the hearing, his findings and recommendations.

378.06 PETITIONERS TO GIVE BONDS. Before any such petition shall be acted upon or the notice of hearing given, the petitioners shall give a bond to be approved by the county attorney of the county wherein the petition has been filed, conditioned upon the full payment of all reasonable expenses which the county or counties shall incur in such proceeding; provided, that the State Geographic Board shall not be required to give bond hereunder.

[1925 c. 157 s. 6; 1937 c. 35 s. 1] (751-7)

NEENAH BOND

25% COTTON FIBER

PUBLIC DOMAIN

CHAPTER 83A

STATE GEOGRAPHIC BOARD

83A.01 State geographic board, established
 83A.02 Powers and duties
 83A.03 Names given to be official

Sec.
 83A.04 County boards naming geographic features
 must have approval of geographic board

83A.01 STATE GEOGRAPHIC BOARD, ESTABLISHED. There is hereby established a state geographic board, which shall consist of the commissioner of conservation, the commissioner of highways, and the director of the Minnesota historical society.

[1937 c 63 s 1; 1965 c 51 s 67] (128-2)

83A.02 POWERS AND DUTIES. It shall be the duty of the state geographic board, and it shall have power and authority:

- (1) To determine the correct and most appropriate names of the lakes, streams, places and other geographic features in the state, and the spelling thereof;
- (2) To pass upon and give names to lakes, streams, places, and other geographic features in the state for which no single, generally accepted name has been in use;

(3) In cooperation with the county boards and with their approval, to change the names of lakes, streams, places, and other geographic features, with the end in view of eliminating, as far as possible, duplication of names within the state;

(4) To prepare and publish an official state dictionary of geographic names and to publish the same, either as a completed whole or in parts, when ready;

(5) To serve as the state representatives of the United States geographic board and to cooperate with that board to the end that there shall be no conflict between the state and federal designations of geographic features in the state.

[1937 c 63 s 2] (128-3)

83A.03 NAMES GIVEN TO BE OFFICIAL. When the state geographic board shall have given a name to any lake, stream, place, or other geographic feature within the state, such name shall be used in all maps, records, documents, and other publications issued by the state or any of its departments and political subdivisions, and such name shall be deemed the official name of such geographic feature.

[1937 c 63 s 3] (128-4)

83A.04 COUNTY BOARDS NAMING GEOGRAPHIC FEATURES MUST HAVE APPROVAL OF GEOGRAPHIC BOARD. No county board shall order the change of or establish the name of any lake, river, or other body of water without the written approval of the state geographic board endorsed on any resolution determining or fixing such name, which endorsement must be made on the same prior to recording with the register of deeds.

[1937 c 63 s 4] (128-5)

[Feb. 19, 1968]

Messrs. Gustafson, W.; Klaus; Albertson; Reigel; and Larson introduced:

H. F. No. 1060, A bill for an act relating to the organization and administration of the executive branch of the state government; changing the name of the department of civil service and providing that its director serve at the governor's pleasure; repealing Minnesota Statutes 1967, Section 43.041.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Messrs. Anderson, T.; Forseth; Duxbury; Frenzel; and Savelkoul introduced:

H. F. No. 1061, A bill for an act relating to the establishment of the Minnesota mediation and industrial relations department; transferring the powers and duties of the division of conciliation thereto; increasing per diem of various persons; amending Minnesota Statutes 1967, Sections 179.02; 179.03; 179.04; 179.05; 179.06; 179.07; 179.08; 179.083; 179.09; 179.135, Subdivision 1; 179.16, Subdivisions 2 and 3; 179.22; 179.23, Subdivisions 1, 2, 3, 5, and 6; 179.38; 179.52, Subdivisions 4 and 5; 179.521; and 179.57, Subdivisions 2 and 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Messrs. Newcome, France, Becklin, Ulland, and Graw introduced:

✓ H. F. No. 1062, A bill for an act relating to the organization and administration of the executive branch of the state government; changing the name of the department of conservation; providing for the permanent establishment of a division of enforcement and field service; abolishing the geographic board, the land exchange, the water resources board, and transferring certain duties thereof to the commissioner; amending Minnesota Statutes 1967, Sections 40.03, Subdivision 2; 84.028, Subdivision 3; and 84.081, Subdivision 1; repealing Minnesota Statutes 1967, Section 84.025, Subdivisions 1, 2, 3, 4, and 5; and Laws 1967, Chapter 909.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Messrs. Renner; Duxbury; Dirlam; Fisher, D.; and France introduced:

H. F. No. 1063, A bill for an act relating to the organization and operation of state government; creating a department of public safety; amending Minnesota Statutes 1967, Sections 161.47, Subdivisions 1, 2, 3, 6, and by adding a subdivision; 161.48; and 168.33, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Messrs. Sillers and Anderson, T., introduced:

H. F. No. 1055, A bill for an act relating to firemen's relief association and firemen's pension and levies therefor in the city of Moorhead; amending Laws 1955, Chapter 75, as amended.

The bill was read for the first time and referred to the Committee on Employee Compensation and Retirements.

Messrs. Krenik; Jopp; Schafer; Johnson, C. M.; and Reigel introduced:

H. F. No. 1056, A bill for an act relating to banking; handling of items or deposits received after a cutoff hour; amending Minnesota Statutes 1967, Section 336.4-107.

The bill was read for the first time and referred to the Committee on Financial Institutions and Securities.

Messrs. Everson; Albertson; Gustafson, W.; Anderson, H.; and Renner introduced:

H. F. No. 1057, A bill for an act relating to the organization and operation of state government; reorganizing the department of commerce and conferring duties thereon in relation to consumer services and professional and occupational licensing boards; amending Minnesota Statutes 1967, Sections 45.01; 45.02; 45.03; 45.04; 45.05; 45.07; 60A.03, Subdivision 2; and 80.02; and Chapter 45, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Messrs. Searle; Larson; Christensen, R.; Renner; and Frenzel introduced:

H. F. No. 1058, A bill for an act relating to the Minnesota higher education coordinating commission; proposing additional duties; increasing the membership thereof and providing for a gubernatorial appointment of the executive secretary or director; amending Minnesota Statutes 1967, Sections 136A.02, Subdivision 1; 136A.03, and 136A.04.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Messrs. Flakne, O'Neill, Klaus, Knutson, and Larson introduced:

H. F. No. 1059, A bill for an act relating to the organization and operation of state government; creating a department of health and social services; repealing Minnesota Statutes 1967, Sections 144.01 to 144.04, 196.02, 198.06, 198.061, 198.08, 198.09, and 245.03.

The bill was read for the first time and referred to the Committee on Governmental Operations.

CHAPTER 63—S. F. No. 556

An act establishing a State Geographic Board and defining the duties thereof.

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

Section 1. State Geographic Board established.—There is hereby established a state Geographic Board which shall consist of the Commissioner of Conservation, the Commissioner of State Highways, and the Superintendent of the Minnesota Historical Society.

Sec. 2. Powers and duties.—It shall be the duty of the State Geographic Board and it shall have power and authority:

(a) To determine the correct and most appropriate names of the lakes, streams, places and other geographic features in the state, and the spelling thereof;

(b) To pass upon and give names to lakes, streams, places and other geographic features in the state for which no single generally accepted name has been in use;

(c) In cooperation with the county boards and with their approval, to change the names of lakes, streams, places and other geographic features, with the end in view of eliminating, as far as possible, duplication of names within the state;

(d) To prepare and publish an official state dictionary of geographic names and to publish the same, either as a completed whole or in parts when ready;

(e) To serve as the state representatives of the United States geographic board and to cooperate with the said board to the end that there shall be no conflict between the state and federal designations of geographic features in the state.

Sec. 3. Board to name lakes, streams, etc.—Whenever the State Geographic Board shall have given a name to any lake, stream, place and other geographic feature within the State, such name shall be used in all maps, records, documents and other publications issued by the State or any of its departments and political sub-divisions, and such name shall be deemed the official name of such geographic features.

Sec. 4. County boards must have approval of Geographic Board.—No County Board shall order the change of or establish the name of any lake, river, or other body of water without the written approval of the State Geographic Board endorsed on any resolution determining or fixing said name, which endorsement must be made on the same prior to recording with the Register of Deeds.

Sec. 5. Inconsistent acts repealed.—All acts or parts of acts now in effect inconsistent with the provisions of this act are hereby superseded, modified or amended to conform to and give full force and effect to the provisions of this act.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved March 8, 1937.

CHAPTER 64—H. F. No. 70

~~An act relating to Workmen's Compensation; abolishing as to all contracts of employment made after the effective date of this act, the right of an employe or employer to elect not to be bound by the Workmen's Compensation Act as it has heretofore existed under Section 4271, Mason's Minnesota Statutes, 1927; excluding certain employes and employers from the operation of this act but providing procedure by which certain of said excluded employers and employes may bring themselves within the provisions of this act; making all employers, except those specifically excluded, liable for compensation to employes and their dependents for accidental injury or death arising out of and in the course of their employment and requiring all such employers, except the state and the municipal subdivisions thereof, to either insure or self-insure such compensation liability; providing remedies for the employe when such employer does not comply with this act; fixing the liability of third parties, who, by their wrongful act or omission cause injury to or death of employes of others and granting the right of subrogation in such cases; fixing the liability of joint employers; granting to the Industrial Commission and courts the right to determine the reasonable value of legal services or disbursements in connection with proceedings hereunder on behalf of employes or their dependents; and repealing Sections 4261, 4262, 4263, 4264, 4265, 4266, 4267, 4268, 4269, 4270, 4271, 4272, 4277, and 4291, Mason's Minnesota Statutes of 1927, all relating to compensation and all acts or parts of acts inconsistent herewith.~~

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

Section 1. Employers right to elect abolished.—The right of an employer and employe, as it has heretofore existed under section 4271, Mason's Minnesota Statutes, 1927, to elect not to be bound by the Workmen's Compensation Act is hereby abolished as to all contracts made after the effective date of this Act. On and after the effective date of this Act all employers and employes, except those

CHAPTER 34—S. F. No. 107

An act to fix the salary of the Judge of Probate and the amount of clerk hire of such judge in certain counties.

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

Section 1. Salary of Judge of Probate in certain counties.—

In every county in this state having a population of not less than twenty thousand, nor more than twenty-two thousand inhabitants, according to the last Federal census, and an assessed valuation, excluding moneys and credits, of not less than \$7,000,000.00 and not more than \$10,000,000.00 and a total acreage of not less than 550,000 acres nor more than 552,000 acres, the salary of the Judge of Probate shall be \$2500.00 per year, payable in twelve equal monthly installments.

Sec. 2. Salaries of Clerks of Probate in certain counties.—

Clerk hire in the office of the Judge of Probate in every such county shall be allowed in such sum as shall be fixed by the Judge of Probate, with the approval of the Board of County Commissioners, in a sum not to exceed \$1500.00 per year.

Sec. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved February 18, 1937.

CHAPTER 35—S. F. No. 557

An act to amend Mason's Minnesota Statutes of 1927, Sections 751-2, 751-3, 751-4, 751-7 relating to changing name of or giving a name to any lake, river, stream or other body of water wholly within the boundaries of this state.

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

Section 1. Law amended.—That Mason's Minnesota Statutes of 1927, Sections 751-2, 751-3, 751-4, 751-7, be and the same hereby is amended to read as follows:

"751-2. Naming or changing names of lakes, rivers, etc.—

Petition to county board.—That whenever it is desired to change the name of, or give a name to any unnamed lake, river, stream or body of water located within the boundaries of this state, the State Geographic Board or any 15 or more legal voters, residing within the

county where all or any part of such body of water is located, may petition the County Board of the County wherein said petitioners reside, or in which said body of water is located, to change the name of, or to give a name to any previously unnamed lake, river, stream or other body of water, however designated. Said petitioners shall describe in their petition with reasonable correctness, the location of any such lake, river, stream or other body of water; the name, if any, by which it may then be known, or if without any name, such fact shall be stated; also the name or names which said petitioners desire given to said body of water; and the reason for such change of name or for giving the designated name to any previously unnamed body of water. Said petitioners shall also set out after each of their names, as signed to said petition, their place of residence. Provided no name of any lake, river, stream or other body of water, which name has existed for forty (40) years shall be changed under the provision of this act."

"751-3. Same.—Hearings by County Board.—That on the filing of such petition with the County Auditor of the County wherein said petitioners reside, or in which said body of water is located, and presenting therewith the necessary copies thereof hereafter required, such auditor shall present said petition to the County Board of his county, which board shall by order fix the day and place of hearing on said petition to be held more than 30 days thereafter, of which hearing on said petition at least three weeks published notice shall be given in the newspaper designated by the County Board of said county as the official newspaper for said county, provided that said hearing may be held at any convenient place within the county, as shall be determined by the Board. On the day fixed for said hearing any legal voters in said county, or any municipality may appear by attorney or in person, and file an answer to said petition, setting out in plain concise language why the prayer of said petitioners should not be granted in whole or in part, and, may in said answer pray the County Board to give another or different name to said lake, river, stream or other body of water than the one prayed for in said original petition. Said petitioners may include in said petition any number of lakes, rivers, streams or other bodies of water, the names of which they may petition to have changed, or any number of previously unnamed lakes, rivers, streams, or other bodies of water which they may desire to have given a name by said Board in said proceedings, and the same procedure shall be had on said petition in such event as though only one lake, river, stream or other body of water be described in said petition."

"751-4. Same.—Notices of hearings.—That notice of the time and place of hearing on any such petition shall also be served on the State Geographic Board and personally on the Chairman of the Town Board of any township, on the President of any Village Board of

Trustees, and on the Mayor of any city within or adjoining limits of which political sub-division any such lake, river, stream, or other body of water involved in said hearing may be located and it shall be the duty of such official on whom said notice of hearing shall be served, to present such notice to said Board or Council who shall take such action thereon as they shall deem to be for the public interest."

"751-7. Same.—Bonds of petitioners.—Before any petition filed under this act shall be acted upon or the notice of hearing given, the petitioners shall give a bond to be approved by the County Attorney of such county wherein said petition has been filed, conditioned upon the full payment of all reasonable expenses which the county or counties shall incur in such proceeding; *provided that the State Geographic Board shall not be required to give bond hereunder.*"

Approved February 24, 1937.

CHAPTER 36—H. F. No. 407

An act to fix the salary of the Probate Judge and amount of clerk hire in the office of such judge in certain counties.

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

Section 1. Salary of Probate Judge in certain counties.—In every County in this State having an area of not less than 490 square miles and not more than 510 square miles and a population of not less than 18,000 and not more than 25,000 the salary of the Probate Judge shall be \$2,500.00 per year, to be paid in twelve equal monthly instalments.

Sec. 2. Probate Clerk hire in certain counties.—Clerk Hire in the office of the Probate Judge in every such County shall be allowed in such amounts as shall be fixed by the Probate Judge not to exceed \$1,300.00 a year.

Approved February 24, 1937.

CHAPTER 37—S. F. No. 324

An act relating to the salary of the Judge of Probate and clerk hire in certain counties.

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

Section 1. Salary of Probate Judge in certain counties.—In all counties of this state, now or hereafter containing not less than

372,000 acres and not more than 373,000 acres, and containing not less than 18 nor more than 20 full or fractional townships, the annual salary of the Judge of Probate shall be \$2,400.00, payable in the manner provided by law.

Sec. 2. Probate Clerk hire in certain counties.—In every such county the sum of \$800.00 per year, and such further sum not exceeding \$400.00 in any one year, shall be allowed for clerk hire in the office of the Judge of Probate, to be determined and paid in the manner provided by law.

Approved February 24, 1937.

CHAPTER 38—S. F. No. 278

An act to amend Mason's Minnesota Statutes of 1927, Section 8187 providing a method for showing of record the cancellation of leases for twenty years or more.

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

Section 1. Cancellation of leases, in certain cases.—That Mason's Minnesota Statutes of 1927, Section 8187, is hereby amended so as to read as follows:

"In case of a lease of real property, when the landlord has a subsisting right of re-entry for the failure of the tenant to pay rent, he may bring an action to recover possession of the property, and such action is equivalent to a demand for the rent and a re-entry upon the property; but if, at any time before possession has been delivered to the plaintiff on recovery in the action, the lessee or his successor in interest as to the whole or any part of the property, pays to the plaintiff or brings into court the amount of the rent then in arrears, with interest and costs of the action, and an attorney's fee not exceeding five dollars, and performs the other covenants on the part of the lessee, he may be restored to the possession, and hold the property according to the terms of the original lease.

