

*Research Material L*



STATEHOUSE  
**REVIEW**  
FOR  
**1939**  
A QUICK SUMMARY  
OF THE  
**MINNESOTA**  
**LEGISLATURE**

Published by the  
MINNESOTA LEGISLATIVE RESEARCH BUREAU  
ST. PAUL, MINNESOTA

405 miles from North to South and 354 miles from East to West at extreme points.  
 Statement showing the taxable valuation, population, number of townships, land area, number of incorporated Cities, Villages and Borough and amount of delinquent taxes.  
 Compiled by STAFFORD KING, State Auditor.  
 October 12, 1936

COUNTIES	Taxable Value 1935 (Money and Credits not Included)	Population Census 1930	Number of Full and Frac. Cong. Townships	Number of Organized Townships	Land Area In Sq. Miles	Land Area in Acres	Number of Incorp. Cities, Villages and Borough	Total Amount of all Delinquent Taxes Jan. 1, 1936
Aitkin.....	\$3,228,308	15,009	56	47	1,830	1,164,645	6	\$4,114,848
Anoka.....	5,625,098	18,415	17	13	459	273,530	4	956,004
Becker.....	6,700,120	22,503	40	36	1,349	838,432	6	732,159
Beltrami.....	4,109,602	20,707	83	42	2,476	1,605,673	9	4,370,322
Benton.....	4,381,840	15,056	13	12	405	257,830	6	204,388
Big Stone.....	4,699,734	9,838	20	14	491	316,499	8	256,855
Blue Earth.....	18,566,491	33,847	25	13	762	477,126	9	322,510
Brown.....	13,600,784	23,428	20	16	612	387,265	7	69,116
Carlton.....	7,771,504	21,232	27	25	887	550,092	10	728,841
Carver.....	9,019,461	16,936	13	12	376	226,254	12	71,905
Cass.....	3,583,531	15,591	76	52	2,104	1,302,619	10	2,772,703
Chippewa.....	7,515,817	15,762	21	16	591	370,268	6	163,402
Chisago.....	4,241,781	13,189	17	11	427	269,379	10	161,959
Clay.....	10,345,814	23,120	36	30	1,043	668,118	11	732,114
Clearwater.....	1,814,344	9,546	30	21	1,019	640,690	5	703,098
Cook.....	595,493	2,425	63	8	1,498	936,159	1	692,347
Cottonwood.....	9,034,596	14,732	18	18	640	407,633	6	108,841
Crow Wing.....	9,064,701	25,627	44	35	1,057	648,879	10	1,372,016
Dakota.....	16,096,357	34,592	24	20	599	369,476	12	697,900
Dodge.....	7,105,918	12,127	12	12	440	280,638	6	154,344
Douglas.....	6,913,263	18,813	20	20	648	401,487	11	127,707
Faribault.....	12,867,371	21,642	20	20	719	454,723	11	177,655
Fillmore.....	12,308,895	24,748	24	24	868	553,104	13	148,571
Freeborn.....	15,140,105	28,741	20	20	735	449,241	10	222,236
Goodhue.....	16,381,012	31,317	26	23	767	491,536	8	150,345
Grant.....	4,734,556	9,558	16	16	553	348,300	7	204,687
Hennepin.....	282,493,251	517,785	28	17	565	352,686	25	14,355,409
Houston.....	5,433,030	13,845	20	17	570	364,082	6	66,706
Hubbard.....	2,543,086	9,596	28	28	958	596,816	4	1,052,526
Isanti.....	3,221,464	12,031	14	13	442	281,304	3	278,919
Itasca.....	22,839,480	27,224	91	42	2,730	1,729,512	15	1,922,358
Jackson.....	11,924,664	15,863	20	20	702	446,269	5	76,798
Kanabec.....	2,011,040	8,558	15	15	534	337,537	3	412,914
Kandiyohi.....	11,360,035	23,574	24	24	801	497,402	8	509,687
Kittson.....	4,567,252	9,688	39	29	1,111	700,375	9	627,939
Koochiching.....	4,345,181	14,078	101	40	3,141	1,988,068	7	3,307,162
Lac qui Parle.....	9,898,430	15,398	28	22	790	492,734	8	365,107
Lake.....	2,194,084	7,058	75	5	2,099	1,356,547	1	686,436
Lake of the Woods.....	941,019	4,194	51	29	1,346	833,960	3	2,130,100
Le Sueur.....	9,140,143	17,990	17	14	466	281,204	10	97,917
Lincoln.....	5,925,015	11,303	19	15	535	333,532	5	279,156
Lyon.....	11,096,742	19,326	20	20	708	453,076	9	207,442
McLeod.....	11,106,462	20,522	14	14	496	311,486	8	72,886
Mahnomen.....	1,745,166	6,153	16	16	572	361,024	3	533,786
Marshall.....	5,935,316	17,063	61	49	1,788	1,144,512	11	2,146,331
Martin.....	14,028,915	22,401	20	20	719	450,521	11	125,825
Meeker.....	9,105,189	17,914	18	17	621	382,851	7	83,284
Mille Lacs.....	3,421,361	14,076	19	17	583	365,536	8	593,839
Morrison.....	7,289,105	25,442	41	32	1,143	719,916	13	712,826
Mower.....	15,800,460	28,065	20	20	711	453,205	12	160,492
Murray.....	9,672,362	13,902	20	20	704	444,659	9	352,869
Nicollet.....	7,352,657	16,550	22	13	443	280,503	5	73,152
Nobles.....	13,011,044	18,618	20	20	722	454,888	11	136,288
Norman.....	5,299,999	14,061	28	24	860	558,692	7	240,858
Olmsted.....	19,831,207	35,426	20	18	666	421,343	6	250,406
Otter Tail.....	13,330,546	51,006	62	62	2,039	1,266,862	18	670,334
Pennington.....	3,540,602	10,457	21	21	607	391,006	3	734,572
Pine.....	4,512,364	20,264	48	36	1,413	906,369	11	1,487,953
Pipestone.....	7,153,786	12,238	16	12	469	296,888	9	150,698
Folk.....	13,360,049	36,019	61	59	1,979	1,260,247	14	1,192,115
Pope.....	5,947,146	13,085	20	20	693	426,101	8	217,557
Ramsey.....	138,214,587	286,721	6	4	161	101,190	4	9,058,602
Red Lake.....	2,149,943	6,887	16	13	432	272,267	3	490,108
Redwood.....	12,911,205	20,620	28	26	881	557,480	16	199,224
Renville.....	13,997,930	23,645	31	27	978	620,893	10	641,609
Rice.....	13,273,779	29,974	16	14	495	319,164	8	254,390
Rock.....	9,105,587	10,962	16	12	492	307,716	7	106,996
Roseau.....	3,109,968	12,621	55	39	1,670	1,073,344	6	2,127,144
St. Louis.....	277,228,115	204,596	202	94	6,503	4,048,533	27	17,371,852
Scott.....	5,743,207	14,116	16	13	366	226,091	7	99,011
Sherburne.....	3,198,688	9,709	18	11	448	280,530	6	237,158
Sibley.....	10,316,740	15,865	19	17	585	372,853	7	86,592
Stearns.....	19,376,756	62,121	49	37	1,362	864,577	27	1,316,929
Steele.....	9,277,262	18,475	12	13	431	273,455	3	51,407
Stevens.....	5,334,255	10,185	16	16	564	355,337	5	150,374
Swift.....	6,850,616	14,735	21	21	741	475,593	8	738,554
Todd.....	6,829,442	26,170	28	28	957	604,261	11	461,391
Traverse.....	4,063,889	7,938	19	15	508	363,461	4	145,964
Wabasha.....	7,588,684	17,613	18	17	541	344,326	10	115,549
Wadena.....	2,605,212	10,990	16	15	538	341,126	4	237,796
Waseca.....	7,962,218	14,412	12	12	431	268,158	4	116,305
Washington.....	7,795,895	24,753	19	15	397	257,794	12	438,954
Watsonwan.....	7,453,124	12,802	12	12	434	277,051	8	108,694
Wilkin.....	5,727,546	9,791	26	22	745	476,340	9	254,732
Winona.....	16,125,247	35,144	22	20	637	406,318	8	123,680
Wright.....	10,032,069	27,119	28	20	691	424,401	15	225,126
Yellow Medicine.....	9,955,226	16,625	24	21	749	481,684	8	299,147
Total.....	\$1,393,775,268	2,563,953	2,663	1,990	80,858	51,025,987	746	\$92,287,528

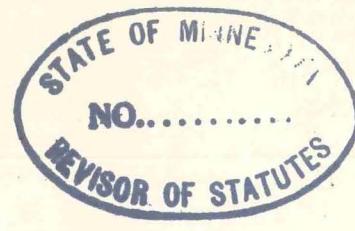
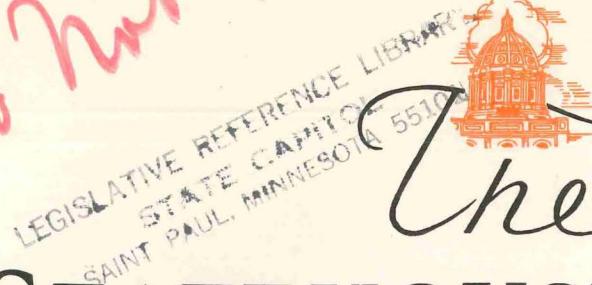
SUMMARY

Total Taxable Value (Money and Credits not included).....	\$1,393,775,268
Total Population—1930 Census.....	2,563,953
Total Number of Full and Fractional Congressional Townships.....	2,663
Total Number of Organized Townships.....	1,990
Total Land Areas—Square Miles.....	80,858
Total Land Areas—Acres.....	51,025,987
*Total Number of Cities, Villages and one borough.....	746
Total Amount Delinquent Taxes, January 1, 1936.....	\$92,287,528

\*EXPLANATORY:

3 Cities, First Class—50,000 population and over, Duluth, Minneapolis and St. Paul.  
 3 Cities, Second Class—20,000 population and over, Rochester, St. Cloud and Winona.  
 8 Cities, Third Class—10,000 population and over, Albert Lea, Austin, Brainerd, Faribault, Hibbing  
 Village, Mankato, South St. Paul and Virginia.  
 732 Cities, Villages and one borough with less than 10,000 population.

*No Not Remove*



# The STATEHOUSE REVIEW

A QUICK SUMMARY OF THE  
**1939**  
SESSION OF THE  
MINNESOTA LEGISLATURE

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640-44 MINNESOTA BUILDING

ST. PAUL, MINN.



**C. ELMER ANDERSON**  
*Lieutenant Governor*



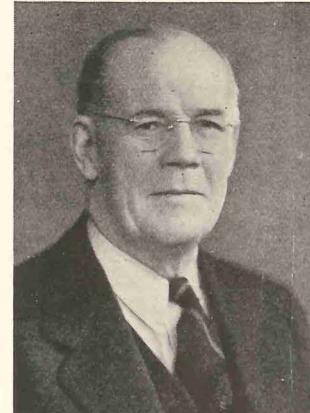
**LAWRENCE M. HALL**  
*Speaker Of The House*



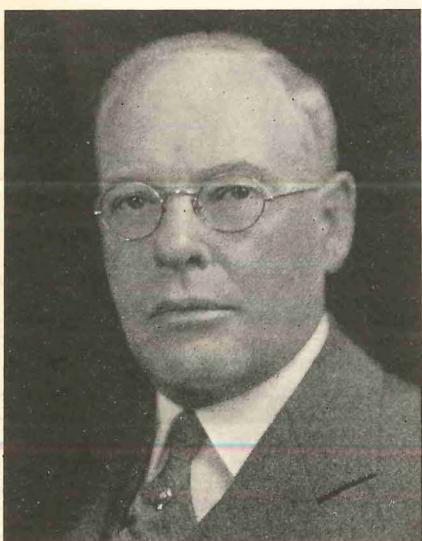
**G. HOWARD SPAETH**  
*Secretary Of The Senate*



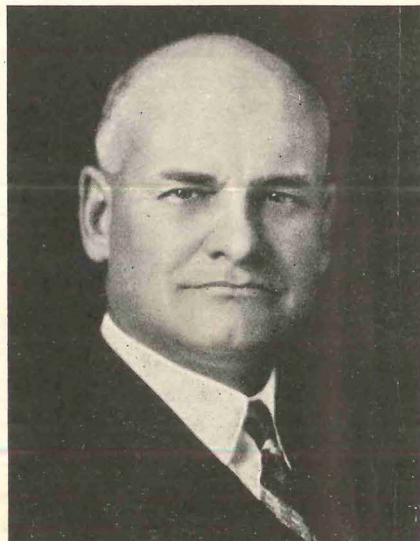
**HAROLD E. STASSEN**  
*Governor*



**W. I. NOLAN**  
*Chief Clerk Of The House*



**CHARLES N. ORR**  
*Chairman Senate Rules Committee*



**ROY E. DUNN**  
*Chairman House Rules Committee*

**1939**

## *foreword*

**T**O THE BEST of our knowledge the Statehouse REVIEW represents the first attempt, anywhere, to bind together the important events of a state legislative session.

Only those who have tried it know the difficulties of assembling the scattered records of a State Legislature into an intelligible sequence of events. Nothing is harder to locate than a year-old roll call, and nothing means less than the general language used in a bill to describe a particular situation.

The primary purpose of the Statehouse REVIEW is to save from oblivion the important factual history of the 1939 Legislature. Each succeeding regular and special session will receive the same treatment. We may even go so far as to rescue from the past the record of Minnesota's Legislature prior to 1939 and concentrate in a single volume its many noteworthy contributions to progressive legislation.

In the preparation of the REVIEW we have had two ends constantly before us, namely, to be brief and to be accurate. We acknowledge with thanks the cheerful cooperation of members of the Legislature and its officers in helping us achieve them.

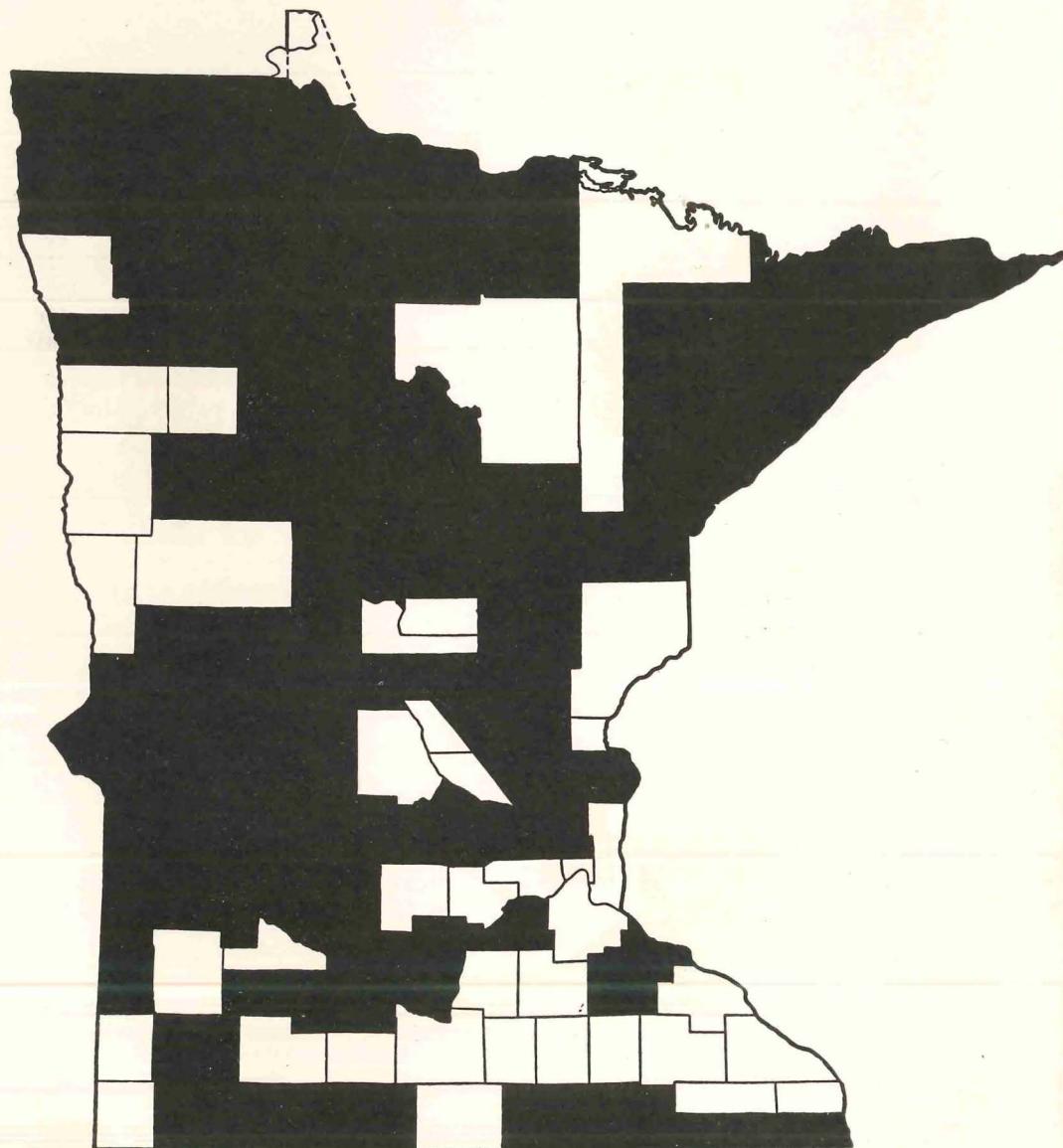
We sincerely trust the Statehouse REVIEW will prove of real value as a source record, as a handy reference, as a textbook and as a contribution to the state's archives.

MINNESOTA LEGISLATIVE RESEARCH BUREAU

June 10, 1939.

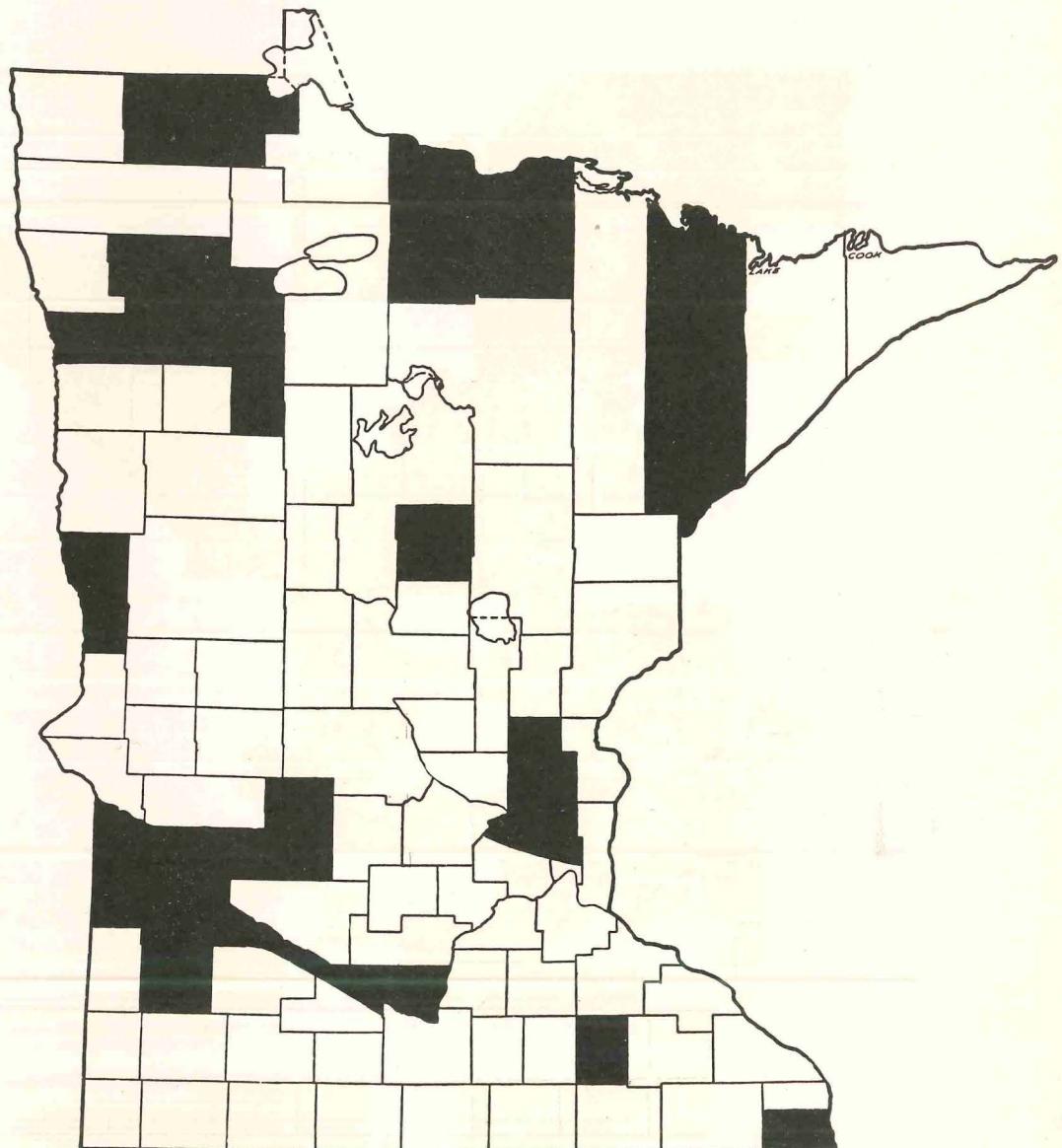
# HOUSE MAP, 1937 SESSION

Black portion shows  
Farmer-Labor representation



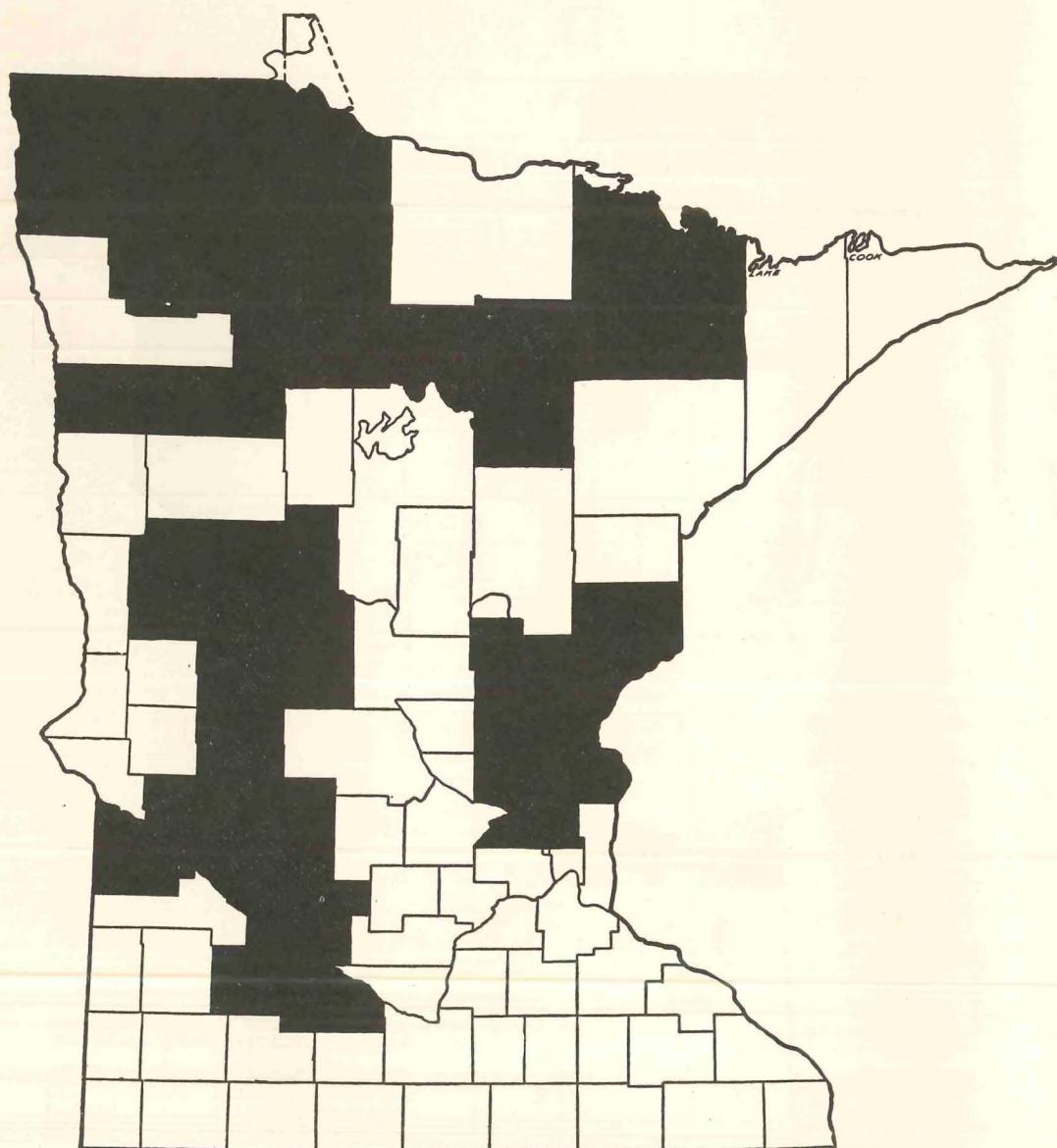
# HOUSE MAP, 1939 SESSION

Black portion shows  
Farmer-Labor representation



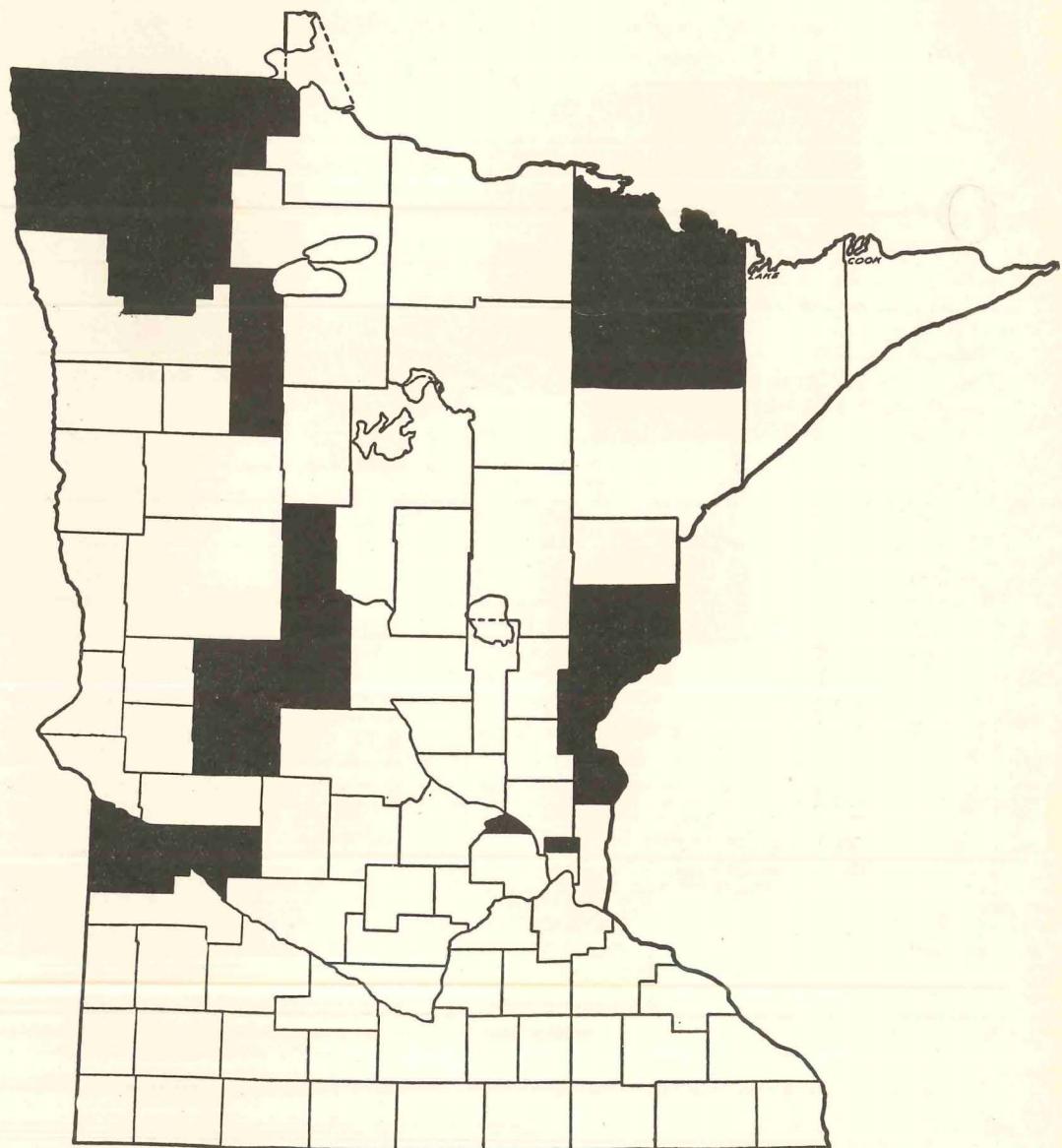
# SENATE MAP, 1937 SESSION

Black portion shows  
Farmer-Labor representation



# SENATE MAP, 1939 SESSION

Black portion shows  
Farmer-Labor representation



**SUMMARY  
of the  
INAUGURAL MESSAGE OF GOVERNOR HAROLD E. STASSEN  
TO A JOINT SESSION OF THE  
FIFTY-FIRST SESSION OF THE MINNESOTA LEGISLATURE  
DELIVERED JANUARY 3rd, 1939**

Our principal objectives and our program are not alone the program of the administration or of the Republican Party. It has been clearly demonstrated on November 8th that they are the objectives and the program of the people of Minnesota.