Provided, however, that if the lease under which the right of re-entry is claimed is a lease for a term of more than twenty years, re-entry cannot be made into said land or such action commenced by the landlord unless, after default, he shall serve upon the tenant, also upon all creditors having a lien of record legal or equitable upon the leased premises or any part thereof, a written notice that the lease will be cancelled and terminated unless the payment or payments in

I see p. 23 - Geo. B. 7

SIXTY-SIXTH
SESSION }

S. F. No. 874

Introduced by Messrs. Haren; Hughes, K.; and Blatz.

When existing law is changed, matter in italics is new; matter in capitals when in () is old law to be omitted.

A BILL for an Act Relating to the Organization and Operation of State Government; Amending Minnesota Statutes 1967, Chapter 45, by Adding Sections; and Sections 16.01; 17.01; 45.03; 46.07, Subdivision 1; 48.15; 53.03, Subdivision 5; 60A.03, Subdivision 7; 80.23; 84.028, Subdivisions 1 and 3; 121.16; 161.03, Subdivision 1; 161.47, Subdivisions 1, 2, 3, 6, and 12, and by Adding a Subdivision; 161.48; 168.33, Subdivision 2, and by Adding a Subdivision; 175.001; 179.02; 179.03; 179.04; 179.05; 179.06; 179.07; 179.08; 179.083; 179.09; 179.135; 179.16, Subdivisions 2 and 3; 179.22; 179.23, Subdivisions 1, 2, 3, 5, and 6; 179.38; 179.52, Subdivisions 4 and 5; 179.521; 179.57, Subdivisions 2 and 4; 196.02, Subdivision 1; 241.01, Subdivision 1; 245.03; 268.12, Subdivision 1; 270.02, Subdivision 1; 298.22, Subdivision 1; 340.08, Subdivisions 1 and 2; 360.014, Subdivision 2; 362.09, Subdivision 1; and 363.04, Subdivision 1; and Repealing Minnesota Statutes 1967, Sections 84.025, Subdivisions 1, 2, 3, 4, and 5; 175.001, Subdivision 3; and 175.06.

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

ARTICLE I

Section 1. [DEPARTMENT OF PUBLIC SAFETY; CREATION AND ORGANIZATION.]

2 Subdivision 1. *In order that the functions and services of the state of Minnesota relating to the*
3 *safety and convenience of its citizens might be coordinated and directed in an accessible, identifiable*
4 *manner; and to promote and insure the existing public safety operations of that government, the*
5 *department of public safety is created under the supervision and control of the commissioner of*
6 *public safety, which office is established. The commissioner of public safety is appointed by the gov-*
7 *ernor, by and with the advise and consent of the senate for four year term. The governor may*
8 *remove the commissioner only for cause, after a public hearing. A vacancy in the office of the*
9 *commissioner shall be filled for the unexpired portion of the term. The commissioner may*
10 *appoint a deputy who shall serve at the pleasure of the commissioner in the unclassified service. The*
11 *salary of such deputy is fixed by the commissioner except when otherwise expressly provided for by*

12 law. The deputy may perform and exercise every power, duty, and responsibility imposed by law
13 upon the commissioner when authorized so to do by the commissioner.

14 Subd. 2. The duties of the deputy shall include, in addition to such other functions and re-
15 sponsibilities as may be delegated or assigned by the commissioner or imposed by law, the following:

16 (a) The coordination, development and maintenance of services contracts with existing state depart-
17 ments and agencies assuring the efficient and economic use of advanced business machinery including
18 computers;

19 (b) The execution of contracts and agreements with existing state departments for themain-
20 tenance and servicing of vehicles and communications equipment, and the use of related buildings and
21 grounds;

22 (c) The development of integrated fiscal services for all divisions, and the preparation of an
23 integrated budget for the department;

24 (d) The establishment of a planning bureau within the department, which bureau shall consult
25 and coordinate its activities with the state planning director.

26 Subd. 3. Subject to the provisions of this act and to other applicable laws the commissioner
27 shall organize the department and employ such other officers, employees, and agents as he may
28 deem necessary to discharge the functions of his department, define the duties of such officers,
29 employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject
30 to his control and under such conditions as he may prescribe. Appointments to exercise delegated
31 power shall be by written order filed with the secretary of state. No such delegation or assignment
32 shall be made in respect to, or in a manner resulting in a reenactment of, the powers, duties or
33 responsibilities contained in Minnesota Statutes, Section 626.33, and acts amendatory thereof,
34 except to the division of the bureau of criminal apprehension. Officers, employees, and agents of
35 the department of public safety are in the classified service of the state civil service except where
36 otherwise specifically provided for by law.

37 Subd. 4. Before entering upon the duties of his office the commissioner of public safety shall
38 take and subscribe an oath and give his bond to the state of Minnesota, to be approved by the
39 governor and filed with the secretary of state, in the sum of \$25,000 conditioned for the faithful
40 performance of his duties.

41 Subd. 5. The commissioner of administration shall review on a regular basis the duties and
42 responsibilities of the various state departments, agencies and boards which have an operational
43 effect upon the safety of the public, and recommend to the governor and the legislature such
44 organizational and statutory policies as will best serve the purposes of this act.

45 Subd. 6. The commissioner of public safety shall have the power to promulgate such rules and
46 regulations pursuant to Minnesota Statutes, Chapter 15, as are necessary to carry out the purposes
47 of this act.

Sec. 2. [FIRE MARSHAL.] Subdivision 1. All the powers and duties now vested in or
2 imposed upon the commissioner of insurance as ex officio state fire marshal as prescribed in
3 Minnesota Statutes, Chapters 73, 74, 75, 76, and any other law, are hereby transferred to, vested in,
4 and imposed upon the commissioner of public safety. The duties and responsibilities of the commis-
5 sioner of insurance as ex officio state fire marshal as heretofore constituted are abolished.

6 Subd. 2. A division in the department of public safety to be known as the division of fire
7 marshal is hereby created, under the supervision and control of the state fire marshal, who shall
8 be appointed by the commissioner and serve at his pleasure in the unclassified service of the state civil
9 service, to whom shall be assigned the duties and responsibilities described in this section.

10 Subd. 3. Upon the effective date of this act the individual occupying the position of assistant
11 commissioner, fire marshal division, shall retain such position for a period of at least 12 months, or
12 until removed for cause.

Sec. 3. [CRIMINAL BUREAU.] Subdivision 1. All the powers and duties now vested in or
2 imposed upon the bureau of criminal apprehension or the superintendent of the bureau of criminal
3 apprehension as prescribed by Minnesota Statutes, Chapter 626, or any other law, are hereby
4 transferred to, vested in, and imposed upon the commissioner of public safety. The bureau of
5 criminal apprehension and the office of the superintendent of the bureau of criminal apprehension as
6 heretofore constituted are abolished.

7 Subd. 2. A division in the department of public safety to be known as the bureau of criminal
8 apprehension is hereby created, under the supervision and control of the superintendent of criminal
9 apprehension, who shall be appointed by the commissioner and serve at his pleasure in the unclassified
10 service of the state civil service, to whom shall be assigned the duties and responsibilities described in
11 this section.

12 Subd. 3. All powers, duties and responsibilities relating to the licensing and regulation of private
13 detectives and protective agents heretofore assigned by law to the secretary of state or any other
14 state department or agency shall be transferred to, vested in and imposed upon the commissioner of
15 public safety.

16 Subd. 4. The division of the bureau of criminal apprehension shall perform such functions and
17 duties as relate to statewide and nationwide crime information systems as the commissioner may
18 direct.

Sec. 4. Subdivision 1. A division in the department of public safety to be known as the division
2 of highway patrol is hereby created, under the supervision and control of the chief supervisor, who
3 shall be appointed by the commissioner and serve at his pleasure in the unclassified service of the
4 state civil service.

Subd. 2. The chief supervisor, with the approval of the commissioner, may appoint a chief assistant supervisor who shall serve at his pleasure in the unclassified service. The salary of the chief supervisor and the salary of the chief assistant supervisor is fixed by the commissioner of public safety except when such salaries are otherwise expressly provided for by law. The chief assistant supervisor may perform and exercise every power, duty, and responsibility imposed by law upon the chief supervisor when authorized so to do by the commissioner of public safety. If the chief assistant supervisor is removed from his position for other than cause as defined in Minnesota Statutes, Section 161.47, he shall be reinstated to the position that he held in the patrol prior to being promoted to the position of chief assistant supervisor and shall otherwise be subject to the provisions of subdivision 12 of said section.

Subd. 3. Subject to the provisions of this section and to other applicable laws the commissioner of public safety shall organize the division, employ such persons for the Minnesota highway patrol including assistant supervisors and sergeants in the manner and in the number otherwise authorized by law and such other employees and agents as he may deem necessary to discharge the functions of the division, define the duties of such employees and agents and to delegate to them such of his powers, duties and responsibilities, which are not specifically fixed by law, subject to his control and under such conditions as he may prescribe. Appointments to exercise delegated power shall be by written order filed with the secretary of state. Except for the chief supervisor, the chief assistant supervisor and highway patrol officers of the Minnesota highway patrol, the other employees and agents listed in this section are in the classified service of the state civil service.

Subd. 4. Before entering upon the duties of his office the chief supervisor of the Minnesota highway patrol shall take and subscribe an oath and give his bond to the state of Minnesota, to be approved by the commissioner of public safety and filed with the secretary of state, in the sum of \$10,000 conditioned for the faithful performance of his duties.

Subd. 5. Upon the effective date of this act the individual occupying the position of chief supervisor shall retain such position for a period of at least 12 months, or until removed for cause.

Subd. 6. Subject to the other provisions of this act the powers and duties now vested in or imposed upon the commissioner of highways with reference to the Minnesota highway patrol are transferred to, vested in, and imposed upon the commissioner of public safety. The powers and duties of the commissioner of highways with reference thereto are hereby abolished.

Subd. 7. The legislature by this article is transferring the Minnesota highway patrol to the department of public safety and in so doing is not enlarging or increasing the statutory duties of the personnel thereof, and no part of this act shall be construed as in any way indicating an increase or change in such powers and duties of that organization.

Sec. 5. Minnesota Statutes 1967, Section 161.47, Subdivision 1, is amended to read:

161.47 [HIGHWAY PATROL.] Subdivision 1. [MEMBERS.] The commissioner is hereby

authorized to employ and designate (A HIGHWAY SAFETY DIRECTOR,) a chief supervisor, a chief assistant supervisor, and such assistant supervisors, sergeants and officers as are provided by law, who shall comprise the Minnesota highway patrol. The members of the Minnesota highway patrol shall have the power and authority:

(1) As peace officers to enforce the provisions of the law relating to the protection of and use of trunk highways.

(2) At all times to direct all traffic on trunk highways in conformance with law, and in the event of a fire or other emergency, or to expedite traffic or to insure safety, to direct traffic on other roads as conditions may require notwithstanding the provisions of law.

(3) To serve warrants and legal documents anywhere in the state in cases initiated by a member of the Minnesota highway patrol for offenses committed on trunk highways.

(4) To serve orders of the commissioner of public safety or his duly authorized agents issued under the provisions of the Drivers License Law, the Safety Responsibility Act, or relating to authorized brake and light testing stations, anywhere in the state and to take possession of any license, permit or certificate ordered to be surrendered.

((5) TO CONDUCT DRIVERS LICENSE EXAMINATIONS ANYWHERE IN THE STATE WHEN SPECIFICALLY SO DIRECTED BY THE COMMISSIONER.)

((6)) (5) To inspect official brake and light adjusting stations.

((7)) (6) To make appearances anywhere within the state for the purpose of conducting traffic safety educational programs and school bus clinics.

((8)) (7) Upon all trunk highways the same powers with respect to the enforcement of laws relating to crimes, as sheriffs, constables and police officers have within their respective jurisdictions, so far as may be necessary for the protection of life and property upon such trunk highways.

((9)) (8) Under instructions and regulations of the commissioner of public safety, said employees shall cooperate with all sheriffs and other police officers, and to that end are authorized to exercise the powers herein conferred upon all trunk highways and, for the purpose of continuing pursuit from such trunk highways of offenders thereon, upon all public highways connecting and traversing such trunk highways, provided that said employees shall have no power or authority in connection with strikes or industrial disputes.

((10)) (9) To assist and aid any peace officer whose life or safety is in jeopardy.

Employees thus employed and designated shall subscribe an oath and furnish a bond running to the state of Minnesota, said bond to be approved and filed in the office of the secretary of state.

Sec. 6. Minnesota Statutes 1967, Section 161.47, is amended by adding a subdivision to read:

Subd. 1a. For the purposes of section 161.47, the term "commissioner" means the commissioner of public safety.

Sec. 7. Minnesota Statutes 1967, Section 161.47, Subdivision 2, is amended to read:

Subd. 2. [SALARIES.] (1) Each such employee other than the (HIGHWAY SAFETY DIRECTOR,) chief supervisor, *chief assistant supervisor*, assistant supervisors and sergeants hereinafter designated shall be known as patrol officers, each of whom shall receive a basic salary of not less than \$506 per month and in addition thereto shall receive a salary increase equal to four percent of his last previous salary converted to the nearest dollar at the completion of his first, second, third, fourth, fifth, sixth, seventh and twelfth years of employment. Such salary increase shall be effective for the payroll period nearest the patrol officer's anniversary date of employment.

(2) There may be appointed one chief assistant supervisor; such deputy assistant supervisors as the commissioner of *public safety* deems necessary; and such assistant supervisors, sergeants and officers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. The supervisors and sergeants shall be appointed by law and have such duties as the commissioner may direct and shall be selected from the patrol officers, sergeants, and supervisors who shall have had at least five years' experience as either patrol officers, sergeants, or supervisors. *The total number of supervisors, assistant supervisors, and sergeants shall not exceed one for each ten patrol officers, but no supervisor or sergeant shall be demoted in order to obtain this ratio. Vacancies in supervisory positions, however, shall not be filled until the ratio provided for herein is reached.*

(3) Commencing July 1, 1967, the salaries of sergeants, assistant supervisors, deputy assistant supervisors, chief assistant supervisor, and the chief supervisor shall be determined by the following merit salary plan, which shall be administered by a board comprised of (THE DIRECTOR OF PERSONNEL OF THE HIGHWAY DEPARTMENT, THE ASSISTANT COMMISSIONER IN CHARGE OF THE HIGHWAY SAFETY DIVISION, AND) the chief supervisor and two other officers of the department appointed by the commissioner. The personnel shall be eligible for the following salary increases after satisfactory job performance as determined by the merit board on the following dates or for the following time periods whichever occurs later:

	7-1-67	7-1-69	7-1-70	7-1-71	7-1-72
	or base	or after	or after	or after	or after
	rate	2 years	3 years	4 years	5 years
Sergeant	722	736	751	766	781
Assistant					
Supervisor	812	828	845	862	879
Deputy Assistant					
Supervisor	879	897	915	933	952
Chief Assistant					
Supervisor	989	1,009	1,029	1,050	1,071
Chief					
Supervisor	1,112	1,134	1,157	1,180	1,204

Upon promotion the person will be paid at the base rate of pay in effect for that position and shall be eligible for the stated increases calculated from the effective date of promotion.

(4) The salaries established herein are basic rates of pay for the state employees enumerated and shall be placed in effect by the commissioner (OF HIGHWAYS) at the beginning of the first payroll period following July 1, 1967. The (HIGHWAY SAFETY DIRECTOR,) supervisors, sergeants, and patrolmen authorized by this section shall each receive the sum of \$3 per day subsistence while engaged in the performance of duty, and in addition thereto shall be reimbursed for all expenses necessarily incurred by them in excess of \$3 per day subsistence while engaged in performance of duty.

(5) Every person employed hereunder shall be subject to the terms and provisions of Laws 1935, Chapter 254, and acts amendatory thereof.