ONE of our first and most important problems is to raise the standards of public service and to improve the morale of state government. A place on the state pay roll must be based upon doing a good day's work for the people of the state, for a day's pay received. Fairness and integrity and courtesy on the part of the employees toward the citizens must be fundamental. There must be no percentage collections by political bosses. Much can be accomplished in this regard by the executive branch of the government alone. We will take those steps.

Appointments are being made and shall be made to positions of public responsibility on the basis of the fundamental integrity of the men and women appointed, their ability to fill the positions to which they are appointed and their interest in the vital policies of our administration. They shall be continued in their positions only so long as they remain faithful to their public trust.

The action that the executive branch of the government can take in improving public service is limited, however, unless the Legislature enacts a real civil service law for state employees.

#### **Civil Service**

Some recommendations may be made to you to include in the bill a "blanketing in" provision of all present employees. Since this proposal comes at the conclusion of the ruthless rule of spoilsman, such a proposal is, of course, unsound, since it would only serve to continue inefficiency, instead of providing merit and integrity in public employment. I would recommend to you complete competitive examinations of all employees, so that present employees and the thousands who are applying for public positions would each have a fair and full opportunity to demonstrate the merit

and ability that they possess for the respective state positions, and so that we could secure the highest possible quality of state employees. The examination of the merit and ability of present employees and the investigation of those civil service systems now in effect in various departments of the government, should be a prerequisite to putting into effect the civil service system affecting those employees.

May I say to you that there is no single legislative proposal that has more widespread public support, or will give more lasting benefits and economies than the enactment of a good civil service law, which will become the cornerstone of our administration.

#### **Reorganization of Departments**

There is another respect in which you can be of immeasurable assistance to the administration in saving money and improving the service of the state government to the people. Our state government machinery now consists of at least sixty-four different governmental boards, bureaus, agencies and departments. There may be even more that have not yet come to my attention. They have arisen under a great multitude of laws and of circumstances. Their offices are scattered through the Capitol, the State Office Building, and a number of other buildings rented by the state. They are manned by a great army of public employees. Their activities duplicate and overlap in many respects. They send inspectors and field agents trodding on each other's heels to far corners of the state. They place about the same handicap upon the administration in carrying out its responsibility to the people, as a team of oxen would place upon a farmer in plowing his field. They are a source of unnecessary expense and of confusion to the public, and to the administration as well. Here you can be of great service to

the administration and to the people by effecting some consolidation of these agencies. This is of vital importance, for as government undertakes to perform an increasing number of functions and services for the people, it is ever more and more important that the governmental activities themselves be carried on as simply and economically and efficiently as possible.

#### **Department of Social Security**

An outstanding accomplishment in this regard would be the establishment by the Legislature of a department of social security and public welfare. Such a department should be headed by an outstanding administrator, appointed by the Governor with the advice and consent of the Senate, and it should be provided by law that said administrator shall have had at least two years' experience in the field of public welfare and social security administration, and that he shall not have been an official of any political party or campaign committee, and he should also be completely barred from political activities during his continuation in office.

Under this one department, there should be grouped the entire state activities in the social security and public welfare fields. This would include the activities now carried on under seven different agencies of the government—the relief department, the old age assistance, the soldiers' welfare, the unemployment compensation, the veterans' relief, the supervision of public institutions, and the entire field of special aid to distressed counties.

#### **Would Abolish Big Three**

With respect to the so-called Big Three, I recommend its abolition to the following revision of its function: We find at the present time that the Comptroller, who is a member of the Big Three and therefore takes part in the letting of contracts and the supervision in general of the state functions, is at the same time in charge of the examining and auditing. Thus we find the strange situation where the Comptroller's employees are expected, in effect, to examine the results of his own work. This office should be divorced from the so-called Big Three. It should be given definite powers of pre-auditing and control of expenditures so that it is possible to prevent deficiencies, overdrafts, and illegal transactions before they occur. This department should also have charge of the installing of modern bookkeeping methods as the present bookkeeping in the state is very much out of date and it is practically impossible for anyone to secure an accurate financial picture of the condition of the entire state government with its many departments. I know that those of your committees that have in the past struggled with the taxation and appropriation prob-

lems are keenly aware of the lack of an effective accounting procedure.

The second member of the Big Three, the Commissioner of Budget and Personnel, would lose his personnel powers upon the enactment of civil service, as these functions would be taken over by the new Civil Service Administrator. The budget-making powers should be transferred to the Comptroller's office, since under good procedure this office would be in the best position to know the financial needs and standing of the various departments of the state. It is, in any event, the responsibility of the executive to recommend a budget to the Legislature.

The Commissioner of Purchases, with its centralized purchasing is a sound practice and under honest and able administration should be of great service and of saving to the people of the state. This position should be continued and extended under the administrative branch of the government.

#### **Centralized Control**

The new Commissioner of Purchases has been instructed to have open, competitive public bidding on all public contracts and to award the contracts to the lowest responsible bidder without politics. You might well strengthen the law in this regard and make open competitive bidding mandatory on all state contracts over five hundred dollars in amount.

Another glaring need for revision and simplification is the administering and collecting of taxes and revenue for the state. We now have at least seven different agencies administering and collecting taxes and revenue. We have the gasoline taxes collected and refunds made by the chief oil inspector, who, strange to say, is under the Department of Agriculture. We have the liquor taxes collected by the Liquor Commissioner, the inheritance taxes by the Attorney General, the game and fish licenses under the Department of Conservation, and numerous other departments collecting money for the state. This scattered and careless procedure in the handling of state funds has recently resulted in two former state employees being sentenced to prison terms in connection with embezzlement of state funds. Sound business practice requires the centralization of these tax collecting and administering activities under a single department of taxation and finance, and in the State Treasurer's Office.

#### **Labor Relations a Big Problem**

Labor relations legislation is another outstanding problem before this session, and it is a field in which by careful consideration you can make an outstanding contribution, not only to the future peace and progress of industry and labor and of

the people as a whole in Minnesota, but it is also a field in which you can place Minnesota in a position of national leadership. There is a widespread demand on the part of the people of this state, joined in by the farmers, and by the members of organized labor, that legislation should be enacted to provide peaceful means of settling the disputes that naturally arise between the employer and labor, without the suffering and loss and bitterness caused by strikes and lockouts. In recognition of this need and of this demand, the State Federation of Labor is presenting to you a proposed labor relations law.

#### State's Finances

The fourth major problem before you is one that spreads out and affects all other problems, and directly concerns every man and woman in the state. That is the problem of the financial condition of the state and our tax program for the next biennium.

Permit me to say at this time, however, that whereas the Budget Commissioner of the former administration has prepared and presented to me a budget that would call for an increase in expenditures of fifteen million dollars, I wish to make it perfectly clear at this time that I do not concur in that budget. Obviously it has not been possible for me to prepare a complete budget at this time, nor has it been possible to revise the budget which I have just recently received from the former Budget Commissioner, and which I understand he is placing upon your desks.

#### Budget Objectives

I also wish to present at this time the objectives toward which we are working in our consideration of the budget and tax program. On the basis of securing civil service and the consolidation of State bureaus, we are determined that in this next biennium we shall spend less money than in the two years that have gone by. We are further determined that at the conclusion of the next two years, our state shall have a smaller indebtedness than it now has, and finally, notwithstanding the acute financial condition that we inherit, we shall not have a sales tax, and we shall seek to avoid any increase in real estate taxes. The complete details of our recommended budget and tax program will be outlined in a subsequent message to you.

These four matters of civil service, consolidation and simplification of the government, labor relations, and our financial problems, are the major considerations before you. They are the measures upon which the people of the state have clearly expressed their wishes. There are numerous other matters that are of importance and will be considered by you. Some of

them may well be the subject of special communications from the Governor's office to you from time to time.

#### Small Loan Regulation

I wish at this time to especially mention legislation to curb the small loan sharks, who are daily preying upon the wage earners of our principal cities, and as they ply their vicious tactics are leaving in their wake a toll of suffering and despair and want and desperation such as no other single activity has done. Legislation which has been successful in most of the other states of the union in curbing and regulating this activity and in making it possible for small wage earners who are confronted with emergency needs for money, to secure small loans at reasonable rates of interest, should be passed by this session of the Legislature.

#### Parity for Farmer

There are certain general principles that I urge that you do not lose sight of at any time during this session of the Legislature. The first is the fact that agriculture is the very basic industry in Minnesota. The farmers of the state have suffered and are suffering from their lack of parity. The low prices of agricultural products presents an acute condition. The high taxes on their real estate and the high cost of interest on their mortgages and indebtedness, and the very vital place that agriculture plays in the future of the state, makes this problem one of major concern for us. Although this is a problem of national scope and of necessity requires national action, it is a situation which you should never lose sight of in the consideration of any legislative proposal that affects agriculture. Likewise, you should recognize the responsibility of Minnesota as one of the outstanding agricultural states of the nation to take a position of leadership, in cooperation with its farmers, and in urging national action to meet their problems.

#### More Jobs for Unemployed

It must also be a principle that we adequately meet the needs of those men and women who through no fault of their own are in need of public assistance. More jobs for our unemployed should be the watchword of our administration. Even since November 8th the attitude of confidence and of encouragement on the part of business has resulted in numerous announcements of extensions of plants and new activities and more jobs within the state. By your actions and the manner in which you carry them on, you can help materially in increasing and continuing this confidence and this development to build up Minnesota and create more and more jobs for our people.

### Program for Youth

Our administration will also enter into an extensive program for youth. The fact that thousands and thousands of our young men and young women are unable to secure a place in productive employment; that they are left to drift year after year following the completion of their education, is one of the major tragedies and real losses resulting from our conditions of social and economic maladjustment. The administration, through the juvenile placement divisions of the employment service, through the State Planning Board, through all educational institutions, in cooperation with the federal youth programs, and through the encouragement of aviation, television, chemical research and other new activities that give youth special opportunities, will be endeavoring to make a real contribution toward our youth problem. There may be some respects in which we shall seek legislative assistance in these matters.

### Lower Non-Resident Fishing Licenses

In considering ways and means of building up the business and resources and jobs in the State of Minnesota, we should not

overlook the fact that our tourist business is a major industry of the state and should be greatly expanded. No state in the union has the outstanding natural resources and the widely diversified facilities as a vacationland that we have. We should take every possible action to encourage citizens of other states to come to Minnesota and enjoy with us the restful beauties and the healthful activities of the playgrounds of our North Star State. As one specific step on your part in encouraging tourists to come to Minnesota, you should reduce the non-resident fishing license, which has caused a resentment on the part of visitors from other states. The executive department will also take definite steps to assist in publicizing and developing the tourist trade in Minnesota.

I know that you will give careful consideration to the reports of the various departments of the state government of their activities in the past two years and their recommendations for legislative action. From the financial side I will make more specific recommendations regarding these reports in my budget and financial message to you and on their proposed legislation I may from time to time communicate with you as to my views.

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## SUMMARY

of the

### BUDGET MESSAGE OF GOVERNOR HAROLD E. STASSEN DELIVERED TO A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES, FEBRUARY 1st, 1939

I meet with you today \* \* \* because this problem of our budget, our expenditures and our tax program, is the most vital problem that is before us and affects to a major extent every citizen of our state and every business and activity of our people.

#### Determined To Spend Less

**T**HE entire problem was approached with the principles in mind which we presented to the people of the state during the past year, and upon which they placed their decisive stamp of approval on last November 8th. We are determined that we should spend less money in the next biennium than we had in the past biennium. In approaching our problem, we found in the first instance that we were confronted with the absolute need of increasing certain appropriations. We found it will be necessary to make a larger ap-

propriation for old age assistance than was done two years ago. We are recommending that the appropriation be raised from 9,800,000 dollars, appropriated by the 1937 Legislature, to 10,500,000 dollars for the next biennium.