((6) THE COMMISSIONER IS AUTHORIZED TO EMPLOY AND DESIGNATE A HIGHWAY SAFETY DIRECTOR, WHO SHALL SUPERVISE AND COORDINATE THE ACTIVITIES OF THE MINNESOTA HIGHWAY PATROL AND THE DRIVERS LICENSE DIVISION AND PERFORM SUCH OTHER DUTIES AS THE COMMISSIONER MAY PRESCRIBE. HE SHALL HAVE ALL THE POWERS, DUTIES AND RIGHTS OF A HIGHWAY PATROL MEMBER. HIS SALARY SHALL BE \$1,079 PER MONTH.)

Sec. 8. Minnesota Statutes 1967, Section 161.47, Subdivision 3, is amended to read:

Subd. 3. [AIR PATROL; SALARY ADJUSTMENT.] The commissioner of (HIGHWAYS) *public safety* may increase the salary of any member of the Minnesota highway patrol in an amount not to exceed \$125 a month during the period in which such member of the patrol is assigned air patrol duty.

Sec. 9. Minnesota Statutes 1967, Section 161.47, Subdivision 6, is amended to read:

Subd. 6. [TRAINING PROGRAMS.] The commissioner may provide training programs for the purpose of obtaining qualified personnel for the highway patrol. Persons accepted by the commissioner of (HIGHWAYS) *public safety* for training under such training program shall be designated highway patrol trainees and shall receive a salary not to exceed \$200 per month during the period of such training; and there is hereby appropriated out of the trunk highway fund a sufficient sum of money to carry out the provisions of this section. Nothing contained in this subdivision shall be construed to prevent the commissioner from providing in-service training programs for highway patrol officers. (THE COMMISSIONER IN PROVIDING IN-SERVICE TRAINING PROGRAMS MAY ACQUIRE NECESSARY LANDS AND ACQUIRE OR BUILD A NECESSARY BUILDING FOR SUCH PURPOSE.) *The commissioner of highways shall furnish the commissioner of public safety with lands and buildings necessary in providing in-service training programs at no cost to the division of highway patrol.*

Sec. 10. Minnesota Statutes 1967, Section 161.47, Subdivision 12, is amended to read:

Subd. 12. [APPLICATION OF SUBDIVISIONS 5 to 12.] Subdivisions 5 to 12 of this section shall apply to all persons employed and designated under and pursuant to this section, except the chief supervisor and chief assistant supervisor of the state highway patrol. If the chief supervisor or the chief assistant supervisor is removed for other than cause as defined herein he shall be reinstated to the position that he held in the patrol prior to being promoted to the position of chief supervisor(.) or chief assistant supervisor.

Upon the effective date of this act the individual occupying the position of chief assistant supervisor of the highway patrol shall retain such position for a period of at least 12 months, or until removed for cause.

Sec. 11. Minnesota Statutes 1967, Section 161.48, is amended to read:

161.48 [NATIONWIDE POLICE COMMUNICATION SYSTEM.] The commissioner of public safety may enter into the necessary agreements and purchase the necessary equipment for participation in a nationwide police communication system. All costs of participation in such system by the highway patrol chargeable to the state of Minnesota shall be paid from the fund in the state treasury credited with fines and forfeited bail money. There is hereby appropriated from said fund a sufficient amount of money to carry out the provisions of this section.

Sec. 12. The commissioner of highways shall furnish the Minnesota highway patrol such quarters as may be necessary for the performance of the duties imposed upon it by law and as the governor shall direct.

Sec. 13. Subdivision 1. All the powers and duties of the commissioner of highways with reference to the state highway patrol and the nationwide police communication system not heretofore provided for and enumerated in Minnesota Statutes 1967, Sections 161.48 and 161.49, are hereby transferred to and imposed upon the commissioner of public safety. In conjunction with the transfer persons in the classified service of the state who shall be transferred pursuant to section 19, subdivision 5, of this act, there shall be transferred to the department of public safety the personnel who are presently serving as radio dispatchers for the highway patrol. Such classified employees serving as highway patrol radio dispatchers shall continue to be paid from the trunk highway fund.

Subd. 2. All powers, duties and responsibilities now assigned to and vested in the commissioner of highways in Minnesota Statutes 1967, Chapter 352B, are hereby transferred to and vested in the commissioner of public safety.

Sec. 14. Subdivision 1. A division in the department of public safety to be known as the division of civil defense is hereby created, under the supervision and control of a state director who is appointed by the commissioner to serve at his pleasure in the unclassified service of the state civil service.

Subd. 2. All of the functions, powers and duties of the state director of the civil defense agency as described in Minnesota Statutes 1967, Chapter 12, are hereby transferred to and imposed upon the commissioner of public safety, and he shall be assigned to the duties and responsibilities described in this section.

Sec. 15. Subdivision 1. A division in the department of public safety to be known as the division of motor vehicles is hereby created, under the supervision and control of the director who is appointed by the commissioner to serve at his pleasure in the unclassified service of the state civil service. The director of the division of motor vehicles is the registrar of motor vehicles and shall be assigned the duties and responsibilities prescribed in this section.

Subd. 2. All the functions, powers, and duties now vested in or imposed upon the secretary of state as registrar of motor vehicles as prescribed in Minnesota Statutes 1967, Chapter 168, or any other law, relating to the registration of motor vehicles, the issuance of motor vehicle licenses, the licensing of motor vehicle dealers, and other matters therein contained not otherwise provided for in this section, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. The duties of the secretary of state in relation thereto as heretofore constituted are abolished.

Subd. 3. Upon the effective date of this act the individual occupying the position of motor vehicle director shall retain such position for a period of at least 12 months, or until removed for cause.

Subd. 4. All the powers and duties now vested in or imposed upon the secretary of state in the issuance of chauffeurs' licenses and school bus drivers' licenses as prescribed in Minnesota Statutes 1967, Chapter 168, are hereby transferred to, vested in, and imposed upon the commissioner of public safety. The duties of the secretary of state in connection with the issuance of such licenses are hereby abolished.

Sec. 16. Minnesota Statutes 1967, Section 168.33, Subdivision 2, is amended to read:

Subd. 2. [POWERS.] The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable him to properly carry out the duties imposed upon him by the provisions of this chapter. Before entering upon the discharge of his duties, each deputy and each employee having the charge of handling any money or number of plates shall give bond to the state in the sum of at least \$2,000, or in such larger amount as the registrar may fix, conditioned upon the faithful discharge of his duties. Premiums on such bonds shall be paid by the state from money provided for the maintenance of the registrar's office.

(THE REGISTRAR SHALL HAVE THE POWER TO APPOINT, AND AT PLEASURE REMOVE, A DEPUTY REGISTRAR FOR EACH CITY OF THE FIRST CLASS, AND FOR SUCH OTHER CITIES AND VILLAGES AS PUBLIC INTEREST AND CONVENIENCE MAY RE-

13 QUIRE.) *The registrar may appoint, and at his pleasure discontinue, the county auditor of each*
 14 *county as a deputy registrar. The auditor, with the approval of the director, may appoint the clerk*
 15 *or equivalent officer of each city, village, and borough or any other person as a deputy registrar as*
 16 *public interest and convenience may require. Each such deputy, before entering upon the discharge of*
 17 *his duties, shall qualify with the requirements imposed for the qualifying of registrar, except that*
 18 *the amount of the bond required to be given by the deputy shall be \$10,000, or such larger sum as*
 19 *the registrar, from time to time, shall require. Each deputy registrar appointed hereunder shall keep*
 20 *and maintain, in a convenient public place within the (CITY) place for which he is appointed, a*
 21 *registration and motor vehicle tax collection bureau, to be approved by the registrar, for the reg-*
 22 *istration of motor vehicles and the collection of motor vehicle taxes thereon. He shall keep such records*
 23 *and make such reports to the registrar as that officer, from time to time, may require. He shall*
 24 *charge and receive for each application presented a filing fee of 50 cents, and shall report daily to*
 25 *the registrar all registrations made and taxes and fees collected by him. (THE FILING FEE OF*
 26 *50 CENTS HE SHALL RETAIN AS HIS COMPENSATION UNLESS OTHERWISE DESIG-*
 27 *NATED BY THE REGISTRAR IN HIS ORDER OF APPOINTMENT) The filing fee of 50 cents*
 28 *shall be deposited in the treasury of the place for which he is appointed, or if such deputy is not a*
 29 *public official, he shall retain the filing fee, but the registration tax and any additional fees for*
 30 *delayed registration he has collected he shall deposit each day in an approved state depository to the*
 31 *credit of the state through the state treasurer. The place for which the deputy registrar is ap-*
 32 *pointed through its governing body shall provide the deputy registrar with facilities and personnel*
 33 *to carry out the duties imposed by this subdivision if such deputy is a public official. In all other*
 34 *cases, the deputy shall maintain a suitable facility for serving the public. (THE REGISTRAR, IN*
 35 *THE ORDER OF APPOINTMENT OF EACH DEPUTY HEREUNDER, SHALL DESIGNATE*
 36 *THE AMOUNT TO BE PAID ANNUALLY TO EACH SUCH DEPUTY AS COMPENSATION*
 37 *FOR HIS SERVICES, THE SERVICES OF HIS EMPLOYEES AND THE EXPENSE OF THE*
 38 *BUREAU MAINTENANCE, WHICH AMOUNT SHALL BE FIXED AND DETERMINED OR*
 39 *HAVE THE APPROVAL OF THE EXECUTIVE COUNCIL ENDORSED THEREON. IF THE*
 40 *AMOUNT DESIGNATED TO BE PAID ANNUALLY TO SUCH DEPUTY AS COMPENSA-*
 41 *TION FOR HIS SERVICES, THE SERVICES OF HIS EMPLOYEES, AND EXPENSE OF*
 42 *THE BUREAU MAINTENANCE IS LESS THAN THE TOTAL OF THE FILING FEES HE*
 43 *COLLECTS, THE AMOUNT SO PROVIDED FOR SHALL BE PAID SEMI-MONTHLY BY THE*
 44 *REGISTRAR FROM THE AMOUNT OF THE FILING FEES COLLECTED AND DEPOSITED*
 45 *BY SUCH DEPUTY, AS HEREIN PROVIDED WITH RESPECT TO REGISTRATION TAXES*
 46 *HE COLLECTS; BUT THE AMOUNT SO PAID SHALL NOT IN ANY CASE EXCEED THE*
 47 *TOTAL AMOUNT OF FILING FEES SO COLLECTED AND REMITTED. THE AMOUNT RE-*

48 CEIVED BY THE REGISTRAR UNDER THE PROVISIONS HEREOF SHALL BE PAID BY
 49 HIM INTO THE STATE TREASURY DAILY, WEEKLY, OR AT SUCH OTHER INTERVALS
 50 AS MAY BE DETERMINED BY THE ORDER OF THE EXECUTIVE COUNCIL. SUPPLIES,
 51 ACCOUNTING MACHINES AND OFFICE SPACE REQUIRED TO ENABLE THE REGISTRAR
 52 TO PROPERLY CARRY OUT THE DUTIES IMPOSED UPON HIM BY THE PROVISIONS OF
 53 THIS CHAPTER MAY BE RENTED OR PURCHASED, AS PROVIDED BY EXISTING LAW.)

Sec. 17. Minnesota Statutes 1967, Section 168.33, is amended by adding a subdivision to read:

2 Subd. 2a. *Persons serving as deputy registrars on the effective date of this act shall continue*
 3 *to hold such office until a successor is duly appointed and qualifies.*

Sec. 18. Subdivision 1. *A division in the department of public safety to be known as the*
 2 *driver's license division is hereby created, under the supervision and control of a director who is*
 3 *appointed by the commissioner to serve at his pleasure in the unclassified service of the state civil*
 4 *service and he shall be assigned the duties and responsibilities prescribed in this section.*

5 Subd. 2. *All the powers and duties now vested in or imposed upon the department of highways*
 6 *and the commissioner of highways in regard to drivers' licensing and safety responsibility as pre-*
 7 *scribed by Minnesota Statutes 1967, Chapters 169, 170 and 171, are hereby transferred to, vested in,*
 8 *and imposed upon the commissioner of public safety. The duties and responsibilities of the depart-*
 9 *ment of highways and the commissioner of highways, in relation to such matters as heretofore*
 10 *constituted, are hereby abolished.*

11 Subd. 3. *The commissioner of public safety, with the approval of the governor, may transfer*
 12 *and assign to the driver's license division duties and responsibilities in relation to chauffeurs' li-*
 13 *censing and school bus drivers' licensing as vested in and imposed upon the division of motor*
 14 *vehicles.*

15 Subd. 4. *Upon the effective date of this act the individual occupying the position of driver*
 16 *license director shall retain such position for a period of at least 12 months, or until removed for*
 17 *cause.*

18 Subd. 5. *All the powers and duties now vested in or imposed upon the department of education*
 19 *and the department of highways relating to drivers' training as prescribed by Minnesota Statutes*
 20 *1967, Section 171.04, are hereby transferred to, vested in, and imposed upon the commissioner of public*
 21 *safety. The duties of the department of education and the department of highways with reference to*
 22 *such training as heretofore constituted are hereby abolished.*

23 Subd. 6. *The commissioner of highways shall provide space as required for driver and chauffeur*
 24 *license activities at such locations and under such contractual conditions as may be determined with*
 25 *the commissioner of public safety.*

Sec. 19. Subdivision 1. A division in the department of public safety to be known as the capitol complex security division is hereby created, under the supervision and control of the director of capitol complex security, who shall be appointed by the commissioner and serve at his pleasure in the unclassified service of the state civil service, to whom shall be assigned the duties and responsibilities described in this section.

Subd. 2. The division shall be responsible for security and public information services in the capitol complex of state owned buildings; it shall provide such personnel as are required by the circumstances to insure the orderly conduct of state business and the convenience of the public.

Subd. 3. All powers, duties and responsibilities heretofore assigned by law to the commissioner of administration relating to the general function of security in such state owned buildings are hereby transferred to the commissioner of public safety.

Subd. 4. For purposes of this section, the capitol complex of state owned buildings shall be as defined in Minnesota Statutes, Section 15.50, and acts amendatory thereof.

Subd. 5. Nothing in this section shall be construed to conflict with the power of the legislature to appoint and assign such personnel and equipment as it deems necessary for the conduct of its business.

Sec. 20. This article shall become effective on July 1, 1970. The governor may appoint a commissioner who may appoint a deputy commissioner prior to that time for purposes of directing the creation of the department.

ARTICLE II

Section 1. Minnesota Statutes 1967, Section 179.02, is amended to read:

179.02 [BUREAU OF MEDIATION SERVICES.] There is hereby established in the department of labor and industry a (DIVISION OF CONCILIATION, BUT NOT IN ANY WAY SUBJECT TO THE CONTROL OF THE DEPARTMENT) bureau of mediation services, but not in any way subject to the control of the department. This (DIVISION) bureau shall be under the supervision and control of a (LABOR CONCILIATOR, WHO SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE) director. The office of director shall, as of the effective date of this act, be filled by the person then holding the office of labor conciliator and his term shall expire as of the date his term as labor conciliator would have expired. Thereafter the director shall be appointed by the governor with the advice and consent of the senate. He shall hold office for a term of four years. (THE TERM OF THE FIRST LABOR CONCILIATOR HEREUNDER SHALL EXPIRE MARCH 1, 1945.) The governor may, from time to time, appoint special (CONCILIATORS) mediators to aid in the settlement of particular labor disputes or controversies (AND SUCH SPECIAL CONCILIATORS WHEN APPOINTED) who shall have the same power and authority as the (LABOR CONCILIATOR) director with respect to such dispute and such appointment shall be for the duration only of the particular dispute. Such

special (CONCILIATORS) mediators shall be paid a per diem of (\$15) \$75 per day while so engaged and their necessary expenses. The (LABOR CONCILIATOR) director shall prepare a roster of persons qualified to act as such special (CONCILIATORS) mediators and keep the same revised at all times and available to the governor and the public.

The (LABOR CONCILIATOR) director may employ and discharge mediators, clerks and other (ASSISTANTS) employees as needed, fix their compensation, and assign them their duties. As of the effective date of this act the division of conciliation, heretofore established, shall be abolished, and all of its powers and duties transferred to the bureau of mediation services. Any matters pending in or by the division of conciliation as of such date shall then and thereafter be carried on in the name of the bureau of mediation services.