#### Old Age Assistance

A study of the operation of the Old Age Assistance department leads to the conclusion that in addition to an increased appropriation, the entire functioning of this law should be subjected to careful analysis by you. It appears to me that the

provision providing for a maximum limitation of \$3,500 in unencumbered property for eligibility should be changed, and made more liberal in this respect, by raising the amount of property permitted to \$5,000. I make this suggestion because it is my observation that the present limitation has worked a hardship and a restriction particularly upon the aged men and women in the rural sections of our state who are living on small farms quite heavily encumbered, but who still find themselves excluded by the present pension law, when from the principles involved in the legislation they should be included. It also is my observation that for the proper functioning of the law and for maintaining it on a sound basis, in accordance with the experience of other states, and the analysis made by our Old Age Assistance department here in Minnesota, the law should be further revised providing for a reasonable property lien provision, and providing for a more workable method of carrying out the children's responsibility section, as to new applicants. A careful study of this law, and the amendment of it, is of primary importance if we are to maintain old age assistance on a sound basis so that it will continue to give needed help to the aged men and women who through their long lives have made a great contribution to the building of the state and the nation.

#### **Recommends Full Relief Appropriation**

Another major portion of our budget is that dealing with relief. In this instance, I am recommending to you the appropriation of the full amount recommended by the relief administrator of the last administration, to-wit: 10,900,000 dollars for the biennium, plus a further sum of 1,100,000 dollars to care for the relief needs of the veterans and for high school and university student aids which were caused under the calamity act fund of the executive council and the soldiers' relief fund. It is suggested that these funds be obtained by borrowing, as we will be paying off during the biennium a similar amount of past relief debt.

A further major section of our budget is the matter of school aid, which in the current biennium will total 36,382,992 dollars. This amount was paid out to the 7,700 school districts of the state.

#### **Would Continue Full School Aid**

Of this amount, \$7,456,000 will represent an apportionment of the endowment and current school fund paid on the basis of average daily attendance in public schools. It is my recommendation that we do not endeavor to economize by reducing school aid. I recommend that the amount appropriated for school aids be maintained at the same level.

It should be observed, however, that only about one-fifth of the monies that are paid out in school aid are paid out in what is known as supplemental aid, that is to school districts in which there is serious difficulty in securing sufficient revenue to maintain a reasonably satisfactory educational program.

The remaining four-fifths is paid out to all districts alike without regard to their financial resources.

#### **Equal Educational Opportunities**

I am strongly in favor of the principle of equalizing educational opportunities for the school children of the state, regardless of what particular district or section of the state they may be reared. I believe this might well be done by providing in the appropriations for aid to schools, that a somewhat larger portion of the fund be paid out upon the supplemental aid basis. The poorer districts would thereby be assisted in financing their educational opportunities and a smaller portion of the school aid would be paid out on the flat basis to all districts alike. A comparatively small shift in this regard would be of major assistance to the one thousand poorer school districts and would not have any appreciable effect upon the other 6,700 school districts in the state.

#### **Would Study Education**

I do further recommend that the Legislature provide for an interim committee to make a careful study of the state educational system, to study the entire problem of the youth of Minnesota in relation to education, and our state aid program, to be carried on in the manner suggested by that great educator, the late Lotus D. Coffman, of our own university.

#### **Urge No Handicap on University**

I also recommend that we should not handicap our great university. It is one of the outstanding institutions of higher learning, not only of the nation, but of the world, and each year it has a higher and higher enrollment. I am, therefore, recommending that their appropriation be adequate and at least be maintained at the same level as of the last biennium, and that the two urgently needed buildings be allowed. Some consideration might be given to a small increase in the maintenance fund if the building program can be postponed.

We also have found certain other instances, such as the new Moose Lake Hospital, where inevitably the budget of the last biennium must be raised.

#### **Other Departments Get Reductions**

Notwithstanding these major divisions in which either increases were required or in which no reduction could be made, we have still proceeded to endeavor to effect

those economies that I know the people of the state want to see. We therefore, proceeded to reduce the appropriation for almost every other department and activity of the state government.

#### **Simplification of Government**

These reductions have further been made on the basis of the reorganization and simplification of our government, elimination of boards, bureaus and agencies as outlined in my inaugural message, by reducing the number and variety of inspectors that have been traveling throughout the state, by providing for the quarterly allotment budget control that should exist under good administrative procedure just as recommended by your own interim tax commission two years ago, by placing all related activities in one department, by the increased efficiency of civil service, and by the new attitude of a higher morale among the employees of the state that is spreading day by day through the realization that service to the people is what this administration expects its employees to render.

#### **Submits Budget of \$79,300,823**

Upon this basis we have prepared a budget which we are submitting to you which calls for a reduction in expenditure for this next biennium over the last biennium of \$3,039,372, or a total of \$79,300,823 instead of \$82,340,195.80. Of this amount approximately 600,000 dollars is a direct saving in the administrative functioning of the state government and in addition, by economies, we have absorbed inevitable increases in some functions of the government.

#### **Ore Tax Increase to 10% Urged**

It will be noted that the estimated revenues on the basis of the present tax laws for the next biennium will be \$62,824,000, which, with receipts from dedicated funds, cancelled balances and transfers, will total \$74,804,880, thus leaving us short \$4,495,943 of meeting the reduced budget. This then presents a real problem. It is my belief that a portion of this difference can and should be met by an increase in state taxes upon the iron ore resources. Approximately \$1,525,000 could be secured through the raising of the occupational and royalty rates back to the ten per cent they were two years ago, from their present eight per cent level. In your consideration of this proposal, you should study the entire tax burden upon our iron ore, and I feel it would also be well, considering the unemployment on the Iron Range, and the importance of conserving this great natural resource, to appoint an interim committee, to make a thorough study of the problems of the Iron Range.

#### **Suggests Control of Dedicated Funds**

Further considering this need of more funds and our entire budget problems, we are confronted with the fact that a very large portion of the taxes and revenue collected by the state is allocated to dedicated funds over which the Legislature has little budgeting control. These are found in the Conservation Department, the Highway Department, and numerous other minor boards. To properly supervise most of these activities, these funds should be brought into the general revenue fund which will place them under the control of the Legislature for appropriations. The other funds dedicated to special boards and to the Conservation and Highway Departments, should be charged a five per cent general administration fee in order that they may each bear their just portion of the general administrative expense of the state government. A portion of your time, and of the time and expense of every administrative department is taken up with the problems and duties of these respective functions of the government within the field of the dedicated funds.

#### **Put Balances in General Fund**

Through this administrative charge, the sum of \$1,800,000 would be available for the general administration of the state for the biennium. Likewise, all balances remaining in appropriations at the end of the year, should be lapsed and placed in the general treasury so that a clean start can be made in each biennium in the budgeting control of the Legislature and the Budget Commissioner.

#### **Keep 4c Gas Tax; Repeal Road Levy**

This, then, leaves us with the necessity of raising additional amounts in excess of a million dollars to balance the budget. This can be done by a one mill levy upon real estate, not including homesteads. The necessity of raising this mill, however, together with the requirements of meeting the interest and principal on past bond issues, issued by previous administrations, would raise the total mill rate over ten mills, and this should not be done. I am, therefore, recommending that the special mill rate of .23 mills for the University be discontinued, and the .10 mills for soldiers' relief be discontinued and cared for in the general relief appropriation. And further, that the one mill for road and bridge be discontinued and that in place of the funds which the local governments are securing from the one mill for road and bridge fund, the one cent additional gas tax should be reenacted so that the gas tax will remain at its present level for an additional two years. I recommend the continuation of this four cent gas tax only on the basis of its revenue taking the place

of the one mill levy on real estate and on the further basis that the department is charged the general five per cent administrative charge that I recommended as to all dedicated funds.

#### Would Otherwise Oppose 4c Tax

In other words, I feel that if highways are to have the exclusive and large revenues from motor vehicle taxes and gas taxes, then they should not also have an additional revenue rising from the mill tax on real estate, which is already too heavily burdened. Neither should the general revenue fund be carrying the general administrative expense properly chargeable to highways. Unless these provisions for relieving real estate and relieving the revenue fund are worked out, I am opposed to reenacting the four-cent gas tax.

By following out these four recommended steps, the budget can be balanced for the next biennium and the state can be placed upon a sound, financial basis for the first time in many years.

#### Deficiency Appropriations

From the standpoint of the deficiencies that are required to close this biennium up to July 1st, it will be necessary to appropriate four and a half million dollars for relief, pensions, and shortages in many departments. I recommend that these deficiencies be financed from borrowed funds, and further, that any additional cash shortage for the last biennium arising through insufficient revenues meet the appropriations authorized by the preceding Legislature be likewise financed by borrowing. This issue of indebtedness might well be called the Farmer-Labor Deficiency Bond issue to clearly distinguish it from the problems of our own biennium. A retirement of this bond issue should be provided for over a period of years. We will retire our portion of this deficiency each year of the biennium.

We cannot raise the money for this deficiency during the next biennium and neither should we, in fairness, be expected to raise it out of current revenue, but should be afforded the opportunity to start out on July 1st with a clear slate.

#### Building Program Fixed at \$1,687,500

The building program for the next biennium which will be financed from borrowing and which I am recommending is in the amount of \$1,687,500, and which covers the most urgent projects of the various activities of the state government. Having in mind the urgency of some of these requests and the advantages of having some building activity with its result in employment of the building trade, I feel we should proceed with a reasonable building program as outlined herewith. If federal grants and aid on some of these

building projects can be secured and the projects are properly managed with open competitive bidding, the various departments may be able to extend somewhat further their building program under the same appropriations and subject to the approval of the Department of Administration and Finance. In conjunction with the request of the school for the blind for a new industrial and recreational building, I have observed that the buildings at this school are in very poor shape and suggest that you consider the desirability of developing this school adjacent to and on the same general campus as the school for the deaf, which has an exceptionally beautiful campus in the City of Faribault. Some joint services such as power plant and laundry and gymnasium facilities could very well be worked out, although the schools themselves could still be operated from an educational standpoint on a separately recognized basis under good standards.

#### Nine Million Reduction

From the standpoint of the indebtedness upon schedules we have worked out, including the proposed borrowing for the building program and relief, we find that at the end of the biennium, our total state indebtedness will be reduced nine million dollars, from 132,883,045 dollars to 123,774,951 dollars, which will also fulfill another one of the major principles we have discussed with the people of the state throughout the past year, and which will show a definite turning point in the financial condition of Minnesota.

#### Would Purchase State's Certificates

In the matter of the indebtedness which we propose to incur, I have an important suggestion to make to you. We have at the present time in our trust fund for schools and other purposes over ten million dollars of funds which are not invested, but are lying idle because it is not possible to secure the type of investment specified, at the rate legally required of three per cent interest. It appears to me that rather than have these ten million dollars lay idle for want of three per cent investment in our trust fund, while we turn to the securities markets to float issues of indebtedness for our relief purposes, we should provide, by special act, that the investment board may purchase the state's own certificates of indebtedness at perhaps one and a half per cent and thereby make a direct saving on that one transaction alone of approximately two hundred thousand dollars a year, part of which will go to the credit of the trust fund and part to the general revenue fund.

#### Highway Shortage of \$1,625,236

I know you will also be interested to hear that the actual number of bills out-

standing and unpaid on the first day of the year in the State Highway Department is the sum of \$2,024,796, with only \$339,559 on hand, or a net shortage of \$1,625,236, and that the new Highway Commissioner and his staff are budgeting and planning on maintaining the highways of the state with the sum of \$6,000,000 in place of the sum of \$11,679,447 used last year.

#### Contingent Fund for Special Needs

Because of the fact that we are cutting the appropriations very closely, we are providing for a contingent fund of \$300,000 for the biennium, to be used to meet special needs that may arise and that cannot be met under the various department budgets. The elasticity of this general contingent fund can be used for any department of the state in meeting emergen-

cies and will assist in effecting economy throughout by following a close budget procedure.

#### Reorganization Vital to Program

I cannot emphasize too strongly that this entire program of economy and efficiency is contingent upon the simplification of our state governmental machinery with its many scores of boards, bureaus, agencies and departments, and enactment of a good civil service law. With your co-operation in working out and placing into effect a sound, businesslike plan of the administration by grouping together related functions under single administrative heads, we can provide for the direct responsibility and efficient action that is so obviously needed in the state government today.

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## SPECIAL MESSAGE TO THE LEGISLATURE

Recommending Iron Ore Taxation  
and Interim Committee Study Sent  
April 10th, 1939, by Governor Stassen.

**Y**OU have pending before you three bills, all recommended to pass by your committees, affecting the taxes upon iron ore in Minnesota.

Two of these measures are a part of the administration's program and would increase the occupational and royalty taxes upon iron ore from eight per cent to ten per cent, and are in accordance with the recommendation that I made in my budget message to the Legislature.

The third has not been a part of the administration's program but has been considered by you to a considerable degree in conjunction with the first two proposals. It would limit the amount of taxes which the local municipalities of the Iron Range may levy through a further reduction of the so-called per capita limitations. This third measure would, in effect, over a long period of years, reduce the local taxes on iron ore approximately the same amount as the change from eight per cent to ten per cent would increase the state taxes.

The entire problem of the taxation of iron ore in Minnesota is one of our most important and complex taxation problems.

I have previously recommended the appointment of an interim commission to study this question. The controversy and conflicting claims before you serve to re-emphasize this need. After careful consideration I have decided to recommend to

you the following steps in the closing days of this session:

First: That the occupational and royalty tax rates be raised to nine per cent for the next biennium. On the basis of average production this will yield an increased revenue to the state revenue funds of approximately three quarters of a million dollars, and an increased revenue to our trust fund of almost a like amount.

Second: That there be no legislation of any kind changing the present per capita limitations of local taxation on the Iron Range.

Third: That provisions be made for the appointment of a commission with representation from each House of the Legislature and appointees of the Governor, empowered and directed to consider this entire program including:

(a) The total amount of taxes of all kinds that should be levied upon our iron ore deposits, taking into consideration the conservation of the resource, the development of more employment, and the future course of the mines;

(b) The amount of this total that the state should receive and the amount that the local municipalities should receive;

And in conjunction with this study:

(c) Analyze the large expenditures of the Range communities and consider the unusual problems of unemployment and

investigate the extent to which the local expenditures are caused by this problem of unemployment;

(d) Study and observe the conduct of local government in the Range communities during this next biennium and observe steps taken locally to reduce indebtedness or decrease expenditures;

(e) Study and consider the ways and means of increasing employment on the Iron Range through encouraging the underground mining of low grade ore, or through other enterprises.

In conjunction with the increase to nine per cent, I also recommend your favorable consideration of granting some concession in the mining and beneficiating of the low grade ore which results in more employment and which serves to conserve this entire natural resource in the state.

I shall appreciate your cooperation during these closing days of the session to bring about these steps.

Sincerely yours,  
HAROLD E. STASSEN,  
Governor.

## VETO MESSAGES AND COMMUNICATIONS

### Veto Message Disapproving S. F. 944

April 17th, 1939

*Hon. C. Elmer Anderson,  
President of the Senate:*

Dear Sir:

I am returning to you herewith without my approval S. F. No. 944.

I object to the bill, which might be referred to as the goat bill, on the ground that it unconstitutionally and impractically attempts to regulate the production, processing, collection, storage, transportation, importation and sale of goat's milk.

The bill attempts to define goat's milk as being that milk obtained by the complete milking of five or more healthy goats properly fed and kept, while it would appear that goat's milk is goat's milk whether the goats are or are not completely milked and properly fed and kept.

The bill unconstitutionally discriminates according to whether or not the owner and milker of the goats also owns and milks cows at the same time and goes far beyond any other penal statute on our statute books when it provides that anyone convicted under the act of a violation, upon failure to pay the fine and costs within three days, shall be mandatorily committed to the county jail for sixty days.

May I add that my disapproval of this bill is not to be construed as in any way reflecting upon the exceedingly healthful, beneficial and invigorating effect of that fluid extracted from those aggressive little four-legged creatures who are the subject of this bill.

Sincerely yours,  
HAROLD E. STASSEN,  
Governor.

### Veto Message Disapproving H. F. 702

April 17th, 1939

*Hon. L. M. Hall,  
Speaker of the House of Representatives:*

Dear Sir:

I am returning to you, without my approval, H. F. No. 702. I object to the bill on

the ground that I do not approve of the extending of the hours during which intoxicating liquor may be sold "Off-Sale" from eight o'clock to ten o'clock P. M.

After careful consideration, I have concluded that the effect of the bill would be to increase the use of liquor, particularly in bottles in conjunction with pleasure riding automobile rides.

I recognize that there are some situations, particularly in rural sections, where the change in closing hours provided in H. F. No. 702 would be only a matter of proper convenience but I believe that the evil effects as a whole far outweigh these considerations.

Respectfully submitted,  
HAROLD E. STASSEN,  
Governor.

### Communication to the House on H. F. 1378

April 18th, 1939

*Hon. L. M. Hall,  
Speaker of the House of Representatives:*

Dear Sir:

You have pending before you H. F. No. 1378 affecting the taxes on banks in the State of Minnesota.

The problem of taxation of banks has for over ten years been a very difficult and perplexing one for the State of Minnesota and for other states of the union, by reason of the fact that the Federal Statutes Section 5219 provides that national banks shall not be taxed by a state at any rate greater than that at which competing capital is taxed. This led to the court decision that national banks could not be taxed on the ad valorem basis, and as a result over a long period of years efforts have been made, on the one hand to amend the Federal Statutes, and on the other hand to reach compromise gentlemen's agreements with both national and state banks, by legislation under which almost all banks in the state paid compromise settlements of their taxes varying from 60% to 75% on the ad valorem basis.

# MINNESOTA HOUSE OF REPRESENTATIVES

VETOED

## ROLL CALL

AYE	NAY	NOT-VOTING
78	40	

ON HF 702 - Permitting "Off-sale" until 10 PM DATE March 13 1939

Repassage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.				MYRE			
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.		*	
ANGSTMAN	*			HALSTED			*	NONNEMACHER			
ANTILA	*			HANSEN				OBERG		*	
BARRETT	*			HARRISON				ODENBORG			
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT	*			HARTKOPF	*			ONAN			
BERLIN	*			HARTLE	*			ORAAS		*	
BOEHLKE	*			HAYFORD	*			OTTINGER		*	
BONDHUS	*			HEADLEY	*			PAIGE		*	
BOZE	*			HELLING		*		PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH				PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.	*		
BUTLER	*			HILLIER		*		PETERSON, P. B.			
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE		*		POWERS		*	
CHILGREN	*			HOWARD		*		PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH		*	
COVERT	*			IMDIEKE		*		RYKKEN		*	
CUMMINGS	*			IVERSON				SAWYER		*	
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER		*		STANCHFIELD	*		
DORWEILER	*			KIEFER		*		STOCKWELL	*		
DREXLER	*			LEE		*		SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHHORN	*			LOWE		deceased		TRISCH	*		
EKLUND	*			MacKINNON		*		VANCE	*		
EKMAN	*			MANN		*		VUKELICH	*		
EMOND	*			MARTINSON		*		WANVICK	*		
ENSTROM	*			McNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND	*		
FINSTUEN	*			MERRILL		*		YOUNG	*		
GALE	*			MILLER		*		ZWACH	*		
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
64	49	

ON HF 702 - Permitting "Off-sale" until 10 PM

DATE March 13

1939

Bill lost for lack of majority -

(Later reconsidered and passed)

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V.	NAME	A	N	N.V.	NAME	A	N	N.V.
ALLEN	*			HAGEN, E.				MYRE			
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.		*	
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.		*	
ANGSTMAN	*			HALSTED		*		NONNEMACHER			
ANTILA	*			HANSEN				OBERG		*	
BARRETT	*			HARRISON				ODENBORG			
BECKWITH	*			HART		*		O'MALLEY		*	
BENNETT	*			HARTKOPF		*		ONAN			
BERLIN	*			HARTLE		*		ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER		*	
BONDHUS	*			HEADLEY		*		PAIGE		*	
BOZE	*			HELLING		*		PALMER		*	
BROPHEY	*			HERING		*		PESHEK		*	
BURDICK	*			HERSETH				PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.			
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE		*		POWERS		*	
CHILGREN	*			HOWARD		*		PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH		*	
COVERT	*			IMDIEKE		*		RYKKEN		*	
CUMMINGS	*			IVERSON				SAWYER		*	
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.		*		SCHULZ		*	
DIXON	*			JOHNSON, R. G.		*		SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER		*		STANCHFIELD			
DORWEILER	*			KIEFER		*		STOCKWELL		*	
DREXLER	*			LEE		*		SWENNES		*	
DUCKSTAD				LENERTZ		*		TEIGEN			
DUEMKE				LITCHKE		*		TERWILLIGER		*	
DUNN				LORENTZ		*		THOMPSON		*	
EICHHORN	*			LOWE		deceased		TRISCH		*	
EKLUND	*			MacKINNON		*		VANCE		*	
EKMAN	*			MANN		*		VUKELICH		*	
EMOND	*			MARTINSON		*		WANICK		*	
ENSTROM	*			McNULTY		*		WEIDENDORF		*	
ERICKSON	*			MELBY		*		WELCH		*	
EVENSON	*			MEMMER		*		WIDSTRAND		*	
FINSTUEN	*			MERRILL		*		YOUNG		*	
GALE	*			MILLER		*		ZWACH		*	
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

# MINNESOTA STATE SENATE

## ROLL CALL

VETOED

AYE	NAY
36	23

ON HF 702-Permitted "off-sale" DATE April 12 1939  
 until 10 P.M. Final passage

NAME	A	N	NAME	A	N
ADAMS			MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG			SELL		*
GAGE	*		SIEGEL		
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		
LOMMEN	*		WOLFE		*
MASEK			WRIGHT		*
MILLER, A. H.	*				

At the last special session of the Legislature there was enacted Chapter 65 of the Special Session Laws of 1937, under which the banks of the state, through agreement, paid at the rate of 22% of the true and full value of their shares. The banks have always contended, in accordance with the courts' decisions, that this tax was an illegal one and that it was necessary that there should be enacted legislation to legally tax them and to end the ad valorem compromise.

The action in this session of the Legislature to enact a legal tax by placing upon banks an excise tax in the same manner as domestic corporations at the rate of 6% of their net income is represented by H. F. No. 1378, which is before you. This bill has passed both houses and also provides that the dividends received from bank shares by an individual stockholder shall be taxable as a part of the stockholder's income, whereas their dividends are now exempt. The authors, under this bill, according to the best information I have been able to secure, have placed the highest legal tax upon national banks that the ingenuity of man has been able to devise under the extreme restrictions of the Federal Act.

This bill did not come to my attention until Saturday and since that time I have been endeavoring to secure the maximum of information regarding the situation. It is a fact that H. F. No. 1378 will very materially reduce the total amount of taxes collected under the last gentlemen's agreement with the banks under Chapter 65 of the 1937 Special Session Laws.

These reductions will be partly offset by some increased return, which is very difficult to estimate, from the individual income taxes on stockholders of national banks and the dividends they secure from their bank stock.

This entire matter, which has been pending over this great period of years, is of such extreme importance that I have determined, after careful consideration, to recommend and urge to you that the effective date of H. F. No. 1378 should be made January 1st, 1941, and that you should enact as an emergency measure for the interim another compromise settlement provision similar to Chapter 65 under which the banks of our state may settle this dispute, and by them claimed illegal assessment, on a basis of 18% on the true and full value in place of the 22% of the last two years.

This, on the one hand, will give a tapering off to the solution that has been advanced and on the other hand will give our administration an opportunity, that will be appreciated, to investigate what for us is a new and important problem but which has been pending for many years, in order that we might determine whether

any other or further action can be taken than that proposed in H. F. No. 1378.

I recognize that this will then leave it for the individual banks to determine whether they will accept the compromise solution for two more years with the definite new law going into effect on January 1st, 1941, and remaining in effect unless the next Legislature has presented to it, and sees fit to enact some other proposal.

With the definite progress toward solution of this difficult problem that would be made in the enactment of H. F. No. 1378, even though its effective date is postponed, I feel that the overwhelming majority of the banks of the state will continue their cooperation by complying with the interim compromise, in the interests of the general welfare of the state.

Respectfully submitted,  
HAROLD E. STASSEN,  
Governor.

#### Reply of the House Concerning H. F. 1378

In view of the Governor's message regarding H. F. No. 1378, we, the undersigned authors of H. F. No. 1378 and the members of the Minnesota Bank Tax Commission from the House of Representatives, desire to state that we have had many conferences in regard to the Governor's message and on all of the subject matter therein contained. These conferences have been with the Governor, the members of the Minnesota Bank Tax Commission from the Minnesota Senate, and many other persons.

We have had difficulty in arriving at a compromise settlement with the national banks two years ago and we were definitely told at that time that would be their last compromise settlement and voluntary payment such as we had been able to obtain for a number of years. The information we have been able to get on this question is that the national banks will not again enter into a compromise settlement to make a voluntary payment. Section 5219 of the Federal Statutes provides that national banks shall not be taxed by a state at a rate higher than that at which competing capital is taxed and that means a money credits tax or a three mill tax. Passing upon the Federal Statute the Supreme Court of the United States said that we could not tax national banks on an ad valorem basis.

The Minnesota Bank Tax Commission has worked for years for an amendment to the Federal Statute. We were the spearhead in building up a national bank tax organization in an effort to amend Section 5219 of the Federal Statute but that national organization has more or less disintegrated because other states have passed an act such as H. F. No. 1378 to place an excise tax upon national banks and an amendment to Section 5219 of the

Federal Statute seems beyond the realm of possibility.

We are of the opinion, that if we now passed an act providing for compromise settlement and payment of national bank taxes and postponing the effective date of H. F. No. 1378 until January 1st, 1941, the State of Minnesota will lose a considerable amount of revenue during the biennium. As the Governor has well said in his message, the bill places the highest legal tax upon national banks that the ingenuity of man has been able to devise under the extreme restrictions of the Federal Act.

The tax provided for in H. F. No. 1378 must be our ultimate goal and we believe that it is to the best interests of all the people of this state that H. F. No. 1378, which places a six per cent excise tax on net income of national banks, should become a law at this time.

Roy E. Dunn,  
Andrew Finstuen,  
L. E. Brophey.

Mr. Brophey moved that H. F. No. 1378 be returned to the Governor. Which motion prevailed and it was so ordered.

#### Veto Message Disapproving H. F. 1378

April 22nd, 1939

I have decided not to give my approval to H. F. No. 1378, which is the so-called Bank Tax Bill. The bill would tax the net income of national and state banks at the rate of 6% in place of the ad valorem property tax on bank shares. According to the best information I am able to secure from our tax department this bill would reduce the amount of taxes paid by banks of the state from approximately \$1,400,000.00 to \$700,000.00 and would reduce the tax that has been paid, by many banks, large and small, by over 50%. This reduction would, to a small degree, be offset by making the dividends received from bank shares a part of the taxable income of the individuals holding those shares.

The problem of taxation of banks has for over ten years been a very difficult and perplexing one for the State of Minnesota and for other states of the union, by reason of the fact that the Federal Statutes Section 5219 provides that national banks shall not be taxed by a state at any rate greater than that at which competing capital is taxed. This led to the court decision that national banks could not be taxed on the ad valorem basis, and as a result over a long period of years efforts have been made, on the one hand to amend the Federal Statutes, and on the other hand to reach compromise gentlemen's agreements with both national and state banks, by legislation under which almost all banks in the state paid compromise settlements of their taxes varying from 60% to 75% on the ad valorem basis.

At the last special session of the Legislature there was enacted Chapter 65 of the Special Laws of 1937, under which the banks of the state, through agreement, paid at the rate of 22% of the true and full value of their shares. The banks have always contended, in accordance with the courts' decisions, that this tax was an illegal one and that it was necessary that there should be enacted legislation to legally tax them and to end the ad valorem compromise.

The action in this session of the Legislature to enact a legal tax by placing upon banks an excise tax in the same manner as domestic corporations at the rate of 6% of their net income is represented by H. F. No. 1378.