Sec. 2. Minnesota Statutes 1967, Section 179.03, is amended to read:

179.03 [POLITICAL ACTIVITIES FORBIDDEN.] Any (LABOR CONCILIATOR) mediator or employee, under the provisions of sections 179.01 to 179.17, who exerts his influence, directly or indirectly, to induce any other person to adopt his political views, or to favor any particular candidate for office, or to contribute funds for political purposes shall forthwith be removed from his office or position by the authority appointing him; provided, that before removal the (LABOR CONCILIATOR) director of mediation services shall be entitled to a hearing before the governor, and any other employee shall be entitled to a similar hearing before the (LABOR CONCILIATOR) director of mediation services.

Sec. 3. Minnesota Statutes 1967, Section 179.04, is amended to read:

179.04 [EXPENSES.] The (LABOR CONCILIATOR) director of mediation services and his employees, or any special (CONCILIATOR) mediator, shall be paid their actual and necessary traveling and other expenses incurred in the performance of their duties. Vouchers for such expenses shall be itemized and sworn to by the person incurring the expense.

Sec. 4. Minnesota Statutes 1967, Section 179.05, is amended to read:

179.05 [RULES AND REGULATIONS FOR HEARINGS.] The (LABOR CONCILIATOR) director of mediation services shall adopt reasonable and proper rules and regulations relative to and regulating the conduct of the hearings. Such rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing; provided, that every such rule or regulation shall be filed with the secretary of the state, and any change therein or additions thereto shall not take effect until 20 days after such filing.

Sec. 5. Minnesota Statutes 1967, Section 179.06, is amended to read:

179.06 [COLLECTIVE BARGAINING AGREEMENTS.] Subdivision 1. [NOTICES.] When any employee, employees, or representative of employees, or labor organization shall desire to negotiate a collective bargaining agreement, or make any change in any existing agreement, or shall desire any changes in the rates of pay, rules or working conditions in any place of employment, it shall

6 give written notice to the employer of its demand, which notice shall follow the employer if the
 7 place of employment is changed, and it shall thereupon be the duty of the employer and the rep-
 8 resentative of employee or labor organization to endeavor in good faith to reach an agreement
 9 respecting such demand. An employer shall give a like notice to his employees, representative, or
 10 labor or labor organizations of any intended change in any existing agreement. If no agreement is
 11 reached at the expiration of ten days after service of such notice, any employees, representative,
 12 labor organization or employer may at any time thereafter petition the (LABOR CONCILIATOR)
 13 *director of mediation services* to take jurisdiction of the dispute and it shall be unlawful for any
 14 labor organization or representative to institute or aid in the conduct of a strike or for an employer
 15 to institute a lock-out, unless such petition has been served by the party taking such action upon the
 16 (LABOR CONCILIATOR) *director* and the other parties to the labor dispute at least ten days before
 17 the strike or lock-out becomes effective. Unless the strike or lock-out is commenced within 90 days
 18 from the date of service of the petition upon the (LABOR CONCILIATOR) *director*, it shall be
 19 unlawful for any of the parties to institute or aid in the conduct of a strike or lock-out without
 20 serving a new petition in the manner prescribed for the service of the original petition, provided
 21 that the 90-day period may be extended by written agreement of the parties filed with the (LABOR
 22 CONCILIATOR) *director*.

23 A petition by the employer shall be signed by him or his duly authorized officer or agent; and a
 24 petition by the employees shall be signed by their representative or its officers, or by the committee
 25 selected to negotiate with the employer. In either case the petition shall be served by delivering
 26 it to the (LABOR CONCILIATOR) *director* in person or by sending it by (REGISTERED) *certi-*
 27 *fied* mail addressed to him at his office. The petition shall state briefly the nature of the dispute and
 28 the demands of the party who serves it. Upon receipt of a petition, the (LABOR CONCILIATOR)
 29 *director* shall fix a time and place for a conference with the parties to the labor dispute upon the
 30 issues involved in the dispute, and he shall then take whatever steps he deems most expedient to bring
 31 about a settlement of the dispute, including assisting in negotiating and drafting a settlement
 32 agreement. It shall be the duty of all parties to a labor dispute to respond to the summons of the
 33 (LABOR CONCILIATOR) *director* for joint or several conferences with him and to continue in
 34 such conference until excused by the (LABOR CONCILIATOR) *director*, not beyond the ten-day
 35 period heretofore prescribed except by mutual consent of the parties.

36 Subd. 2. [DIRECTOR, POWERS AND DUTIES.] The (LABOR CONCILIATOR) *director* may
 37 at the request of either party to a labor dispute render assistance in settling the dispute without
 38 the necessity of filing the formal petition referred to in subdivision 1. If the (CONCILIATOR)
 39 *director* takes jurisdiction of the dispute as a result of such a request, he shall then proceed as pro-
 40 vided in subdivision 1.

Sec. 6. Minnesota Statutes 1967, Section 179.07, is amended to read:

2 179.07 [LABOR DISPUTE AFFECTING PUBLIC INTERESTS; PROCEDURE.] If the dis-
 3 pute is in any industry, business, or institution affected with a public interest, which includes,
 4 but is not restricted to, any industry, business, or institution engaged in supplying the necessities of
 5 life, safety, or health, so that a temporary suspension of its operation would endanger the life,
 6 safety, health, or well-being of a substantial number of people of any community, the provisions
 7 of section 179.06 shall apply and (THE LABOR CONCILIATOR) *Director of Mediation Services*
 8 shall also notify the governor who may appoint a commission of three to conduct a hearing and
 9 make a report on the issues involved and the merits of the respective contentions of the parties to the
 10 dispute. If the governor decides to appoint a commission, he shall so advise the (LABOR CONCILIA-
 11 TOR) *director* who shall immediately notify the parties to the labor dispute and also inform them
 12 of the date of the notification to the governor. The members of such commission shall on account of
 13 vocations, employment, or affiliations be representatives of employees, employers, and the public,
 14 respectively. Such report shall be filed with the governor not less than five days before the end of the
 15 30-day period hereinafter provided and may be published as he may determine in one or more legal
 16 newspapers in the counties where the dispute exists. If and when the governor shall notify the
 17 (LABOR CONCILIATOR) *director* of his decision to appoint a commission, neither party to the
 18 dispute shall make any change in the situation affecting the dispute and no strike or lockout shall be
 19 instituted until 30 days shall have elapsed after the notification to the governor. In case the
 20 governor shall fail to appoint a commission within five days after the notification to him, this
 21 limitation on the parties shall be suspended and inoperative. If the governor shall thereafter
 22 appoint a commission, no strike or lockout having been instituted in the meantime, the limitation
 23 shall again become operative, but in no case for more than the 30-day period. The 30-day period may
 24 be extended by stipulation upon the record of the hearing before the commission or by written
 25 stipulation signed by the parties to the labor dispute and filed with the (LABOR CONCILIATOR)
 26 *director*. If so extended, the report of the commission shall be filed with the governor not less than
 27 five days before the end of the extended period.

Sec. 7. Minnesota Statutes 1967, Section 179.08, is amended to read:

2 179.08 [POWERS OF COMMISSION APPOINTED BY GOVERNOR.] (1) The commission
 3 appointed by the governor pursuant to the provisions of sections 179.01 to 179.17 shall have the power
 4 to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence
 5 which relates to any matter involved in any such hearing, and may by its chairman administer
 6 oaths and affirmations, and may examine witnesses. Such attendance of witnesses and the produc-
 7 tion of such evidence may be required from any place in the state at any designated place of hearing,
 8 but hearings shall be held in a county where the labor dispute has arisen or exists;

9 (2) In case of contumacy or refusal to obey a subpoena issued under clause (1) of this section,
 10 the district court of the state for the county where the proceeding is pending or in which the person

11 guilty of such contumacy or refusal to obey is found, or resides, or transacts business, or application
12 by the commission shall have jurisdiction to issue to such person an order requiring such person to
13 appear before the commission, there to produce evidence as so ordered, or there to give testimony
14 touching the matter under investigation or in question, and any failure to obey such order of the
15 court may be punished by the court as a contempt thereof;

16 (3) Any party to or party affected by the dispute may appear before the commission in person or
17 by attorney or by their representative, and shall have the right to offer competent evidence and to
18 be heard on the issues before the report is made.

19 Any commissioners so appointed shall be paid a per diem of (\$15) \$75 and their necessary
20 expenses while serving.

21 Sec. 8. Minnesota Statutes 1967, Section 179.083, is amended to read:

2 179.083. [JURISDICTIONAL CONTROVERSIES.] Whenever two or more labor organizations
3 adversely claim for themselves of their members jurisdiction over certain classifications of work
4 to be done for any employer or in any industry, or over the persons engaged in or performing
5 such work and such jurisdictional interference or dispute is made the ground for picketing an employ-
6 er or declaring a strike or boycott against him, the (LABOR CONCILIATOR) *director of mediation*
7 *services* shall certify that fact to the governor. Upon receipt of such certification the governor, in
8 his discretion, may appoint a labor referee to hear and determine the jurisdictional controversy. If
9 the labor organizations involved in the controversy have an agreement between themselves defining
10 their respective jurisdictions, or if they are affiliated with the same labor federation or organiza-
11 tion which has by the charters granted to the contending organizations limited their jurisdiction, the
12 labor referee shall determine the controversy in accordance with the proper construction of the agree-
13 ment or of the provisions of the charters of the contending organizations. If there is no agreement or
14 charter which governs the controversy, the labor referee shall make such decision as, in considera-
15 tion of past history of the organization, harmonious operation of the industry, and most effective
16 representation for collective bargaining, will best promote industrial peace. If the labor organizations
17 involved in the controversy so desire, they may submit the controversy to a tribunal of the federation
18 or labor organization which has granted their charters or to arbitration before a tribunal selected
19 by themselves, provided the controversy is so submitted prior to the appointment by the governor
20 of a labor referee to act in the controversy. After the appointment of the labor referee by the gov-
21 ernor, or the submission of the controversy to another tribunal as herein provided, it shall be unlaw-
22 ful for any person or labor organization to call or conduct a strike or boycott against the employer
23 or industry or to picket any place of business of the employer or in the industry on account of such
24 jurisdictional controversy.

25 Sec. 9. Minnesota Statutes 1967, Section 179.09, is amended to read:

2 179.09 [ARBITRATION.] When a labor dispute arises which is not settled by (CONCILIA-
3 TION) *mediation* such dispute may, by written agreement of the parties, be submitted to arbitra-
4 tion on such terms as the parties may specify, including among other methods the arbitration
5 procedure under the terms of sections 572.08 to 572.26 and arbitration under the voluntary
6 industrial arbitration tribunal of the American arbitration association. If such agreement so pro-
7 vides, the (LABOR CONCILIATOR) *director of mediation services* may act as a member of any
8 arbitration tribunal created by any such agreement and, if the agreement so provides, the (CON-
9 CILIATOR) *director* may appoint one or more of such arbitrators. Either or both of the parties
10 to any such agreement or any arbitration tribunal created under any such agreement may apply
11 to the (CONCILIATOR) *director* to have the tribunal designated as a temporary arbitration tri-
12 bunal and, if so designated, the temporary arbitration tribunal shall have power to administer oaths
13 to witnesses and to issue subpoenas for the attendance of witnesses and the production of evidence,
14 which subpoenas shall be enforced in the same manner as subpoenas issued by the commission
15 under section 179.08. Any such temporary arbitration tribunal shall file with the (CONCILIATOR)
16 *director* a copy of its report, duly certified by its chairman.

27 Sec. 10. Minnesota Statutes 1967, Section 179.135, Subdivision 1, is amended to read:

2 179.135 [PROTECTION OF COLLECTIVE BARGAINING AGREEMENTS.] Subdivision
3 1. [AGREEMENT PROTECTED FROM INTERVENTION.] No employer holding a valid col-
4 lective bargaining agreement with any labor organization recognized or certified by the (STATE
5 LABOR CONCILIATOR) *director of mediation services* or the National Labor Relations Board as
6 the accredited bargaining representative for the employees or any group of employees of such
7 employer shall be required to enter into negotiations with any other labor organization respecting
8 the employees covered by the existing union agreement, so long as the existing agreement remains
9 in full force and effect in accordance with its terms except where a successor labor organization has
10 been certified as the representative of the employees covered by such agreement by the (STATE
11 LABOR CONCILIATOR) *director of mediation services* or the National Labor Relations Board
12 and recognized by the employer.

28 Sec. 11. Minnesota Statutes 1967, Section 179.16, Subdivision 2, is amended to read:

2 Subd. 2. [CERTIFICATION OF GROUP REPRESENTATIVE BY DIRECTOR.] When a
3 question concerning the representative of employees is raised by an employee, group of employees,
4 labor organization, or employer the (LABOR CONCILIATOR) *director of mediation services* or any
5 person designated by him shall, at the request of any of the parties, investigate such controversy and
6 certify to the parties in writing, the name or names of the representatives that have been designated
7 or selected. The (LABOR CONCILIATOR) *director* shall decide in each case whether, in order to
8 insure to employees the full benefit of their right to self-organization and to collective bargaining
9 and otherwise to effectuate the purpose of this chapter, the unit appropriate for the purpose of
10 collective bargaining shall be the employer unit, craft unit, plant unit; provided, that any larger
11 unit may be decided upon with the consent of all employers involved, and provided that when a craft

12 exists, composed of one or more employees then such craft shall constitute a unit appropriate for the
 13 purpose of collective bargaining for such employee or employees belonging to such craft and a
 14 majority of such employees of such craft may designate a representative for such unit. Two or more
 15 units may, by voluntary consent, bargain through the same agent or agents with an employer or
 16 employers, their agent or agents. Supervisory employees shall not be considered in the selection of a
 17 bargaining agent. In any such investigation, the (LABOR CONCILIATOR) *director* may provide
 18 for an appropriate hearing, and may take a secret ballot of employees or utilize any other suitable
 19 method to ascertain such representatives, but the (LABOR CONCILIATOR) *director* shall not certify
 20 any labor organization which is dominated, controlled, or maintained by an employer. If the (LA-
 21 BOR CONCILIATOR) *director* has certified the representatives as herein provided, he shall not be
 22 required to again consider the matter for a period of one year unless it appears to him that sufficient
 23 reason exists.

Sec. 12. Minnesota Statutes 1967, Section 179.16, Subdivision 3, is amended to read:

2 Subd. 3. [WITNESSES; POWERS OF DIRECTOR.] In the investigation of any controversy
 3 concerning the representative of employees for collective bargaining, the (LABOR CONCILIATOR)
 4 *director of mediation services* shall have power to issue subpoenas requiring the attendance and
 5 testimony of witnesses and the production of evidence which relates directly to any matter involved
 6 in any such hearing, and the (LABOR CONCILIATOR) *director* or his representative may ad-
 7 minister oaths and affirmations, and may examine witnesses. Such attendance of witnesses and the
 8 production of such evidence may be required from any place in the state at any designated place of
 9 hearing, but hearings shall be held in a county where the question has arisen or exists.

Sec. 13. Minnesota Statutes 1967, Section 179.22, is amended to read:

2 179.22 [LABOR REFEREE.] There is hereby created an office, to be known as labor referee.
 3 The governor may from time to time appoint labor referees for particular disputes as hereinafter
 4 provided. Such appointment shall be for the duration only of the particular dispute. Such labor
 5 referees shall be paid a per diem of (\$15) \$75 per day while so engaged, and their necessary ex-
 6 penses. When approved by him, the (LABOR CONCILIATOR) *director of mediation services* shall
 7 cause to be paid, from the appropriation to him, the amount due to the labor referees for services and
 8 expenses.

Sec. 14. Minnesota Statutes 1967, Section 179.23, Subdivision 1, is amended to read:

2 179.23 [DIRECTOR TO CERTIFY VIOLATIONS TO GOVERNOR.] Subdivision 1. [CER-
 3 TIFICATION TO GOVERNOR.] Whenever it reasonably appears to the (LABOR CONCILIA-
 4 TOR) *director of mediation services* that any labor organization has failed substantially to com-
 5 ply with any of the requirements of sections 179.18 to 179.25, he shall certify that fact to the
 6 governor and transmit to the governor all the information he has received with reference thereto.