The solution to this old problem as represented by H. F. No. 1378 may well be, according to the best information I have been able to secure, the only solution that can be reached and it may well be the highest legal tax that can be placed on national banks in Minnesota, because of the Federal restrictions, but in view of the extreme importance of this matter and the very material reduction in taxes, at a time when the state so needs its revenue, as we sincerely endeavor to place the state on a sound financial basis, I have reached the conclusion that this measure should have more consideration by the people of the state and by our administration with full knowledge of the effect that it will have upon the taxes of banks than it has had.

The measure was not brought to my attention in any manner until the completed bill, passed by both houses, reached my desk for signature, three days before the end of the session. So far as I have been able to determine, the extent of the effect of this bill upon the taxes has not been called to the attention of the people as a whole.

Upon learning of the facts of the situation I endeavored on the last night of the session to have the effective date of this act postponed to January 1st, 1941, and to have a new compromise measure for the intervening two years enacted at a somewhat reduced rate to the compromise of two years ago in order that we might in the interim advise the people of the situation and also determine whether there was any other action that could be taken, so that if no other action appeared no new legislation would be necessary as the new bill would automatically go into effect in two years. This proposition was not adopted.

I recognize that the non-approval of this act gives rise to other problems with which we will cooperate in correcting.

Only one year's taxes will come due before the next Legislature meets and I therefore respectfully request and urge that the banks of the state, both state and

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
27	84	0

ON SF 477 - Gasoline Truck Load Limit Bill - DATE April 11 1939

A motion to regulate the load by weight instead of by gallons.

**The question being taken on the Passage of the Bill.**

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

**Those who voted in the negative were:**

NAME	A	N	N.V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN				HAGEN, E.			*	MYRE			*
ANDERSON, C. G.	*			HAGEN, G.			*	NELSON, C. J.			*
ANDERSON, G. E.				HAGLAND			*	NELSON, W. N.			*
ANGSTMAN	*			HALSTED			*	NONNEMACHER			*
ANTILA	*			HANSEN			*	OBERG			*
BARRETT	*			HARRISON				ODENBORG			*
BECKWITH	*			HART			*	O'MALLEY			*
BENNETT				HARTKOPF			*	ONAN			*
BERLIN	*			HARTLE			*	ORAAS			*
BOEHLKE	*			HAYFORD			*	OTTINGER			*
BONDHUS				HEADLEY			*	PAIGE			*
BOZE	*			HELLING			*	PALMER			*
BROPHEY				HERING				PESHEK			*
BURDICK				HERSETH			*	PETERSON, G. C.			*
BURNAP	*			HILL			*	PETERSON, H. L.			*
BUTLER	*			HILLIER			*	PETERSON, P. B.			*
CAMPBELL				HILTON			*	PETERSON, P. J. E.			*
CHAMPLIN	*			HOMPE			*	POWERS			*
CHILGREN	*			HOWARD			*	PRIFREL			*
CONSTABLE	*			HUHTALA			*	ROTH			*
COVERT	*			IMDIEKE				RYKKEN			*
CUMMINGS	*			IVERSON			*	SAWYER			*
DAMMANN	*			JEBB			*	SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.			*	SCHNEIDER, W.			*
DAY	*			JOHNSON, J. A.			*	SCHULZ			*
DIXON	*			JOHNSON, R. G.			*	SCHWANKE			*
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK	*			KEMPFER			*	STANCHFIELD			*
DORWEILER	*			KIEFER			*	STOCKWELL			*
DREXLER	*			LEE				SWENNES			*
DUCKSTAD	*			LENERTZ				TEIGEN			*
DUEMKE	*			LITCHKE			*	TERWILLIGER			*
DUNN	*			LORENTZ			*	THOMPSON			*
EICHHORN	*			LOWE			deceased	TRISCH			*
EKLUND	*			MacKINNON			*	VANCE			*
EKMAN	*			MANN			*	VUKELICH			*
EMOND	*			MARTINSON			*	WANICK			*
ENSTROM	*			McNULTY				WEIDENDORF			*
ERICKSON	*			MELBY				WELCH			*
EVENSON	*			MEMMER			*	WIDSTRAND			*
FINSTUEN	*			MERRILL			*	YOUNG			*
GALE	*			MILLER			*	ZWACH			*
GIBBONS	*			MOBERG			*	MR. SPEAKER			*
GIFASON	*			MORTINSON			*				*

# MINNESOTA HOUSE OF REPRESENTATIVES

VETOED

## ROLL CALL

AYE	NAY	NOT-VOTING
87	33	

ON SF 477 - Gasoline Truck Load Limit Bill

DATE April 11

1939

### Final Passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.		*	
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.		*	
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT				HARRISON		*		ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN		*	
BERLIN	*			HARTLE		*		ORAAS		*	
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING				PESHEK	*		
BURDICK		*		HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.	*		
BUTLER	*			HILLIER		*		PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN				HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD		*		PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH		*	
COVERT	*			IMDIEKE				RYKKEN		*	
CUMMINGS	*			IVERSON		*		SAWYER		*	
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.		*	
DAUN		*		JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.				SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL		*	
DREXLER	*			LEE				SWENNES		*	
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN				LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE		deceased		TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH		*	
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN				MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH		*	
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
48	4

ONSE 477-Gasoline Truck Load Limit DATE

March 7

1939

Final Passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG		*	NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE			PEDERSON		*
DEVOLD			RIBENACK		
DIETZ			RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT		*	ROEPKE		
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		
HAHN	*		SOLSTAD		
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY			TUNGSETH		
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.			WEBER		
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		
MASEK	*		WRIGHT		
MILLER, A. H.	*				

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
25	48	

ON Joint Resolution No. 7 - State Department

DATE April 18

19 39

Investigation - A motion to give Minority House and Senate groups representation on committees.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE			*
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.			
ANDERSON, G. E.				HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN				HALSTED	*			NONNEMACHER			
ANTILA	*			HANSEN		*		OBERG			
BARRETT	*			HARRISON		*		ODENBORG			*
BECKWITH	*			HART		*		O'MALLEY	*		
BENNETT				HARTKOPF	*			ONAN			*
BERLIN				HARTLE				ORAAS			
BOEHLKE	*			HAYFORD	*			OTTINGER			*
BONDHUS				HEADLEY	*			PAIGE			*
BOZE	*			HELLING				PALMER			*
BROPHEY				HERING		*		PESHEK			*
BURDICK				HERSETH				PETERSON, G. C.			*
BURNAP	*			HILL		*		PETERSON, H. L.	*		
BUTLER	*			HILLIER		*		PETERSON, P. B.			*
CAMPBELL				HILTON				PETERSON, P. J. E.			
CHAMPLIN				HOMPE		*		POWERS			
CHILGREN	*			HOWARD		*		PRIFREL			*
CONSTABLE	*			HUHTALA		*		ROTH			*
COVERT	*			IMDIEKE				RYKKEN			*
CUMMINGS				IVERSON	*			SAWYER			
DAMMANN	*			JEBB				SCHNEIDER, F. F.			*
DAUN				JOHNSON, E.				SCHNEIDER, W.			*
DAY	*			JOHNSON, J. A.		*		SCHULZ			*
DIXON				JOHNSON, R. G.		*		SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK				KEMPFER		*		STANCHFIELD			*
DORWEILER				KIEFER				STOCKWELL			
DREXLER				LEE				SWENNES			
DUCKSTAD	*			LENERTZ		*		TEIGEN			
DUEMKE				LITCHKE				TERWILLIGER			
DUNN	*			LORENTZ		*		THOMPSON			*
EICHHORN	*			LOWE			deceased	TRISCH			
EKLUND				MacKINNON		*		VANCE			*
EKMAN	*			MANN				VUKELICH			
EMOND				MARTINSON				WANVICK			
ENSTROM				McNULTY		*		WEIDENDORF			
ERICKSON	*			MELBY		*		WELCH			
EVENSON	*			MEMMER		*		WIDSTRAND			*
FINSTUEN				MERRILL		*		YOUNG			
GALE				MILLER		*		ZWACH			
GIBBONS				MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON							

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
29	60	

ON Joint Resolution No. 7 - State Department

DATE April 18 1939

Investigation - A motion that all witnesses be allowed counsel of their own choosing

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE		*	
ANDERSON, C. G.				HAGEN, G.	*			NELSON, C. J.		*	
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN				HALSTED	*			NONNEMACHER			
ANTILA	*			HANSEN		*		OBERG		*	
BARRETT	*			HARRISON		*		ODENBORG		*	
BECKWITH	*			HART		*		O'MALLEY		*	
BENNETT				HARTKOPF		*		ONAN			
BERLIN				HARTLE		*		ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER		*	
BONDHUS				HEADLEY		*		PAIGE		*	
BOZE				HELLING		*		PALMER		*	
BROPHEY				HERING				PESHEK		*	
BURDICK	*			HERSETH				PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.		*	
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.		*	
CHAMPLIN				HOMPE		*		POWERS			
CHILGREN	*			HOWARD		*		PRIFREL			
CONSTABLE	*			HUHTALA		*		ROTH		*	
COVERT	*			IMDIEKE				RYKKEN		*	
CUMMINGS	*			IVERSON		*		SAWYER		*	
DAMMANN				JEBB				SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.				SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.				SCHULZ		*	
DIXON	*			JOHNSON, R. G.		*		SCHWANKE		*	
DOERR				JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER		*		STANCHFIELD		*	
DORWEILER	*			KIEFER				STOCKWELL			
DREXLER				LEE				SWENNES		*	
DUCKSTAD	*			LENERTZ		*		TEIGEN			
DUEMKE	*			LITCHKE				TERWILLIGER			
DUNN	*			LORENTZ		*		THOMPSON		*	
EICHHORN				LOWE		deceased		TRISCH			
EKLUND				MACKINNON		*		VANCE		*	
EKMAN	*			MANN				YUKELICH		*	
EMOND				MARTINSON		*		WANVICK			
ENSTROM				MCNULTY		*		WEIDENDORF			
ERICKSON	*			MELBY		*		WELCH			
EVENSON	*			MEMMER		*		WIDSTRAND		*	
FINSTUEN				MERRILL		*		YOUNG		*	
GALE	*			MILLER		*		ZWACH		*	
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
25	66	

ON Joint Resolution No.7 - State Department

DATE April 18

1939

Investigation - A motion to make all hearings and records open to the public

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE			*
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.			*
ANDERSON, G. E.				HAGLAND	*			NELSON, W. N.			*
ANGSTMAN				HALSTED	*			NONNEMACHER			*
ANTILA	*			HANSEN	*			OBERG			*
BARRETT				HARRISON	*			ODENBORG			*
BECKWITH	*			HART	*			O'MALLEY	*		*
BENNETT				HARTKOPF	*			ONAN			*
BERLIN				HARTLE				ORAAS	*		*
BOEHLKE	*			HAYFORD	*			OTTINGER			*
BONDHUS				HEADLEY	*			PAIGE			*
BOZE				HELLING	*			PALMER			*
BROPHEY	*			HERING				PESHEK			*
BURDICK	*			HERSETH				PETERSON, G. C.			*
BURNAP	*			HILL	*			PETERSON, H. L.	*		*
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		*
CAMPBELL	*			HILTON				PETERSON, P. J. E.			*
CHAMPLIN	*			HOMPE	*			POWERS			*
CHILGREN	*			HOWARD	*			PRIFREL			*
CONSTABLE	*			HUHTALA	*			ROTH			*
COVERT				IMDIEKE				RYKKEN			*
CUMMINGS	*			IVERSON	*			SAWYER			*
DAMMANN	*			JEBB				SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.			*
DAY	*			JOHNSON, J. A.	*			SCHULZ			*
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			*
DOERR	*			JOHNSTON, W. C.	*			SLEN	*		*
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		*
DORWEILER				KIEFER	*			STOCKWELL			*
DREXLER	*			LEE				SWENNES			*
DUCKSTAD	*			LENERTZ	*			TEIGEN			*
DUEMKE				LITCHKE				TERWILLIGER			*
DUNN	*			LORENTZ	*			THOMPSON	*		*
EICHHORN	*			LOWE		deceased		TRISCH			*
EKLUND	*			MacKINNON	*			VANCE			*
EKMAN	*			MANN				VUKELICH			*
EMOND				MARTINSON				WANVICK			*
ENSTROM				McNULTY				WEIDENDORF			*
ERICKSON	*			MELBY				WELCH			*
EVENSON	*			MEMMER	*			WIDSTRAND	*		*
FINSTUEN				MERRILL	*			YOUNG			*
GALE				MILLER	*			ZWACH			*
GIBBONS				MOBERG	*			MR. SPEAKER			*
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
71	18	

ON Joint Resolution No.7 - State Department

DATE April 18

1939

### Investigation - Final Passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.				MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.				HAGLAND				NELSON, W. N.			
ANGSTMAN				HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY			
BENNETT				HARTKOPF	*			ONAN	*		
BERLIN				HARTLE	*			ORAAS			
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS				HEADLEY		*		PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH				PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.		*	
CAMPBELL	*			HILTON				PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE	*			POWERS			
CHILGREN	*	*		HOWARD	*			PRIFREL			
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN			
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB				SCHNEIDER, F. F.	*		
DAUN				JOHNSON, E.				SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ			
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN			
DUEMKE				LITCHKE				TERWILLIGER	*		
DUNN	*			LORENTZ				THOMPSON		*	
EICHHORN	*			LOWE		deceased		TRISCH			
EKLUND	*			MacKINNON	*			VANCE			
EKMAN	*			MANN				YUKELICH		*	
EMOND				MARTINSON	*			WANVICK			
ENSTROM				McNULTY		*		WEIDENDORF			
ERICKSON	*			MELBY		*		WELCH			
EVENSON	*			MEMMER	*			WIDSTRAND		*	
FINSTUEN	*			MERRILL	*			YOUNG			
GALE	*			MILLER	*			ZWACH			
GIBBONS				MOBERG	*			MR. SPEAKER		*	
GLEASON				MORTINSON							

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
45	1

ON On - Joint Resolution No. 7 DATE April 18 1939

State Department investigation Final passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		
ALMEN	*		MULLIN		
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND			NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR			OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY			ROCKNE		
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG			SELL		
GAGE			SIEGEL		
GALVIN			SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID			STARKS		*
IMM	*		STIENING		*
JOHNSON			SULLIVAN		
JULKOWSKI	*		SWENSON		
KELLY	*		TUNGSETH		
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		
LOFTSGAARDEN	*		WINKJER		
LOMMEN			WOLFE		*
MASEK	*		WRIGHT		
MILLER, A. H.	*				

national, pay the first one-half of that year's tax on the old basis, which would be 50% compared to the 60% of the last two years and that the confirmation of this compromise and a compromise of the taxes that come due in 1941 be effected by the next Legislature or by a special session, if the necessity for such special session should arise.