Sec. 15. Minnesota Statutes 1967, Section 179.23, Subdivision 2, is amended to read:

2 Subd. 2. [GOVERNOR MAY APPOINT A LABOR REFEREE.] Upon receipt of such
 3 certification by the (LABOR CONCILIATOR) *director of mediation services*, the governor, within
 4 five days from the date of such certification, shall appoint, if he deems it advisable, a labor referee to
 5 act in the dispute. If the governor does not appoint a labor referee within five days, he shall so notify
 6 the (LABOR CONCILIATOR) *director* and return the files to him, which shall close the dispute.

Sec. 16. Minnesota Statutes 1967, Section 179.23, Subdivision 3, is amended to read:

2 Subd. 3. [QUALIFICATION OF LABOR REFEREE.] Upon receipt of notice of appoint-
 3 ment as labor referee, such officer shall qualify by taking his oath of office and filing the same in the
 4 office of the secretary of state. He shall also notify the (LABOR CONCILIATOR) *director of media-*
 5 *tion services* in writing of the date of filing such oath.

Sec. 17. Minnesota Statutes 1967, Section 179.23, Subdivision 5, is amended to read:

2 Subd. 5. [APPEARANCE; EVIDENCE.] Any party to or party affected by the dispute
 3 may appear at the hearing before the labor referee in person or by attorney or by other representa-
 4 tive, and shall have the right to offer competent evidence and to be heard on the issues before any
 5 order herein provided is made. When all evidence has been adduced and the arguments heard, the
 6 labor referee shall prepare and file with the (LABOR CONCILIATOR) *director of mediation services*
 7 within 30 days from the close of testimony, his findings of fact and his order sustaining or dismissing
 8 the charges. If the charges are sustained, such labor organization is thereby disqualified from
 9 acting as the representative of employees until such disqualification has been removed as pro-
 10 vided herein.

Sec. 18. Minnesota Statutes 1967, Section 179.23, Subdivision 6, is amended to read:

2 Subd. 6. [REMOVAL OF DISQUALIFICATION BY LABOR ORGANIZATION.] Any labor
 3 organization which has been disqualified from acting as a representative of employees pursuant
 4 to subdivision 5 for failure to perform any duty imposed upon it by sections 179.18 to 179.25 may
 5 remove such disqualification by applying to the (LABOR CONCILIATOR) *director of mediation*
 6 *services* and submitting proof of performance of the duty for the non-performance of which the
 7 disqualification was imposed. Upon receipt of such application, the (LABOR CONCILIATOR) *direc-*
 8 *tor* shall notify all parties who participated in the hearing before the referee as adversary parties
 9 by mail of the filing of such application. If within 20 days after the mailing of such notice, written
 10 objection to the removal of such disqualification is filed with the (LABOR CONCILIATOR)
 11 *director*, he shall certify the dispute to the governor, and further proceedings shall thereupon be had
 12 in like manner hereinbefore provided for the determination of disputes. Thereupon the labor referee
 13 appointed for such proceedings shall make and file his order either confirming the prior order for
 14 disqualification or removing the disqualification, as the case may require. If no objection is so filed,
 15 the (LABOR CONCILIATOR) *director* shall make an order removing such disqualification.

Sec. 19. Minnesota Statutes 1967, Section 179.38, is amended to read:

179.38 [ARBITRATION MANDATORY.] In the event of the existence of any labor dispute which cannot be settled by negotiation between the charitable hospital employers and their employees, either such employers or employees may petition and avail themselves of the (FACILITIES) provisions of (THE DEPARTMENT OF LABOR AS PROVIDED IN MINNESOTA STATUTES,) sections 179.01 to 179.17, insofar as sections are not inconsistent with the provisions of sections 179.35 to 179.39. If such dispute is not settled within ten days after submission to (CONCILIATION) mediation, any unsettled issue of maximum hours of work and minimum hourly wage rates shall, upon service of written notice by either party upon the other party and the (STATE LABOR CONCILIATOR) director of mediation services, be submitted to the determination of a board of arbitrators whose determination shall be final and binding upon the parties. The board of arbitrators shall be selected and proceed in the following manner, unless otherwise agreed between the parties: the employers shall appoint one arbitrator, the employees shall appoint one arbitrator, and the two arbitrators so chosen shall appoint a third arbitrator who shall act as chairman and who shall receive reasonable compensation for his work; but if said arbitrators are unable to agree upon the appointment of such third arbitrator within five days after submission to arbitration, the governor shall (APPOINT THE THIRD PARTY) submit five names to the parties and the parties shall select the third arbitrator, who shall act as chairman, from the five submitted by the governor. The selection of the third arbitrator shall be by the process of elimination, with the parties taking turns at striking names from the list of five submitted by the governor, until only one name remains. If the parties are unable to agree with respect to which party shall take the first turn for the purpose of striking a name, it shall be decided by the flip of a coin. Each party shall be responsible for compensating the arbitrator of their choice, and the parties shall share equally the compensation paid to the third arbitrator. The board of arbitrators shall serve as a temporary arbitration tribunal and shall have the powers (AND COMPENSATION) provided for commissioners under Minnesota Statutes 1945, Section 179.08. The board of arbitrators shall make its determination with all due diligence and shall file a copy of its report with the (STATE LABOR CONCILIATOR) director of mediation services.

Sec. 20. Minnesota Statutes 1967, Section 179.52, Subdivision 4, is amended to read:

Subd. 4. When a governmental agency declines to grant formal recognition or when a question concerning the designation of a representation unit is raised by the governmental agency, labor or employee organization, or employees, the (LABOR CONCILIATOR) director of mediation services or any person designated by him shall, at the request of any of the parties, investigate such question and, after a hearing if requested by any party, rule on the definition of the appropriate representation unit. He shall certify to the parties in writing the proper definition of the unit. In defining the unit, the (LABOR CONCILIATOR) director shall take into consideration, along

with other relevant factors, the principles of efficient administration of government, the principles and the coverage of uniform comprehensive position classification and compensation plans in the governmental agency, the history and extent of organization, occupational classification, administrative and supervisory levels of authority, geographical location, and the recommendations of the parties.

Sec. 21. Minnesota Statutes 1967, Section 179.52, Subdivision 5, is amended to read:

Subd. 5. When a question concerning the representative of employees is raised by the governmental agency, labor or employee organization, or employees, the (LABOR CONCILIATOR) director of mediation services or any person designated by him shall, at the request of any of the parties, investigate such question and certify to the parties in writing, the name or names of the representatives that have been designated or selected. The filing of a petition for the investigation or certification of a representative of employees by any of the parties shall constitute a question within the meaning of this section. In any such investigation, the (LABOR CONCILIATOR) director may provide for an appropriate hearing, and shall take a secret ballot of employees to ascertain such representatives for the purposes of formal recognition. If the (LABOR CONCILIATOR) director has certified a formally recognized representative in a unit of employees as provided in this section, he shall not be required to consider the matter again for a period of one year unless it appears to him that sufficient reason exists. The (LABOR CONCILIATOR) director may promulgate such rules and regulations as may be appropriate to carry out the provisions of subdivisions 4 and 5 of this section.

Sec. 22. Minnesota Statutes 1967, Section 179.521, is amended to read:

179.521 [MEDIATION OF DISPUTES.] If, after a reasonable period of meeting and conferring, the parties are deadlocked, or if the governmental agency or its designated representatives or the employees or their formally recognized representative fail or refuse to meet and confer in good faith at reasonable times in a bona fide effort to arrive at a settlement, either party to a dispute involving conditions of employment or any violation of sections 179.51 to 179.58 may then file a petition requesting the (LABOR CONCILIATOR) director of mediation services to act in the dispute. Such petition shall set forth the issues of the dispute, the efforts to settle it, and a statement of the failure to reach a settlement. The (LABOR CONCILIATOR) director shall thereupon take jurisdiction of the dispute and shall fix a time and place for a conference with the parties to the dispute upon the issues involved, and he shall then take whatever steps he deems expedient to bring about a settlement, including assisting in preparing information necessary to an understanding of the issues and of a settlement. Both parties shall confer with the (LABOR CONCILIATOR) director and cooperate with him in his attempts to bring about a settlement.

Sec. 23. Minnesota Statutes 1967, Section 179.57, Subdivision 2, is amended to read:

Subd. 2. One of the panel members shall be selected by the labor or employee organization or by the employees as the case may be, one by the governmental agency, and the two so selected shall select a third member. If after five days, the two members cannot agree upon the third member, the senior or presiding judge of the district court of the county wherein the dispute has arisen shall, after notifying the (LABOR CONCILIATOR) *director of mediation services* and giving him an opportunity to suggest names of suitable prospective neutral members, appoint such third member. Such appointment shall be made upon application by either of the appointed members in writing by giving five days notice thereof in writing to the other member. If one of the parties fails or refuses to appoint a member to the panel, such member shall be appointed by the senior or presiding judge of the district court in the same manner as the third member is appointed, upon application by a panel member in writing upon five days' notice in writing to the party so failing or refusing.

Sec. 24. Minnesota Statutes 1967, Section 179.57, Subdivision 4, is amended to read:

Subd. 4. The panel shall meet within 15 days after the appointment of the third member. The various parties shall attempt in good faith to settle the dispute through negotiation and informal conferences. If the results of the conference negotiations are not satisfactory to all parties concerned, the panel shall afford the public employees, the labor or employee organization involved, if any, and the governmental agency a full hearing after which the panel shall make their findings and recommendations, a copy of which shall be sent to the (LABOR CONCILIATOR) *director of mediation services*, to the head of the governmental agency involved, and to the employees or their representatives, if any. In making such findings and recommendations, the panel shall take into consideration the tax limitations imposed by law or charter, if any, upon the governmental agency together with wages, hours and other conditions of employment of public employees performing comparable duties for other governmental agencies of a comparable nature and of employees performing comparable duties in private employment, internal consistency of treatment of the employees in the several classes of positions in the governmental agency, as well as such other factors not confined to the foregoing as are normally or appropriately taken into consideration in the determination of wages, hours and other conditions of employment by the governmental agency.

Sec. 25. *The effective date of this article shall be July 1, 1969.*

ARTICLE III

Section 1. *Subdivision 1. The name of the department of conservation is changed to the department of natural resources. The name of the commissioner of conservation is changed to the commissioner of natural resources. Subject to the provisions of this act and other applicable laws, the department of natural resources with its commissioner and other officers shall continue to exercise all the powers and duties vested in, or imposed upon its commissioner as existing and constituted immediately prior to the effective date of this act.*

Subd. 2. *The commissioner of natural resources is appointed by the governor, by and with the*

advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and qualifies. A vacancy in the office of the commissioner shall be filled for the unexpired portion of the term. The commissioner may appoint a deputy who shall serve at the pleasure of the commissioner in the unclassified service. The salary of such deputy is fixed by the commissioner except when otherwise expressly provided for by law. The deputy may perform and exercise every power, duty, and responsibility imposed by law upon the commissioner when authorized so to do by the commissioner.

Subd. 3. *Subject to the provisions of this act and to other applicable laws the commissioner shall organize the department and employ two assistant commissioners, one of whom shall have responsibility for coordinating and directing the planning of every division within the agency, and such other officers, employees, and agents as he may deem necessary to discharge the functions of his department, define the duties of such officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject to his control and under such conditions as he may prescribe. Appointments to exercise delegated power shall be by written order filed with the secretary of the state.*

Subd. 4. *Before entering upon the duties of his office the commissioner of natural resources shall take and subscribe an oath and give his bond to the state of Minnesota, to be approved by the governor and filed with the secretary of state, in the sum of \$50,000 conditioned for the faithful performance of his duties.*

Sec. 2. *Minnesota Statutes 1967, Section 84.025, Subdivisions 1, 2, 3, 4, and 5, are repealed.*

Sec. 3. *All the powers and duties now vested in, or imposed upon the state geographic board under Minnesota Statutes 1967, Chapter 83A, are transferred to, vested in, and imposed upon the commissioner of natural resources. The state geographic board as heretofore constituted is abolished.*

Sec. 4. *The commissioner of natural resources may request from time to time, as he deems necessary, information and advice on technical natural resource matters from advisory committees or individuals having specialized knowledge or experience in such matters. These persons shall serve without compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in providing such information and advice to the commissioner. The expenses allowed shall be paid in the same amount allowed state employees for similar expenses and shall be paid from any money appropriated to the commissioner for salaries, supplies, and expenses.*

Sec. 5. Minnesota Statutes 1967, Section 84.028, Subdivision 3, is amended to read:

Subd. 3. The operation of the game warden service in the division of game and fish as constituted before July 1, 1967 is under the direct control and supervision of the commissioner. The name of the personnel in such game warden service is changed to conservation officers. Conservation officers shall continue to have the powers and duties of game wardens as they existed before July 1, 1967 and may be assigned to public relations, conservation instructional activities, and the enforce-

7 ment of laws relating to resources management which the commissioner shall direct. The commis-
 8 sioner (MAY) shall create a separate division (OR BUREAU) entitled the division of enforce-
 9 ment and field service, to be composed of conservation officers and (MAY) shall appoint a
 10 (CHIEF CONSERVATION OFFICER) director of the division to serve at his pleasure in the
 11 unclassified service of the state.

Sec. 6. Minnesota Statutes 1967, Section 84.081, Subdivision 1, is amended to read:

2 84.081 [DEPARTMENT DIVISIONS AND BUREAUS.] Subdivision 1. [DIRECTORS.]
 3 The department of (CONSERVATION) natural resources shall be organized with the following
 4 divisions: a division of land and forestry, a division of waters, soils and minerals, a division of game
 5 and fish, (AND) a division of parks and recreation, and a division of enforcement and field service.
 6 Each division shall be under the immediate charge of a director, subject to the supervision and
 7 control of the commissioner. The directors shall be appointed by the commissioner, to serve at
 8 his pleasure, and shall be in the unclassified service of the state. They shall be chosen with regard to
 9 knowledge, training, experience, and ability in administering the work of their respective
 10 divisions.

Sec. 7. Subdivision 1. This article is in effect on the first Monday in January 1971, and the
 2 term of the person occupying the position of the commissioner of conservation on the day previous
 3 shall expire when the commissioner of natural resources is appointed by the governor and qualifies.

4 Subd. 2. Until such time as the commissioner of natural resources is able to make all changes
 5 in designation of the department of conservation to the department of natural resources, he may
 6 continue to use the department of conservation designation, but the use of such designation shall
 7 not extend beyond the first Monday in January 1976.

ARTICLE IV

Section 1. Minnesota Statutes 1967, Section 45.03, is amended to read:

2 45.03 [POWERS AND DUTIES OF COMMISSION.] The commissioner of banks, the com-
 3 missioner of insurance, and the commissioner of securities, respectively, shall have and possess all
 4 the rights and powers and perform all the duties which, prior to the enactment of Laws 1925, Chapter
 5 426, were vested by law in the superintendent of banks, the commissioner of insurance, and the state
 6 securities commission, respectively, except that (APPLICATIONS FOR REGISTRATIONS OF SE-
 7 CURITIES AND BROKER DEALERS' LICENSES UNDER LAWS 1925, CHAPTER 192, AND
 8 ALL MATTERS PERTAINING TO SUCH REGISTRATIONS AND LICENSES,) application for
 9 the organization and establishment of new financial institutions under (LAWS 1919, CHAPTER 86,
 10 AND ACTS AMENDATORY THEREOF, APPLICATIONS BY INSURING COMPANIES FOR LI-
 11 CENSES TO CARRY ON BUSINESS WITHIN THE STATE, AND ALL MATTERS PERTAIN-
 12 ING TO SUCH LICENSES, AND APPLICATIONS FOR THE CONSOLIDATION OF INSURING

13 COMPANIES TRANSACTING BUSINESS WITHIN THE STATE) Minnesota Statutes, Sections
 14 45.04 to 45.08, shall be determined by the commission in the manner provided (BY THE LAWS DE-
 15 FINING THE POWERS AND DUTIES OF THE SUPERINTENDENT OF BANKS, THE COM-
 16 MISSIONER OF INSURANCE, AND THE STATE SECURITIES COMMISSION, RESPECTIVE-
 17 LY) therein, or, in the absence of any law prescribing the procedure, then by such reasonable pro-
 18 cedure as the commission may prescribe(; PROVIDED, THAT THE COMMISSIONER OF SE-
 19 CURITIES AND THE COMMISSIONER OF INSURANCE SHALL HAVE POWER TO SUSPEND
 20 ANY REGISTRATION OR LICENSE ISSUED IN THEIR RESPECTIVE DIVISIONS PENDING
 21 THE FINAL DETERMINATION OF ANY MATTER BY THE COMMISSION). The commission
 22 shall review, and may affirm, reverse, modify, amend, or abrogate all quasi-judicial acts of a single
 23 commissioner upon written request and application of the party aggrieved, this review to be held
 24 after such reasonable notice as the commission shall prescribe(. THE COMMISSIONER OF BANKS
 25 SHALL BE CHAIRMAN, AND THE COMMISSIONER OF SECURITIES SHALL BE SECRE-
 26 TARY, OF THE COMMISSION.) The commission shall have power to provide for stated meetings,
 27 and special meetings may be called by the chairman, or by the other two members. The commission
 28 may confer upon the executive secretary authority to fix a time for hearings in accordance with such
 29 rules as may be adopted.

Sec. 2. Minnesota Statutes 1967, Chapter 45, is amended by adding a section to read:

2 [45.031] [CHAIRMAN AND EXECUTIVE SECRETARY.] Subdivision 1. The governor
 3 shall appoint one member of the commission to serve as its chairman for a four year term which shall
 4 coincide with the term of the governor and continue until a successor is duly appointed and quali-
 5 fies. A vacancy in the office of chairman shall be filled by appointment of the governor for the unex-
 6 pired portion of the term. The term of the first chairman appointed pursuant to this subdivision shall
 7 expire with the expiration of the term of the governor who makes the appointment. The chairman
 8 shall be paid a salary of \$2,000 per annum in addition to the salary which he receives as a member of
 9 the commission.

10 Subd. 2. The commission shall appoint an executive secretary who shall serve at the pleasure of
 11 the commission in the unclassified service. The salary of the executive secretary shall be fixed by law.
 12 The executive secretary shall be the chief administrative officer of the commission, and shall be
 13 charged with keeping full and correct records of all transactions and proceedings of the commission
 14 and the performance of such other duties as may be prescribed by the commission. He shall be the of-
 15 ficial custodian of the records and seal of the commission. He shall be directly responsible to the
 16 chairman of the commission in the performance of his duties, and shall serve as his administrative
 17 assistant insofar as the duties and responsibilities of the chairman so require.

18 Subd. 3. Subject to the provisions of this act and to other applicable laws, the commission shall
 19 employ such officers, employees, and agents as it may deem necessary to discharge the functions of

the commission within the funds provided therefor from time to time; define the duties of such officers, employees, and agents; and delegate to them such powers, duties, and responsibilities as may be determined by the commission. Except as otherwise provided for herein, the personnel listed in this subdivision are in the classified service of the state civil service.

Sec. 3. A section of consumer services is established in the department of commerce under the supervision and control of a director of consumer services. The director of consumer services is appointed by the governor, by and with the advice and consent of the senate, for a four year term which shall coincide with the term of the governor and until a successor is duly appointed and qualifies. A vacancy in the office of director shall be filled for the unexpired term.

Sec. 4. Subdivision 1. The section of consumer services shall have the responsibilities and duties prescribed by this section and such other authority as may be conferred by the commissioner of commerce.

Subd. 2. (a) Act as the representative of the governor in all matters affecting consumer affairs;

(b) Enforce the provisions of law relating to consumer fraud and unlawful practices in connection therewith as set forth in Minnesota Statutes, Sections 325.78 and 325.79, and the attorney general shall act for the division in pursuing the remedies set forth in Minnesota Statutes, Section 325.80;

(c) Make recommendations to the chairman of the commerce commission for transmission to the governor and the legislature for such statutory needs as may exist in adequately protecting the consumer;

(d) Receive registration statements and annual reports of persons soliciting charitable funds in accordance with the requirements of Minnesota Statutes, Sections 309.50 to 309.61, in lieu of the duties of the secretary of state in connection therewith. The duties of the secretary of state under such sections are hereby abolished and the activity assigned to the department of commerce, division of licensing and consumer services as provided herein;

(e) Develop rules and regulations to carry out the duties imposed by this section and any other duties imposed by law.

Subd. 3. Develop administrative procedures, systems of record keeping and other devices so as to improve the functioning of all licensing and professional boards now or hereafter created by law. The director of the division is the liaison officer between the governing bodies of each licensing and professional board and the office of governor.

Subd. 4. The director of consumer services with the approval of the chairman of the commerce commission may assign any of his duties and responsibilities to sections which he may create within his division.

Subd. 5. Sections 3 and 4 are effective upon the appointment of a director.

Sec. 5. Minnesota Statutes 1967, Chapter 45, is amended by adding a section to read:

[45.032] [HEARINGS.] Subdivision 1. The commission or any of its members may delegate its or his authority to conduct a hearing, but not review proceedings to a hearing examiner. For purposes of this section, "appointive authority" means the commission or member thereof by whom such a delegation is made. The examiner shall have the same power as the appointive authority to compel the attendance of witnesses, to examine them under oath, to require the production of books, papers, and other evidence, and to issue subpoenas and cause the same to be served and executed in any part of the state. The commission shall prescribe by rule and regulation, in conformity to the provisions of Minnesota Statutes 1967, Sections 15.0411 to 15.0423, inclusive, the procedures for the conduct of all hearings and review proceedings.

Subd. 2. If a hearing examiner conducts a hearing he shall make findings of fact and submit them to the appointive authority. The transcript of testimony and exhibits shall constitute the exclusive record upon which such findings are made. The findings shall be available for public inspection. After receipt of the hearing examiner's findings, the appointive authority shall decide the case. In deciding the case, the appointive authority shall have all of the powers which it would have had if no hearing examiner had been appointed. Thereafter the decision by the appointive authority shall be subject to review as otherwise provided by law.

Subd. 3. Hearing examiners shall be employed by the commission. The executive secretary of the commission may serve as a hearing examiner. Hearing examiners need not be attorneys at law. They shall be in the classified service of the state civil service, except that (a) the executive secretary shall not be in the classified service even though he serves as a hearing examiner in accordance with this subdivision; and (b) the commission may temporarily employ persons who are not in the classified service to serve as hearing examiners. The chairman shall assign individual hearing examiners to hear cases where an appointive authority directs that the matter be heard by a hearing examiner.

Sec. 6. Minnesota Statutes 1967, Chapter 45, is amended by adding a section to read:

[45.033] [ANNUAL REPORT OF COMMERCE COMMISSION.] Subdivision 1. On or before December 1 of each year the commission shall submit a report to the governor and the legislature. This report shall describe the activities of the commission during the fiscal year ending on the preceding June 30; give general information as to the conditions relating to banking, insurance, and securities regulation within the state during that year; and make such recommendations and suggestions as the commission may deem proper.

Subd. 2. The annual report shall contain a list of state banks, trust companies, building and loan associations, and other financial corporations within the state, their capital stock and surplus funds; a list of suspended banks and financial corporations; and a list of charter applications, together with their disposition, for the year. The report shall not contain a detailed statement of the condition of each bank or other financial corporation.

Subd. 3. The annual report shall contain a statement of the financial condition and business

14 transactions of the insurance companies doing business in the state, as disclosed by official examina-
15 tions and their annual statements, and the condition of the receiverships of insolvent companies.

16 Subd. 4. The annual report shall contain a summary of all applications for security registrations
17 received, withdrawn, granted, and denied, and a summary of all securities registrations and licenses
18 suspended, revoked, or cancelled.

Sec. 7. Minnesota Statutes 1967, Chapter 45, is amended by adding a section to read:

2 [45.034] [PREPARATION OF DEPARTMENTAL BUDGET.] The budget estimates pre-
3 scribed by Minnesota Statutes 1967, Section 16.14, Subdivisions 1 and 2, shall be prepared and sub-
4 mitted by the commission in respect of the department of commerce and all of its constituent divisions.

Sec. 8. Minnesota Statutes 1967, Section 46.07, Subdivision 1, is amended to read:

2 46.07 [RECORDS.] Subdivision 1. The commissioner of banks shall keep all proper records
3 and files pertaining to the duties and work of his office (, AND REPORT TO THE GOVERNOR BI-
4 ENNIALLY, PREVIOUS TO THE OPENING OF THE REGULAR BIENNIAL SESSION OF THE
5 LEGISLATURE, TOUCHING HIS OFFICIAL ACTS, GIVING GENERAL INFORMATION AS TO
6 BANKING CONDITIONS WITHIN THE STATE, AND THE CONDITIONS AS TO OTHER COR-
7 PORATIONS TO WHICH HIS DUTIES RELATE AND MAKING SUCH RECOMMENDATIONS
8 AND SUGGESTIONS AS HE MAY DEEM PROPER. THE REPORT SHALL CONTAIN A LIST
9 OF STATE BANKS, TRUST COMPANIES, BUILDING AND LOAN ASSOCIATIONS, AND
10 OTHER FINANCIAL CORPORATIONS WITHIN THE STATE, THEIR CAPITAL STOCKS AND
11 SURPLUS FUNDS; ALSO A LIST OF SUSPENDED BANKS AND FINANCIAL CORPORA-
12 TIONS AND A LIST OF CHARTER APPLICATIONS, TOGETHER WITH THEIR DISPOSI-
13 TION, FOR THE BIENNIAL PERIOD, BUT THE REPORT SHALL NOT CONTAIN A DE-
14 TAILED STATEMENT OF THE CONDITION OF EACH BANK OR OTHER FINANCIAL COR-
15 PORATION).

Sec. 9. Minnesota Statutes 1967, Section 48.15, is amended to read:

2 48.15 [SPECIAL POWERS.] Subdivision 1. In addition to the inherent and granted powers
3 of corporations in general, any such bank shall have power to exercise, by its board of directors,
4 or duly authorized officers and agents, subject to law, all such powers as shall be necessary to
5 carry on the business of banking by discounting bills, notes, and other evidences of debt, by receiv-
6 ing deposits, by buying and selling gold and silver bullion, foreign coin, promissory notes, mort-
7 gages, and other evidences of debt legal for investment, and foreign and inland bills of exchange,
8 by lending money on real and personal securities and receiving interest on any of the same in ad-
9 vance, and by exercising all the usual and incidental powers and privileges belonging to the busi-
10 ness; but it shall not transact any business, except such as is incidental and necessarily preliminary
11 to its establishment, until authorized by the commissioner to commence business.

12 Subd. 2. The commerce commission may, by majority vote of its members, which shall include

13 the affirmative vote of the commissioner of banks, authorize banks organized under the laws of
14 this state to engage in any banking activity in which banks subject to the jurisdiction of the fed-
15 eral government may hereafter be authorized to engage by federal legislation, ruling, or regulation.
16 The commission may not authorize state banks as defined by Minnesota Statutes, Section 48.01, to
17 engage in any banking activity prohibited by the laws of this state.

Sec. 10. Minnesota Statutes 1967, Section 53.03, Subdivision 5, is amended to read:

2 Subd. 5 [PLACE OF BUSINESS.] Not more than one place of business shall be maintained
3 under any certificate of authorization issued subsequent to the enactment of Laws 1943, Chapter 67,
4 pursuant to the provisions of this chapter, but the department of commerce may issue more than
5 one certificate of authorization to the same corporation upon compliance with all the provisions of
6 this chapter governing an original issuance of a certificate of authorization. Each additional certifi-
7 cate of authorization issued pursuant to the provisions of this subdivision shall be filed with the sec-
8 retary of state and the register of deeds of the county in which the corporation is authorized to
9 do business thereunder. Any such corporation may change one or more of its locations upon the
10 written approval of the commissioner of banks.

Sec. 11. Minnesota Statutes 1967, Section 60A.03, Subdivision 7, is amended to read:

2 Subd. 7. ((1) THE BIENNIAL REPORT OF THE COMMISSIONER SHALL INCLUDE A
3 STATEMENT OF THE RECEIPTS AND EXPENDITURES OF HIS DIVISION, A STATEMENT
4 OF THE FINANCIAL CONDITION AND BUSINESS TRANSACTIONS OF THE SEVERAL IN-
5 SURANCE COMPANIES DOING BUSINESS IN THE STATE, AS DISCLOSED BY OFFICIAL
6 EXAMINATIONS AND BY THEIR ANNUAL STATEMENTS, THE CONDITION OF THE
7 RECEIVERSHIPS OF INSOLVENT COMPANIES, AND SUCH OTHER INFORMATION AS
8 HE THINKS PROPER. THE REPORT SHALL BE MADE TO THE GOVERNOR ON OR BE-
9 FORE OCTOBER 1 IN EACH EVEN NUMBERED YEAR FOR THE PRECEDING TWO FISCAL
10 YEARS. THE GOVERNOR SHALL TRANSMIT THE REPORT TO THE LEGISLATURE AS
11 SOON AS PRACTICABLE.)

12 ((2)) The commissioner, or his deputy, annually, or oftener when deemed necessary, shall
13 examine the transactions and accounts of all assignees and receivers of insolvent companies, and
14 also the accounts of such assignees or receivers referred to him under the provisions of chapters 60A
15 to 72A, 69 and 70, and, in each case, shall make report thereof to the court. For this purpose, he
16 or his deputy, shall have free access to the official papers of such assignees or receivers relative to
17 their transactions, and may examine them under oath as to all matters connected therewith. When,
18 in his opinion, any assignee or receiver has violated his official duty, or further proceedings to col-
19 lect an assessment will not afford substantial relief to creditors, he shall report the facts to the
20 court.

21 All accounts of receivers or assignees of insolvent companies rendered to the district court shall

22 be referred to the commissioner before allowance for examination and report thereon and, at the
23 completion of their duties, they shall deposit with him all books, records, and papers relating to the
24 insolvency.

Sec. 12. Minnesota Statutes 1967, Section 80.23, is amended to read:

2 80.23 [INFORMATION; INSPECTION; PUBLICITY; REPORTS.] All information received
3 by the commissioner from applicants under sections 80.05 to 80.27 shall be open to inspection when-
4 ever it appears to the commissioner that this inspection may assist in carrying out or furthering
5 the purposes of sections 80.05 to 80.27. The commissioner shall supply at cost copies of any such
6 information. The commissioner shall have the power to withhold any information which he deems,
7 in justice to the person filing the same, should not be made public.

8 The commissioner shall have power to publish, in pamphlet form, by newspaper advertisement,
9 or otherwise, any information regarding securities which he considers fraudulent or which are being
10 sold in violation of sections 80.05 to 80.27, or any other information he deems necessary or helpful
11 in connection with the enforcement of section 80.05 to 80.27.

12 (IT SHALL BE THE DUTY OF THE COMMISSIONER BIENNIALY, ON OR BEFORE
13 OCTOBER 1, IN EACH EVEN NUMBERED YEAR, TO PREPARE AND FILE IN THE OF-
14 FICE OF THE GOVERNOR A REPORT FOR THE PRECEDING TWO FISCAL YEARS END-
15 ING JUNE THIRTIETH PRECEDING THE REPORT, WHICH SHALL CONTAIN A SUM-
16 MARY OF ALL APPLICATIONS RECEIVED, WITHDRAWN, GRANTED, AND DENIED; A
17 SUMMARY OF ALL REGISTRATIONS AND LICENSES SUSPENDED, REVOKED, OR CAN-
18 CELED, A SCHEDULE OF RECEIPTS AND DISBURSEMENTS OF THE COMMISSIONER,
19 AND SUCH OTHER INFORMATION AS THE COMMISSIONER CONSIDERS MATERIAL.)

Sec. 13. All rules and regulations which the directors of divisions in the department of com-
2 merce are authorized to promulgate are subject to the approval of the commissioner of commerce.

ARTICLE V

Section 1. Subdivision 1. An interdepartmental task force of transportation is created within
2 the state planning agency. The governor shall appoint representatives from the state planning
3 agency; the department of aeronautics; the department of highways; the department of public ser-
4 vice; the metropolitan airports commission; the transportation land use study teams of Duluth,
5 Superior, St. Cloud, Fargo, Moorhead, Albert Lea, Rochester, and any other city having a similar
6 facility; the metropolitan council; and the metropolitan transit commission.

7 Subd. 2. The state planning officer shall appoint a director of the interdepartmental task force
8 of transportation provided for in subdivision 1 and shall provide it with such staff and consultants
9 as may be required for the performance of its duties.