In the interim we shall thoroughly study this problem, which, although it is an old one, is a new one for our administration, and a new one for the people of the state in so far as the particular solution represented in H. F. No. 1378 is concerned.

HAROLD E. STASSEN,  
Governor.

#### Other Vetoes

*In addition to the vetoes on which there were written communications, there were five other vetoes as follows:*

**S. F. 477**, prohibiting the transportation of inflammable liquid on public highways in quantities of over 2,000 gallons in a single vehicle.

On his veto of this bill, the Governor said he would have signed it had it not been for the provision that, in the opinion of the Attorney General, made the law apply to all public highways of the State including side roads, city streets and alleys. The Governor promised that the State Railroad and Warehouse Commission would consider the question and draw up a regulation on gasoline truck loads in conformity with public safety demands of highways.

*Veto dated April 22nd, 1939.*

**H. F. 328**, granting railroads a license to sell cigarettes on trains. The Governor questioned the phraseology of the bill and said that the way it was drawn a railroad

could secure a license for \$25 to retail cigarettes on all of its cars.

*Veto dated April 22nd, 1939.*

**S. F. 1371**, relating to village elections in St. Louis County. Governor Stassen charged that this was a device to continue elective officers in certain St. Louis County municipalities a year and a half without a vote of the people. Under the bill the general election period for all villages over 3,000 population would be in December of the even-numbered years. Those candidates who, when the December, 1940, election would have been held, had terms expiring after January 1st, 1941, would have continued in office until December 31st, 1942, as the Governor read the bill.

*Veto dated April 22nd, 1939.*

**S. F. 1232**, prohibiting the private use of publicly owned, tax exempt cars. Praising the motive back of the bill, the Governor said the measure's language was so restrictive that it was made impractical. He declared the penalty for violation was a misdemeanor. The policy of the State, he emphasized, will be to discharge any State employees who shall use State cars on private business.

*Veto dated April 22nd, 1939.*

**S. F. 10**, abolishing the Executive Council. The Governor explained the veto was made after a conference with members of the State Executive Council, and principally for the reason that the bill would have abolished the State Calamity Fund Act. "Though this fund may have been abused in the past, in view of the governmental reorganization which we are making and because of the modest relief appropriation made by the Legislature, this Act (State Calamity Fund Act) may be the means of avoiding a Special Session."

*Veto dated April 22nd, 1939.*

**SUMMARIZED REPORT**  
**of the**  
**JOINT SENATE AND HOUSE INVESTIGATION COMMITTEE**  
**covering the acts and activities of the various govern-**  
**mental departments and agencies of the State of Minnesota**

(NOTE—The second day of the session saw Senate Resolution No. 3, calling for a sweeping investigation of state departments, passed. Only feeble opposition met the proposal in either branch. When the terms of the inquiry had been agreed upon, the Senate appointed the following members to the Committee: Senators Sletvold, Welch, Carley, Ledin and Seifert. From the House membership the following were chosen: Reps. Erickson, Lee, Merrill, Lenertz and Burnap. Organization of the Committee found Senator Sletvold as chairman, and Rep. Erickson as vice-chairman.

The report of the Committee, prepared after many public and executive hearings, is presented herewith in summarized form. It speaks for itself.

The Legislature voted to continue the investigation beyond the session, and the same ten members were assigned to the task. There was considerably more opposition to an interim committee than to the original. At the end of the report will be found several of the more important House votes on Joint Resolution No. 7, adopted the last day of the session, and creating an interim committee to investigate all state departments.)

**(SEE VOTES ON JOINT RESOLUTION NO. 7 OPPOSITE THIS PAGE)**

**Y**OUR Committee has devoted a major portion of the time available to the investigation of the State Department of Highways. Four public hearings have been held for the purpose of ascertaining the facts relative to four certain subjects which may be designated in the order of hearing, as personnel, equipment rentals, "emergency" contracts, and purchases. The following facts were adduced on these subjects:

*Personnel:* For administrative purposes the state is divided in sixteen maintenance districts. Resident in each maintenance district is a district maintenance engineer. He is charged primarily with the duty of maintaining trunk highways in his district and is answerable to the chief maintenance engineer at the central office in St. Paul. The chief maintenance engineer reports directly to the Commissioner of Highways.

Early in 1933, under the direct orders of the Commissioner of Highways, all maintenance and shop employees were required to procure the approval of the local county Farmer-Labor's committee in order to retain a job. A very large number of the old trained force could not procure such approval and were summarily discharged. All replacements and additional maintenance labor thereafter required, with a few exceptions, were the nominees of the local committees. The engineers could neither hire nor fire without political ap-

roval. Discipline was a thing of the past and morale was lowered. Average per mile maintenance department expenditures in 1932 were \$640.33, and in 1938 were \$972.05.

The Director of Personnel functioned through the county party committees and in the last analysis had full charge of the hiring and discharging of all employees, except only the skilled engineering and technical forces.

Under this system it was shown that the Department pay rolls were heavily overloaded with incumbents who performed no useful service for the state.

In the central offices alone, sixty surplus employees were on the pay roll in the fall of 1938 in the divisions of maintenance, safety, patrol and plant and equipment, none of whom then performed any necessary or useful service. The aggregate pay of these sixty employees was in excess of nine thousand dollars per month, with salaries ranging from \$110 to \$275 per month, plus traveling allowances and expense accounts.

As of November 1, 1938, the monthly pay roll of the central office maintenance division was \$20,168.33, with 122 employees. As of March 1, 1939, the monthly pay roll of the same office was \$8,420 with 49 employees. This was not a seasonal reduction and the March, 1939, force was sufficient for full annual operations of this division.

## EQUIPMENT RENTALS

It has apparently been the policy of the Commissioner of Highways for many years past to rent contractors' equipment for use in carrying out routine maintenance work for which the Department was not equipped or for use in completing some unforeseen items under contract not covered by the specifications. For this purpose a schedule of rentals was developed fixing hourly rates for various types of equipment. Many contractors filed with the Department a list of equipment available for rental.

Under the last Commissioner of Highways, the use of equipment rentals and day labor was very much extended. Following is a table showing the amount expended by the Department for equipment rentals in the maintenance division during the past three years, i. e.:

1936 .....	\$ 681,041.14
1937 .....	1,162,094.89
1938 .....	1,402,566.53
3-year total.....	

\$3,245,702.56

The foregoing figures show the total sums paid various contractors for equipment rental only, and do not include the amounts expended for day labor or materials used in conjunction therewith.

Practically all of the equipment rental jobs were betterments as distinguished from maintenance and were in fact construction jobs. Under the usual and former routine of the Department, construction jobs were advertised and let at public letting to the lowest responsible bidder, and carried out under the direction of the Department's construction division. On all routine Federal Aid jobs, public letting is required by the Bureau of Public Roads. The construction division rented little equipment, except a limited amount under W.P.A., or other Federal set-up designed to employ relief labor. Practically all rented equipment was used for road construction carried out under the maintenance division. It apparently was the theory of the then Commissioner and his advisors that all moneys expended through the maintenance division were free from the statutory requirement that public letting be had on construction work; this, regardless of whether the work was in fact a betterment or maintenance.

The results of this diversion of available highway funds from usual channels of expenditure were shown. It appeared from the Commissioner's official reports that the following sums had been spent through the maintenance division for betterments on Federal Aid roads alone:

1936 .....	\$ 690,377.33
1937 .....	1,669,832.19
1938 .....	1,607,990.21
3-year total.....	

\$3,968,199.73

The 1938 total does not include items unpaid for want of funds at the close of the year. On Trunk Highway No. 61 in Lake and Cook Counties (the North Shore Road) there was spent for betterments under this system during the period mentioned, the total of \$701,413.06, and on Trunk Highway No. 26 in Houston County during the same period, the sum of \$311,505.91. All of these amounts were spent without advertisement or the taking of any bids. Federal Aid was therefore not available. The Bureau of Public Roads requires public letting.

The net result was a substantial loss to the state in accomplishment of new highway construction. As of December 31, 1938, there was available to the state and not under contract, unused Federal Aid in the sum of \$2,480,013. Except for the diversion of funds to equipment rentals, as above set forth, all of this Federal Aid could have been utilized prior to December 31, 1938, with a resultant increase on the 50-50 basis, of double the amount cited in construction contracts.

The facts cited were matters of record in the Commissioner's office. The waste of public funds through rentals was more in other instances than in the two cases last cited. On Trunk Highway No. 18 (North Shore Mille Lacs) the cost of grading and partially graveling 12.2 miles of highway on equipment rental and day labor basis, was \$182,132.25 compared to \$65,065.46 had the job been let by contract—with increase under the former method as compared with the latter of some 180 per cent. In other instances brought to your Committee's attention, rented equipment was placed on northern Minnesota earth grading jobs during the winter seasons, and over the protests of the engineering staff, with resultant large expenditures and negligible accomplishment. In this connection specific reference is made to a job on Trunk Highway No. 84 near Longville.

So far as has been ascertained, all contractors received the same hourly rate for specific items of equipment. The Committee has not yet had the time to have the rates fully analyzed and is not as yet prepared to say that the hourly rates set up by the Department were generally excessive for the intended purpose, i. e., the occasional routine maintenance job for which the Department was not equipped.

The vice of the system was in the use of equipment at the schedule rates on extensive construction jobs where the rental pay rolls of a certain few lessors, show practically straight time for double shifts over long periods.

## EMERGENCY CONTRACTS

*"Emergency" Contracts:* Your Committee adopts the term "emergency" contracts as descriptive of the next class of work inves-

tigated and covered by this report. The term is derived presumably from the statute which authorizes the Commissioner "in case of emergency requiring immediate action" to award contracts without public notice. During the years 1936 and 1937 there was expended under the maintenance division the sum of \$999,193.47 for so-called emergency contracts. Apparently there were no emergencies in 1938 and very few prior to 1936.

#### PURCHASE ORDERS

The Reorganization Act of 1925 contemplates regulations requiring public advertisement and receipt of bids on all purchases in excess of \$500. This law has not been followed. In 1938, the Attorney General's office rendered an opinion that the law cited was not applicable to the Commissioner of Highways or the Highway Department. In a pending case, the district court has held it to be mandatory and applicable.

Under the usual routine a requisition or request is presumed to be issued by the division of the Department requiring any material, equipment or supplies. If the requisition be approved, bids are taken and a purchase order issued to the lowest responsible bidder. This routine has not been followed. Public advertisement was the exception rather than the rule. In some instances quotations were solicited by mail but in many instances the only quotation on file is that of the successful seller. In fact in some cases requisitions or requests are lacking and in a very large number of instances the requests are dated subsequent to the purchase order.

A complete investigation of the purchases made by the Highway Department in recent years will require months of audit and checking. As a typical example, however, the following is noted: 118,140 center line traffic buttons were purchased from time to time without public advertisement at a cost to the state of \$172,652.82. During the year 1938, a sum in excess of \$87,000 was spent for center line paint without public advertisement. In addition to the last mentioned item, split orders were issued without competition in the total sum of \$6,800, for center line paint and glass beads, all orders being issued at the same time and each being under \$600. During the years 1936 and 1937 a total of \$45,265 was spent for "moss peat" at \$32 to \$36 per ton for use of the maintenance crews as a fertilizer on roadside development. A large part of this item was purchased without requisition or request.

Very large amounts of bituminous road material have been purchased without public letting. During the years 1936, 1937 and 1938, purchases in the aggregate sum of \$390,000 were made from one concern and purchases aggregating \$334,405.71

from a second concern, all of plant mix bituminous material of various types. One of the orders involved alone was for 10,000 tons of material at \$11.50 per ton, or a total of \$115,000. In no instance was there any public advertisement and in no instance was there a request or requisition in advance made by the engineering staff. In two cases involving these purchases, an order was issued for the material rolled in place on the road. The construction of a new bituminous road surface is a construction job. Nevertheless, the items mentioned were handled as purchase orders without public advertisement and without competition. The instances mentioned are the road from Taylors Falls to Lindstrom, involving an expenditure of \$57,580.50, and Trunk Highway No. 169 from Grand Rapids south, involving an expenditure of \$138,116.86. Of the bituminous materials purchased from these two concerns, a considerable portion was used for routine maintenance and patching. Another portion was used for the resurfacing of old pavements. Material which cost the state \$11.50 per ton was used for patching in place of other available and suitable material which was costing \$3.25 per ton. In one instance where the material was used to resurface an old highway, some \$15,500 per mile, or a total of \$56,548.51 was expended to cover an 18-foot pavement with 1½ inches of material. In comparison, it was shown that the cost of a new 20-foot concrete pavement would have been in the neighborhood of \$23,000 per mile.

Miscellaneous steel purchases of the Department during the past four years amounted to \$785,311.35. This total excludes any amounts spent for structural steel and bridges let under contract. Of this sum, \$760,999.70, or 97 per cent, was paid to two associated concerns. Practically all of the steel purchases were made without public letting and generally without apparent competitive quotations.

#### CLOSED HEARINGS

*Closed Hearings:* Your Committee held several closed hearings. Where the facts there adduced indicated the violation of any penal statute, the evidence was furnished the Attorney General and prosecuting officers for their consideration and action. Certain indictments have been returned. Other evidence is under consideration. At this writing, one criminal trial is in progress. Others are pending. Some ten civil actions for recovery by the state have been noticed for trial. These actions involve purchase orders and emergency contracts in excess of one million dollars.