10 Subd. 3. The interdepartmental task force shall study the transportation needs of the state and
11 shall devise plans for the future which shall encompass all modes of transportation including, but

12 not limited to, rail, water, air, highway, and other transit means.

13 Subd. 4. To the greatest extent the interdepartmental task force shall coordinate transporta-
14 tion studies and the development thereof to insure that the transportation facilities of the future
15 are planned, designed, and constructed to meet urban and regional development objectives and fulfill
16 the transportation needs of the state.

17 Subd. 5. The interdepartmental task force shall encourage and assist all levels of government en-
18 gaged in the field of mass transit development in their planning.

19 Subd. 6. Nothing in this section shall be construed to authorize or direct the interdepartmental
20 task force of transportation to voluntarily become an active party, intervenor or participant in any
21 judicial, quasi-judicial, legislative or other proceeding, whether at the state or federal level, for or
22 against any proposals relating to organization, equipment, structure, rates or routes of any form of
23 transportation.

24 Subd. 7. The interdepartmental task force shall report to the governor and to the legislature
25 from time to time and make recommendations concerning local urban mass transit development and
26 the need for state financial assistance in connection therewith.

27 Subd. 8. The interdepartmental task force may apply for, receive, and accept federal moneys
28 and other moneys which may be made available to the state for mass transit and other purposes.
29 It may contract with local transportation and mass transit agencies and organizations for the plan-
30 ning, development, and provide a supervisory function in connection with the money so received.
31 All moneys received pursuant to this subdivision shall be deposited in the state treasury and are
32 hereby appropriated for the purposes for which the moneys have been tendered.

ARTICLE VI

Section 1. Subdivision 1. A state urban affairs council and urban action center is hereby cre-
2 ated within the state planning agency. The council shall consist of the attorney general, the adjutant
3 general, the commissioners of health, education, welfare, employment security, highways, human
4 rights, the director of the state planning agency, the chairman of the metropolitan council, and the
5 chairmen of any other government councils now existing or hereafter created.

6 Subd. 2. The urban affairs council comprising the urban action center of the state planning
7 agency shall study urban problems and make recommendations to the state planning agency concern-
8 ing urban policy programs which shall be transmitted to the governor and to the legislature.

9 Subd. 3. The members of the urban affairs council shall use the personnel of their respective
10 agencies to carry out their responsibilities under this section.

11 Subd. 4. The governor to the greatest extent possible shall use the facilities of the urban affairs
12 council in coordinating the resources of the state and activities of state departments in meeting prob-
13 lems of cities of the first class.

ARTICLE VII

Section 1. Subdivision 1. All the powers and duties now vested in, or imposed upon the commissioner of the department of agriculture under Minnesota Statutes 1967, Chapter 33, relating to the imposition and collection of taxes on oleomargarine are hereby transferred to, vested in, and imposed upon the commissioner of taxation. The duties of the commissioner of the department of agriculture in relation thereto as existing and heretofore constituted are abolished.

Subd. 2. All the powers and duties now vested in, or imposed upon the state athletic commission relating to the collection of a five percent gross receipts tax as provided by Minnesota Statutes 1967, Section 341.05, Subdivision 1, Clause 3, are hereby transferred to, vested in, and imposed upon the commissioner of taxation. The duties of the state athletic commission in relation thereto are hereby abolished.

Subd. 3. The commissioner of taxation may prescribe by rule the procedures to be followed in the payment of the gross receipts tax provided for in this section.

ARTICLE VIII

Section 1. Minnesota Statutes 1967, Section 16.01, is amended to read:

16.01 [COMMISSIONER OF ADMINISTRATION.] The department of administration shall be under the supervision and control of a commissioner of administration, in sections 16.01 to 16.23 also referred to as the commissioner, who shall be ex officio the state budget director and state purchasing agent.

The commissioner of administration, who shall be in unclassified service, shall be appointed by the governor, by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. (THE TERM OF THE FIRST COMMISSIONER APPOINTED HEREUNDER SHALL EXPIRE FEBRUARY 1, 1941, AND SUCCEEDING TERMS SHALL BE TWO YEARS THEREAFTER. THE GOVERNOR MAY REMOVE THE COMMISSIONER AT ANY TIME FOR CAUSE, AFTER NOTICE AND HEARING.) On January 4, 1971, the term of the incumbent commissioner shall expire. In case of a vacancy, the governor may appoint a commissioner who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval.

Sec. 2. Minnesota Statutes 1967, Section 17.01, is amended to read:

17.01 [CREATION OF DEPARTMENT; COMMISSIONER; DEPUTY.] There is hereby created a department of agriculture, which shall be in the charge of a commissioner, who shall be in unclassified service, to be known as the commissioner of agriculture, in chapter 17 called the commissioner, who shall be appointed by the governor, by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor (FOR THE TERM OF FOUR YEARS) and until his successor is duly appointed and has qualified. The governor may remove the

commissioner at any time for cause after notice and hearing. On January 4, 1971, the term of the incumbent commissioner of agriculture shall expire. In case of a vacancy, the governor may appoint a commissioner who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. Before entering upon the duties of his office, he shall take and subscribe the oath required of state officials and give his bond to the state of Minnesota, to be approved by, and filed with, the secretary of state, for the sum of \$5,000, conditioned for the faithful performance of his duties. He may appoint a deputy who shall be in the unclassified service, and such other assistants, clerks, and employees as occasion may require.

Sec. 3. Minnesota Statutes 1967, Section 161.03, Subdivision 1, is amended to read:

161.03 [COMMISSIONER OF HIGHWAYS.] Subdivision 1. [OFFICE CREATED.] The office of commissioner of highways is created. He shall be appointed by the governor, by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and qualifies. The governor may remove any commissioner at any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. (DURING HIS TERM OF OFFICE THE COMMISSIONER SHALL BE SUBJECT TO REMOVAL BY THE GOVERNOR ONLY FOR MALFEASANCE OR NONFEASANCE IN OFFICE, AND SHALL BE ENTITLED TO WRITTEN NOTICE OF ANY SUCH CHARGES AGAINST HIM AND ALLOWED A REASONABLE OPPORTUNITY TO BE HEARD THEREON. ANY VACANCY IN THE OFFICE OF COMMISSIONER SHALL BE FILLED FOR THE UNEXPIRED PORTION OF THE TERM.) The commissioner shall be in unclassified service. On January 4, 1971, the term of the incumbent commissioner of highways shall expire.

Sec. 4. Minnesota Statutes 1967, Section 196.02, Subdivision 1, is amended to read:

196.02 [COMMISSIONER OF VETERANS AFFAIRS.] Subdivision 1. [APPOINTMENT; QUALIFICATIONS.] The department shall be under the supervision and control of a Commissioner of Veterans' Affairs who shall be appointed by the governor by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. The commissioner shall be in unclassified service. No person shall be eligible to receive appointment as commissioner unless he has the following qualifications:

- (1) Residence in the state of Minnesota for at least five years prior to his appointment;
- (2) Citizenship in the United States;
- (3) Service in the Army, Navy, or Marine Corps of the United States during a time when a

13 state of war shall have been declared to exist by the Congress of the United States and an honorable discharge from such service. (THE COMMISSIONER, IF HIS APPOINTMENT BE APPROVED BY THE SENATE AT A REGULAR SESSION OF THE LEGISLATURE, SHALL SERVE FOR A TERM EXPIRING MARCH 1 IN THE FOURTH CALENDAR YEAR FOLLOWING THE CALENDAR YEAR IN WHICH SUCH APPROVAL WAS GIVEN, AND UNTIL HIS SUCCESSOR IS APPOINTED AND HAS QUALIFIED. APPOINTMENT OF A COMMISSIONER FOR THE ENSUING TERM MAY BE MADE BY THE INCOMING GOVERNOR AT ANY TIME AFTER TAKING OFFICE IN THE YEAR IN WHICH THE CURRENT TERM EXPIRES, BUT SUCH APPOINTMENT SHALL NOT TAKE OFFICE UNTIL THE EXPIRATION OF SUCH CURRENT TERM NOR UNTIL APPROVED BY THE SENATE UNLESS THERE IS A VACANCY. IN CASE OF A VACANCY THE GOVERNOR MAY APPOINT A COMMISSIONER TO SERVE AT THE PLEASURE OF THE GOVERNOR BUT NOT LATER THAN THE NEXT FOLLOWING MARCH 1 IN AN ODD NUMBERED YEAR AND UNTIL A SUCCESSOR IS APPOINTED AND HAS QUALIFIED AS IN THE CASE OF THE EXPIRATION OF A REGULAR TERM.) *In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire.*

Sec. 5. Minnesota Statutes 1967, Section 241.01, Subdivision 1, is amended to read:

2 241.01 [CREATION OF DEPARTMENT.] Subdivision 1. [COMMISSIONER.] The department of corrections is hereby created under the control and supervision of the commissioner of corrections which office is hereby established. The commissioner of corrections, *who shall be in unclassified service*, shall be selected without regard to political affiliation and shall have wide and successful administrative experience in correctional programs embodying rehabilitative concepts. The commissioner shall be appointed by the governor, by and with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. *In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall expire.* (THE TERM OF OFFICE OF THE COMMISSIONER SHALL BE FOR SIX YEARS EXCEPT THAT THE TERM OF OFFICE OF THE COMMISSIONER FIRST APPOINTED SHALL EXPIRE FEBRUARY 1, 1965. THE COMMISSIONER SHALL HOLD OFFICE UNTIL THE APPOINTMENT AND QUALIFICATION OF HIS SUCCESSOR. ANY VACANCY IN THE OFFICE OF COMMISSIONER OF CORRECTIONS SHALL BE FOR THE UNEXPIRED PORTION OF THE TERM. THE GOVERNOR MAY REMOVE THE COMMISSIONER OF CORRECTIONS ONLY FOR CAUSE UPON

20 WRITTEN CHARGES AND OPPORTUNITY FOR A PUBLIC HEARING.)

Sec. 6. Minnesota Statutes 1967, Section 245.03, is amended to read:

2 245.03 [DEPARTMENT OF PUBLIC WELFARE ESTABLISHED; COMMISSIONER.] There is hereby created and established a department of public welfare. A commissioner of public welfare shall be appointed by the governor with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified. The governor may remove the commissioner at any time for cause after notice and hearing. *In case of a vacancy, the governor may appoint a commissioner, who shall immediately take office and shall carry on all of the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval.* (THE TERM OF OFFICE OF THE COMMISSIONER FIRST APPOINTED SHALL EXPIRE FEBRUARY 1, 1959, AFTER WHICH THE TERM OF OFFICE OF THE COMMISSIONER SHALL BE FOR A TERM OF SIX YEARS.) The commissioner, *who shall be in unclassified service*, shall be selected on the basis of ability and experience in welfare and without regard to political affiliations. (THE GOVERNOR MAY REMOVE THE COMMISSIONER AT ANY TIME FOR CAUSE AFTER NOTICE AND HEARING.) Subject to the provisions of sections 245.03 to 245.12 and other applicable laws, now or hereinafter enacted, the commissioner shall have the power to organize his department in such manner as he may deem necessary, and to appoint a deputy commissioner in unclassified service. He shall also appoint such other subordinate officers, employees and agents as he may deem necessary to discharge the functions of the department; and define the duties of such officers, employees and agents and to delegate to them any of his powers or duties subject to his control and under such conditions as he may prescribe. Appointments to exercise delegated powers shall be written orders filed with the secretary of state. The commissioner shall give bond in the sum of \$10,000. *On January 4, 1971, the term of the incumbent commissioner shall expire.*

Sec. 7. Minnesota Statutes 1967, Section 268.12, Subdivision 1, is amended to read:

2 268.12 [CREATION.] Subdivision 1. [DEPARTMENT OF EMPLOYMENT SECURITY; COMMISSIONER; SUCCESSION TO DIVISION OF EMPLOYMENT AND SECURITY.] (1) There is hereby created and established a department of employment security which shall be the successor to the division of employment and security, which said division is hereby abolished as a division of the department of social security as established by Laws 1939, Article VII, Section 1. (2) A commissioner of employment security shall be appointed by the governor with the advice and consent of the senate for a four year term which shall coincide with the term of the governor and until his successor is duly appointed and has qualified, to administer Minnesota Statutes 1949, Sections 268.03 to 268.24, as amended, and as the same may hereafter from time to time be amended. (THE TERM OF OFFICE OF THE COMMISSIONER FIRST APPOINTED SHALL EXPIRE FEBRUARY 1, 1959, AFTER WHICH THE TERM OF OFFICE OF THE COMMISSIONER

13 SHALL BE FOR A TERM OF SIX YEARS.) *The commissioner, who shall be in unclassified ser-*
 14 *vice, may be removed by the governor at any time for cause after notice and hearing. The com-*
 15 *missioner shall be selected on the basis of ability and experience and without regard to political*
 16 *affiliations. In case of a vacancy, the governor may appoint a commissioner, who shall immediately*
 17 *take office and shall carry on all of the duties of the office until the next session of the legislature,*
 18 *when his appointment shall be submitted to the senate for approval. On January 4, 1971, the term*
 19 *of the incumbent commissioner shall expire. (THE GOVERNOR MAY REMOVE THE COMMIS-*
 20 *SIONER AT ANY TIME FOR CAUSE AFTER NOTICE AND HEARING.) Subject to the provi-*
 21 *sions of sections 268.03 to 268.24 and other applicable laws now or hereafter enacted, the commis-*
 22 *sioner shall have the power to organize his department in such manner as he may deem necessary.*
 23 *Appointments to exercise delegated powers shall be written orders filed with the secretary of state.*
 24 *The salary of the commissioner shall be \$7,400 per year and he shall give bond in the sum of \$10,000;*
 25 *provided that the annual adjustment increment shall be \$300, and the basic salary herein provided*
 26 *adjusted in accordance with the provisions of Laws 1951, Chapter 713, Section 2.*

27 (3) All proceedings, court actions, prosecutions or other business undertaken or commenced
 28 prior to April 21, 1953, by the division of employment and security and any other matters of the
 29 division of employment and security pending at the time of the passage of this act may be con-
 30 ducted and completed by the new department of employment security in the same manner and under
 31 the same terms and conditions and with the same effect as though it were undertaken, commenced
 32 or conducted or completed by said division of employment and security prior to such change. All
 33 functions, powers and duties of such division of employment and security are by this act assigned
 34 and transferred to the department of employment security.

35 (4) All the powers and duties now vested in or imposed upon the director of the division
 36 of employment and security as a division of the department of social security are hereby invested
 37 in and imposed upon the commissioner of employment security.

38 All of the employees of said division of employment and security are hereby transferred to the
 39 department of employment security created by this section, and said commissioner shall take charge
 40 of said employees and shall employ them in the exercise of the respective functions, powers and
 41 duties transferred as aforesaid without reduction of compensation or civil service status enjoyed
 42 by said employees at the time of such transfer, subject, however, to change or termination of em-
 43 ployment, compensation or civil service status as may be otherwise provided by law.

44 (5) All other acts or parts of acts now in effect inconsistent with the provisions of this section
 45 are hereby repealed, superseded, modified or amended so far as necessary to conform to and give
 46 full force and effect to the provisions of this section.

47 (6) Laws 1953, Chapter 603, shall take effect and be in force from and after its passage; pro-
 48 vided, that no transfer of functions, rights, powers, duties, or funds made thereby shall take effect

49 until the commissioner of the department to whom the same are transferred shall have been ap-
 50 pointed; taken his oath of office and filed oath and bond in the office of the secretary of state; and
 51 until then the former division or agency vested therewith shall continue to exercise and perform
 52 such functions, rights, powers, and duties, and to have charge of such funds.

Sec. 8. Minnesota Statutes 1967, Section 270.2, Subdivision 1, is amended to read:

2 270.02 [COMMISSIONER OF TAXATION.] Subdivision 1. [TERM, BOND.] The com-
 3 missioner of taxation shall be appointed by the governor by and with the advice and consent of the
 4 senate for a four year term which shall coincide with the term of the governor until his successor
 5 is duly appointed and qualified. (THE TERM OF THE FIRST COMMISSIONER APPOINTED
 6 SHALL EXPIRE MARCH 1, 1945, AND THE SUCCEEDING TERMS SHALL BE SIX YEARS
 7 THEREAFTER.) The commissioner, who shall be in unclassified service, shall be selected on the
 8 basis of ability and experience in the field of taxation and tax administration and without regard to
 9 political affiliations. The governor may remove the commissioner at any time for cause, after notice
 10 and hearing. In case of a vacancy, the governor may appoint a commissioner, who shall take
 11 office immediately and shall carry on the duties of the office until the next session of the legis-
 12 lature, when his appointment is submitted to the senate for approval. The commissioner shall give
 13 bond to the state in the sum of \$200,000. On January 4, 1971, the term of the incumbent commis-
 14 sioner shall expire.

Sec. 9. Minnesota Statutes 1967, Section 298.22, Subdivision 1, is amended to read:

2 298.22 [IRON RANGE RESOURCES AND REHABILITATION.] Subdivision 1. For the
 3 period beginning May 1, 1941, and ending April 30, 1942, there is hereby appropriated from the
 4 general revenue fund, for the purposes hereinafter set forth, five percent of amounts paid and
 5 credited into said fund from the proceeds of taxes paid under the provisions of law relating to
 6 occupation taxes on the business of mining or producing iron ore, and on and after May 1, 1942,
 7 there is hereby appropriated from the general revenue fund, for the purposes hereinafter set forth,
 8 ten percent of all amounts paid and credited into said fund from the proceeds of these taxes. The
 9 office of commissioner of iron range resources and rehabilitation is hereby created. The commissioner
 10 shall be appointed by the governor, with the advice and consent of the senate for a four year term
 11 which shall coincide with the term(, FOR A TERM OF TWO YEARS, THE FIRST TERM TO
 12 BEGIN JULY 1, 1941) of the governor until his successor is duly appointed and has qualified. The
 13 governor may remove the commissioner at any time for cause after notice and hearing. In case of a
 14 vacancy, the governor may appoint a commissioner, who shall take office immediately and shall carry
 15 on the duties of the office until the next session of the legislature, when his appointment shall be sub-
 16 mitted to the senate for approval. On January 4, 1971, the term of the incumbent commissioner shall
 17 expire. The salary of the commissioner, who shall be in unclassified service, shall be paid from the

18 amounts appropriated by this section; provided, that such salary shall be reduced by such amount as
 19 he may receive from other funds, and the commissioner may hold such other positions or appoint-
 20 ments as are not incompatible with his duties as commissioner of iron range resources and rehabili-
 21 tation. All expenses of the commissioner, including the payment of such assistance as may be necessary,
 22 shall be paid out of the amounts appropriated by this section.

23 When the commissioner shall determine that distress and unemployment exists or may exist in
 24 the future in any county by reason of the removal of natural resources or a possibly limited use
 25 thereof in the future and the decrease in employment resulting therefrom, now or hereafter, he may
 26 use such amounts of the appropriation made to him in this section as he may determine to be
 27 necessary and proper in the development of the remaining resources of said county and in the voca-
 28 tional training and rehabilitation of its residents.

Sec. 10. Minnesota Statutes 1967, Section 340.08, Subdivision 1, is amended to read:

2 340.08 [LIQUOR CONTROL COMMISSIONER.] Subdivision 1. The office of liquor control
 3 commissioner is hereby established, and the liquor control commissioner, *who shall be in unclassi-*
 4 *fied service*, shall be appointed by the governor, by and with the consent and advice of the senate,
 5 for a term of four years *which shall coincide with the term* (FROM AND AFTER JANUARY
 6 FIRST IN THE YEAR IN WHICH SUCH APPOINTMENT IS MADE) *of the governor until his*
 7 *successor is duly appointed and has qualified. The governor may remove the commissioner at any*
 8 *time for cause after notice and hearing.* He shall be a citizen of this state and a resident thereof
 9 for not less than five years preceding his appointment and shall have no direct or indirect financial
 10 interest in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous
 11 beverages, intoxicating or non-intoxicating, or commercial or industrial alcohol. *In case of a vacancy,*
 12 *the governor may appoint a commissioner, who shall immediately take office and shall carry*
 13 *on the duties of the office until the next session of the legislature, when his appointment shall be*
 14 *submitted to the senate for approval. On January 4, 1971, the term of the incumbent liquor control*
 15 *commissioner shall expire.*

Sec. 11. Minnesota Statutes 1967, Section 340.08, Subdivision 2, is amended to read:

2 Subd. 2. (THE LIQUOR CONTROL COMMISSIONER MAY BE REMOVED FOR CAUSE BY
 3 THE GOVERNOR, AFTER HEARING THEREON, AND IT) *It shall be the duty of the governor*
 4 *to remove (HIM) the liquor control commissioner for any violation of the intoxicating liquor act.*
 5 A record of the charges, proceedings, and findings thereon shall be filed in the office of gov-
 6 ernor.

Sec. 12. Minnesota Statutes 1967, Section 360.014, Subdivision 2, is amended to read:

2 Subd. 2. There is hereby created the office of commissioner of aeronautics, the incumbent of

3 of which shall have the powers and duties and privileges herein set forth. (EXCEPT FOR THE
 4 FIRST TERM, WHICH SHALL BEGIN AS SOON AS THE GOVERNOR CAN REASONABLY
 5 APPOINT A SUITABLE PERSON AND WHICH SHALL EXPIRE JANUARY 1, 1947, THE
 6 TERM OF OFFICE SHALL BE FOUR YEARS;) The governor, *by and with the advice and consent*
 7 *of the senate, shall appoint a suitable person, to serve in unclassified service, having a knowledge of*
 8 *aeronautics to said office, to serve for a four year term which shall coincide with the term of the*
 9 *governor until his successor is duly appointed and has qualified. The governor may remove the com-*
 10 *missioner, at any time for cause after notice and hearing. In case of a vacancy, the governor may*
 11 *appoint a commissioner, who shall immediately take office and shall carry on the duties of the office*
 12 *until the next session of the legislature, when his appointment shall be substituted to the senate for*
 13 *approval. (THE COMMISSIONER OF AERONAUTICS SHALL BE SUBJECT TO REMOVAL*
 14 *BY THE GOVERNOR FOR MALFEASANCE OR NON FEASANCE IN OFFICE, AND SHALL*
 15 *BE ENTITLED TO WRITTEN NOTICE OF THE CHARGES AGAINST HIM AND ALLOWED A*
 16 *REASONABLE OPPORTUNITY TO BE HEARD THEREON.) On January 4, 1971, the term of the*
 17 *incumbent commissioner of aeronautics shall expire.*

Sec. 13. Minnesota Statutes 1967, Section 362.09, Subdivision 1, is amended to read:

2 362.09 [COMMISSIONER; ADVISORY COMMISSION.] Subdivision 1. The department shall
 3 be under the supervision and control of a commissioner of economic development, *in unclassified*
 4 *service*, who shall be appointed by the governor, by and with the advice and consent of the senate
 5 for a term of four years to coincide with that of the governor (BUT TO SERVE AT THE
 6 PLEASURE OF THE GOVERNOR) *and until his successor is duly appointed and has qualified.*
 7 *The governor may remove the commissioner at any time for cause after notice and hearing.* He
 8 shall be chosen with regard to his knowledge, training, experience, and ability in administering the
 9 functions of the department. In case of a vacancy, the governor may appoint a commissioner (FOR
 10 THE UNEXPIRED TERM,) who shall thereupon immediately take office and shall carry on all the
 11 duties of the office until the next session of the legislature, when his appointment shall be submitted to
 12 the senate for approval. The commissioner shall receive a salary as provided by law. He shall give
 13 a bond to the state in the sum of \$10,000. *On January 4, 1971, the term of the incumbent commis-*
 14 *sioner shall expire.*

15 The commissioner shall appoint a deputy, fix his salary unless otherwise prescribed by law and
 16 define his duties. The deputy shall enjoy a confidential relationship with the commissioner and is in
 17 the unclassified service of the state.

Sec. 14. Minnesota Statutes 1967, Section 363.04, Subdivision 1, is amended to read:

2 363.04 [DEPARTMENT OF HUMAN RIGHTS.] Subdivision 1. [CREATION; COMMIS-
 3 SIONER.] There is hereby established at the seat of government an executive department to
 4 be known as the department of human rights. There shall be at the head of the department a commis-

5 sioner of human rights, who shall be appointed by the governor, by and with the advice and consent
 6 of the senate for a four year term which shall coincide with the term of the governor and until
 7 his successor is duly appointed and has qualified. The governor may remove the commissioner at
 8 any time for cause after notice and hearing. In case of a vacancy, the governor may appoint a
 9 commissioner, who shall immediately take office and shall carry on all of the duties of the office
 10 until the next session of the legislature, when his appointment shall be submitted to the senate for
 11 approval. On January 4, 1971, the term of the incumbent commissioner shall expire. The department
 12 shall be administered under the supervision and direction of the commissioner, (WHO SHALL
 13 SERVE AT THE PLEASURE OF THE GOVERNOR FOR A FOUR YEAR TERM, WHICH
 14 SHALL COINCIDE WITH THE TERM OF THE GOVERNOR. AT THE EXPIRATION OF HIS
 15 TERM OF OFFICE, THE COMMISSIONER SHALL CONTINUE TO SERVE UNTIL HIS SUC-
 16 CESSOR IS APPOINTED AND SHALL HAVE QUALIFIED. A VACANCY IN THE OFFICE
 17 OF COMMISSIONER SHALL BE FILLED BY THE GOVERNOR BY AND WITH THE ADVICE
 18 AND CONSENT OF THE SENATE FOR THE UNEXPIRED PORTION OF THE TERM. THE
 19 COMMISSIONER SHALL RECEIVE COMPENSATION AT THE RATE PRESCRIBED BY
 20 LAW.) who shall be in unclassified service, and shall receive compensation at the rate prescribed
 21 by law.

Sec. 15. Minnesota Statutes 1967, Section 175.001, Subdivision 1, is amended to read:

2 175.001 [REORGANIZATION OF STATE AGENCY.] Subdivision 1. [CREATION AND
 3 ORGANIZATION.] The department of labor and industry is created under the supervision and
 4 control of the commissioner of labor and industry which office is hereby established. The
 5 commissioner of labor and industry, who shall be in unclassified service, shall be appointed by
 6 the governor, by and with the advice and consent of the senate for a four year term which shall
 7 coincide with the term of the governor and until his successor is duly appointed and has qualified.
 8 The governor may remove the commissioner at any time for cause after notice and hearing. In case
 9 of a vacancy, the governor may appoint a commissioner, who shall immediately take office and
 10 shall carry on all of the duties of the office until the next session of the legislature, when his
 11 appointment shall be submitted to the senate for approval. On January 4, 1971, the term of the
 12 incumbent commissioner shall expire. (A VACANCY IN THE OFFICE OF THE COMMIS-
 13 SIONER SHALL BE FILLED BY THE GOVERNOR, BY AND WITH THE ADVICE AND CON-
 14 SENT OF THE SENATE, FOR THE UNEXPIRED PORTION OF THE TERM IN WHICH THE
 15 VACANCY OCCURS.)

Sec. 16. Minnesota Statutes 1967, Section 121.16, is amended to read:

2 121.16 [STATE COMMISSIONER OF EDUCATION.] Subdivision 1. The state board shall
 3 elect a commissioner who shall be the executive officer and secretary of the state board and whose
 4 term of office shall be (SIX) four years. He shall be a person who possess educational attainment

5 and breadth of experience in the administration of public education and of the finances pertain-
 6 ing thereto commensurate with the spirit and intent of this code. The commissioner shall have au-
 7 thority to nominate, for approval by the state board, such officials and employees as may be neces-
 8 sary to perfect and to maintain the organization of the department as recommended by him and as
 9 adopted by the state board. He shall perform such duties as the law and the rules of the state board
 10 may provide and be held responsible for the efficient administration and discipline of the various
 11 offices and division in the organization of the department. He shall be required to make recommenda-
 12 tions to the state board which shall facilitate all of the work of the state board, and he shall be charged
 13 with the execution of powers and duties which the state board may prescribe, from time to time, to
 14 promote public education in the state, to safeguard the finances pertaining thereto, and to enable the
 15 state board to carry out the provisions of this code.

16 Subd. 2. This section shall apply to the appointment of the commissioner of education on the
 17 expiration of the term of the commissioner occupying the office on the effective date of this
 18 article.

Sec. 17. Minnesota Statutes 1967, Sections 175.06 and 175.001, Subdivision 3, are repealed.

ARTICLE IX

Section 1. The authority of the commissioner of administration under Minnesota Statutes 1967,
 2 Section 16.13 and 16.135, includes the authority to transfer functions of a department to another
 3 with the approval of the governor. In case of transfer of function the commissioner shall de-
 4 termine the fractional part of the appropriation to the department from which the function is
 5 transferred for the function and that part of the appropriation is hereby reappropriated to the
 6 department assigned the function. The commissioner shall forthwith report the transfers to the com-
 7 mittee on finance in the senate and the committee on appropriations in the house of representa-
 8 tives.

ARTICLE X

Section 1. Subdivision 1. Any department or other administrative agency to which the func-
 2 tions, powers, and duties of a previously existing department or other agency are by this act as-
 3 signed and transferred shall be deemed and held to constitute a continuation of the former depart-
 4 ment or agency as to matters within the jurisdiction of the former department or agency, and not
 5 a new authority for the purpose of succession to all rights, powers, duties and obligations of the
 6 former department or agency as constituted at the time of such assignment or transfer except as
 7 otherwise provided by this act, with the same force and effect as if such functions, powers and duties
 8 had not been assigned or transferred. Provided, however, all portions of the department of public
 9 safety's budget which incorporates expenditures from the highway user tax distribution fund
 10 shall be subject to the approval of the commissioner of highways prior to the submission of such
 11 budget to the commissioner of administration.

12 Subd. 2. Any proceeding, court action, prosecution, or other business or matter undertaken or
 13 commenced prior to the passage of this act by a department or other agency, the functions, powers,
 14 and duties whereof are by this act assigned and transferred to another department or agency, and
 15 still pending at the time of the passage of this act, may be conducted and completed by the new
 16 department or agency in the same manner and under the same terms and conditions and with the
 17 same effect as though it were undertaken or commenced and were conducted or completed by the
 18 former department or agency prior to said transfer.

19 Subd. 3. Except as otherwise provided in this act, the head of a department or other agency
 20 whose functions, powers, and duties are by this act assigned and transferred to another department or
 21 agency shall transfer and deliver to such other department or agency all contracts, books, maps, plans,
 22 papers, records, and property of every description within his jurisdiction or control. The head of
 23 such other department or agency to which such assignment or transfer is made is hereby authorized
 24 to take possession of said property.

25 Subd. 4. All unexpended funds appropriated to any department, board or other agency for the
 26 purposes of any of its functions, powers, or duties which are transferred by this act to another
 27 department, commission or agency, are hereby transferred to such department or agency. Where un-
 28 expended funds appropriated to any department, board or agency for the purposes of any of its
 29 functions, powers, or duties are changed by this act so that the functions, powers, or duties are in
 30 more than one department, commission, or agency, the commissioner of administration shall al-
 31 locate the appropriation between the state departments, commissions, or agencies concerned.

32 Subd. 5. Except as otherwise provided in this act, all persons in the classified service of the
 33 state and employed by any department, board or agency for the purposes of any of its functions,
 34 powers or duties which are transferred by this act to another department, commission or agency, are
 35 hereby transferred to such other department, commission or agency. The positions of all persons in the
 36 unclassified service of the state and employed by any department, board or agency for the
 37 purposes of any of its functions, powers, or duties which are transferred by this act to another
 38 department, commission or agency, are hereby abolished. Notwithstanding the provisions of Minnesota
 39 Statutes 1967, Section 43.20, any person in the unclassified service whose position is abolished
 40 hereunder may be employed as a provisional appointee for not to exceed 12 months following the
 41 date of the abolishment of his position.

42 Subd. 6. The commissioner or other head of a state department created pursuant to this act may
 43 have an official seal which he may use to authenticate his official acts, but no official act of the
 44 commissioner or other state head is invalidated if not authenticated with the official seal.

Sec. 2. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall
 2 make such changes in terminology as may be necessary to record the functions, powers, or duties
 3 which are transferred by this act from a department, division, or other agency to another.