The pending cases, both civil and criminal, cannot be adjudicated in this report and your Committee purposely has avoided the mention of defendants by name and any report on the specific facts involved. Your Committee will not keep secret the

name of any wrongdoer, nor will it suppress any facts showing wrongdoing. Such names and facts are a part of the records of the Committee and will be made public at the proper time. For the present, the detailed report of all evidence before the Committee will be filed with the Attorney General to be made public later by him, or by such interim committee as may be authorized.

#### BOARD OF CONTROL

Anthony J. Conroy was purchasing agent for the Board of Control in the year 1938. The Board of Control purchased supplies for the state institutions, including training schools, state hospitals, Hospital for Crippled Children, and the state sanitarians. In the purchase of supplies such as groceries, provisions, etc., one week's order was given at one time. It was the practice of the purchasing office to call merchants by telephone, advise them that on that day they would award purchase orders for certain commodities and receive bids therefor. These commodities were all listed on a large sheet of paper on which the names of the commodities were listed on the left margin, and the names of bidders were listed at the head of the respective columns. The bids were transmitted by telephone and listed by the person in the office who received them, in lead pencil. By comparison of the bids in parallel columns, an inspection shows the low bid for each separate commodity. In respect to the buying of fish, after these bids were let, it was the practice of Mr. Conroy to review the bids and without conference with any other individual, to award the contract for the purchase of fish to Midwest Fish Company. Bids for fish were received from Booth, Midwest Fish Company, Eisenmengers, Forman & Beaton, and the Northern Fish Company, but the Midwest Fish Company got all the contracts during all of the time covered by the evidence. The Midwest Fish Company's address is St. Paul.

The bids as recorded in lead pencil, were changed as they related to the Midwest Fish Company. No bids recorded for any other bidder were changed. The original figures as submitted and tabulated by the clerk in the office were revised by the purchasing agent. The figures originally made by the clerk were first erased and then new figures were substituted in their place for the purpose of making it appear that the Midwest Fish Company was the low bidder.

In the purchases of steel products, Paper-Calmenson Company was the successful bidder in most purchases made from September, 1936, to 1938. Other bidders were Sculley Steel Products Company, A. M. Castle & Company, St. Paul Foundry, Joseph T. Ryerson & Son, Inc., Kelley-How-Thomson Company, and Bethlehem Steel

Company, and Nicols, Dean & Gregg; but Paper-Calmenson Company was the successful bidder on so many of these purchases, as to make the name appear conspicuous among the other bidders.

In the purchases of lumber by the state from August, 1936, to September, 1938, a period of two years, and one month, the following bidders submitted bids to the state:

Osborne Lumber Company, St. Paul.  
Central Lumber Company, St. Paul.  
Simonson Lumber Company, St. Paul.  
Lampert Lumber Company, St. Paul.  
Bennett Boiler Lumber Co., Minneapolis.  
Botsford Lumber Company, Minneapolis.  
Gypson Lumber Company, Red Wing.  
S. Berglund Lumber Company, St. Paul.

The various bids for lumber which were received in evidence show that the forms were prepared in the office of the purchasing agent and the items of lumber to be purchased were specified in detail. The rules for bidding required that the bidder should state the price for each item and extend into the last column the total charge therefor, after which all of the items were to be added and the sum would constitute the bid. In the case of all bidders except S. Berglund Lumber Company, the bids conformed to the rule, but in the case of S. Berglund Lumber Company, the price of the items was in no instance specified and the amount bid for the several items was not stated in detail, but only the total bid was stated. While it appears from such evidence that in many instances the amount of the total bid of S. Berglund Lumber Company was inserted in the bid after all other bidders had presented their bids, and in many instances the bid of the S. Berglund Lumber Company was but a few dollars or a few cents less than the next higher bid, the S. Berglund Lumber Company invariably got the business and it appears that this practice was unjust to the other bidders participating.

In the purchase of furniture, bedding and supplies generally sold by furniture stores, Boutells, a furniture store operating in Minneapolis, was the favored bidder during the period of time covered by the evidence. At one instance Boutells, Salisbury, Harvey & Harvey, U. S. Bedding Company, and Institutional Products Corporation were all bidders. The bids as originally submitted on the schedule were changed insofar as Boutells' bid was concerned. Boutells' original bid was \$153.75, but was changed to \$185. After the bid had been changed, Harvey & Harvey's bid of \$93.75 was low, but Boutells got the business. The \$153 bid was removed from the file, but the tabulation of bids which was made after the bids were received, showed the record of the original bid of \$153.75 and that it had been changed.

On various other bids for various other articles of merchandise including ranges,

coffee urns, kitchen utensils and supplies, china, bed blankets, and radios, Bouteils was the successful bidder, irrespective of the fact that their bids were not low and in many cases were high. Many other bidders were engaged in competitive bidding against Bouteils and no reason appears in the record that the high bid should have been received.

In the purchase of fruits and vegetables, the bids were received the same as in the case of the purchase of fish and in 43 weeks out of one year, the Minnesota Jobbing Company of St. Paul was the successful bidder on the sale of fruits and vegetables to the State. These bids by Minnesota Jobbing Company were changed in the same manner as the bids were changed in respect to the purchase of fish. The fruits and vegetables sold by Minnesota Jobbing Company were in many cases so very inferior in quality, that the superintendent of the State Hospital for Crippled Children and the superintendent of the Home for Feeble-Minded protested against the quality of the products purchased, but the record fails to show that any attention was paid to the protests. The bids of Minnesota Jobbing Company were altered on the tabulated bid sheet, in some cases 10 or 12 alterations appeared on a single sheet. These alterations were made by the purchasing agent, as was the case in the purchase of fish.

In a shipment of apples made by the Minnesota Jobbing Company to the School for the Feeble-Minded, 24 bushels out of 200 were rotten; the State paid \$1.60 per bushel for these apples, and the same quality or better could have been purchased for 65c a bushel. Cranberries shipped to the Hospital for the Insane at St. Peter, were inferior in quality, and although the State paid \$3.75 per box therefor, a better quality could have been purchased in the open market at Mankato for \$2.70 per box.

The State, through this purchasing agent, purchased 170 tons of number one alfalfa hay from Robert Munn of Hennepin County, Minnesota, for use at Ah-Gwah Ching, 200 miles distant. The purchase price was \$12 a ton; delivery was made by truck; when the hay was delivered, complaint was made concerning its quality, and the complaint was that this hay was the worst lot of hay that had been purchased in the institution; that it was moldy, wet, bleached, and coarse.

In the purchase of furniture from Bouteils and in the purchase of fruits and vegetables from Minnesota Jobbing Company, and in the purchase of fish from Midwest Fish Company, Mr. Conroy acted in pursuance of directions. During this time, Roger Rutchick was secretary to the Governor, and previous to these purchases, he had directed that Mr. Conroy favor the Minnesota Jobbing Company and the Midwest Fish Company. The brother of Mr.

Rutchick was employed by the Minnesota Jobbing Company. A man named Sam Lifson was a salesman for Bouteils, and Mr. Conroy was instructed by a person in high office to see that Lifson was given some business.

In the purchase of automobiles by the Board of Control, Egan Chevrolet Company of South St. Paul was the successful bidder on the sale of 21 automobiles, and the Riverview Chevrolet Company, during the same period, sold 3 automobiles to the Board. These were sold without advertisement for bids and only two other bidders were successful in selling one car each. It appears that Riverview Chevrolet Company and Egan Chevrolet Company are owned by the same persons, so that they were successful in selling 24 out of 26 cars during the period July, 1936, to January, 1939.

The purchase of the merchandise and commodities mentioned was made by the State without respect to the interests of the State, but apparently for the purpose of favoring certain bidders.

#### STATE RELIEF AGENCY

During the year 1937, the State Relief Agency had its offices first at 478 St. Peter Street; afterwards, at the old Federal Building at 5th and Wabasha Streets, in St. Paul; then at the State Capitol and afterwards at the Michaud Building at 8th and Robert Streets. This agency purchased merchandise to be used in connection with the building of dams, school buildings, in the operation of transient camps, and other miscellaneous projects. Various kinds of merchandise were purchased.

Purchases were made by the purchasing agent and his assistants upon requisition. The requisitions were signed by the administrator of the State Relief Agency, or his assistant. In the case of so-called emergency purchases, the business was very informally conducted. At times the requisition consisted of merely a memorandum, not always signed by the administrator, upon which the purchasing agent made the purchases. The purchases were sometimes made by telephone and these telephone orders were not always confirmed by a written order.

L. P. Zimmerman was the administrator during a portion of the time under consideration. Mr. Kranhold was deputy administrator, and thereafter Carl Lundberg held that office.

During the plasterers' strike in St. Paul a requisition was made for the purchase of foodstuffs to be delivered at the Agency's address, but they actually were delivered at 459 St. Peter Street, which was the address of the B & L Cafe, and the goods were actually used to feed persons during the plasterers' strike at the expense of the State. These goods, at Mr. Lundberg's direction, were charged to the trans-

sient camp at Savage, by Paul J. Calder, the purchasing agent, although none of such goods was delivered there. The purchase price which the State paid was \$633.88.

During the laundry drivers' strike in July, 1937, Mr. Lundberg, as deputy administrator, made a requisition for food-stuffs upon which requisition the purchasing agent purchased goods of the value of \$638.25, which were delivered at 347 University Avenue, in St. Paul. These deliveries were not made by the sellers of the goods, but the goods were picked up by the person employed by the Relief Agency and by him delivered.

When these goods were delivered at the various places mentioned, they were never delivered to employees of the State. Various persons received for the deliveries. The deliveries made at the B & L Cafe were received for by persons there employed and goods delivered at strike headquarters were received for by the persons in charge of such headquarters.

These irregular transactions came to the attention of former Governor Elmer A. Benson. The persons who sold the goods were unable to get any action by any officer of the State government looking toward the payment of the bills. All action was delayed until after the 1938 election, and even then no one was willing to assume the responsibility of paying out the State's funds for these goods which were sold by the merchants in good faith at the request of persons in authority.

In November, 1938, the Governor advised the sellers of goods that he expected payment for the goods would be justified upon investigation. Upon what he based his trust, he did not say.

#### RECOMMENDATIONS

Your Committee recommends that the investigation be continued by an Interim Joint Committee to continue the work already begun. Since the organization of

this Committee, some six weeks only have been available for investigation and the taking of evidence. There has been no opportunity to procure evidence relating to administration and operations of several important state departments and agencies. Information available to your Committee indicates that certain departments and agencies not mentioned in this report should, in the public interest, be investigated.

It is noted that the statute requiring public advertisement and receipt of bids on state purchases and contracts has been ignored and violated, that "split orders" have been frequently used as a subterfuge to apparently avoid the \$500 statutory limitation on purchases without advertisement; that purchases have been made under closed specifications, i. e., specifications covering a monopolistic product only, in instances where competitive products are available, and that authority for emergency contracts has been grossly abused; all to the loss of the State.

Under past departmental practices, it is often found difficult to place direct responsibility for waste of State funds. Millions of dollars have been paid out without verified or even written claim therefor by the claimant.

This Committee is here calling the attention of the Legislature to certain abuses. It is recommended that further study be made during the interim.

Respectfully submitted,

A. O. SLETVOLD, Chairman  
THOS. R. WELCH,  
ALEXANDER SEIFERT,  
JAMES A. CARLEY,  
WENDEL L. LEDIN,  
LAWRENCE L. LENERTZ,  
W. F. MERRILL,  
ROBERT F. LEE,  
A. M. BURNAP,  
CARL E. ERICKSON,

Vice Chairman.

#### VITAL STATISTICS OF THE FIFTY-FIRST LEGISLATURE

BILLS INTRODUCED—	
House .....	1,623
Senate .....	1,467
<hr/>	
Total .....	3,090

LAWS PASSED—	
House Bills .....	235
Senate Bills .....	220
<hr/>	
	455
Bills Passed But Vetoed.....	8
<hr/>	
Total Laws Signed.....	447

RESOLUTIONS ADOPTED.....	
	28

COST OF THE SESSION—	
Salaries and Expense.....	\$387,740.94
Printing and Binding.....	33,702.79
<hr/>	
	\$421,443.73

THE BILLS INTRODUCED MAY BE CLASSIFIED AS FOLLOWS:		
	House	Senate
Appropriation Bills.....	60	48
Claims .....	301	266
*Major Issues.....	85	74
**Minor Issues.....	483	401
***Local Issues.....	180	155
Highway .....	37	46
<hr/>		
	1,146	990
		†2,136

\*Of state-wide importance. Includes, in a number of instances, several bills on the same subject. An arbitrary selection.

\*\*Of limited interest. Includes bills of a general character that had no particular appeal. Equally arbitrary.

\*\*\*Strictly local business, applicable to certain villages or counties or particular school districts.

†The difference between this figure and the number of bills introduced is accounted for by the duplicates, or "companion" bills.

#### SESSION RAN 76 LEGISLATIVE DAYS

Convened, January 3, 1939

Adjourned, April 19, 1939

## ORGANIZATION OF THE HOUSE

ORGANIZATION of the 1939 House was completed 10 days after election. With 100 votes<sup>†</sup> assured from the beginning, the so-called conservatives had clear sailing.

Rep. Lawrence M. Hall,\* elected to his third term as a House member from St. Cloud (Stearns County) was the majority's choice for Speaker. Rep. Hall's selection was a foregone conclusion in view of the fact that in 1937 his name was submitted as a Speaker candidate in an unequal contest in which Rep. Harold E. Barker, the Farmer-Labor candidate, was an assured winner.

The minority group caucused a few days later and landed on Rep. Ed. Hagen, a farmer, of Milan (Chippewa County) starting his fourth term in the House, as its candidate.

Rep. Theo. S. Slen, lawyer, of Madison (Lac qui Parle County) another third-termer, was pushed into the contest on the opening day of the session on the chance that there might be room for a compromise candidate.

<sup>†</sup>Rep. W. C. Johnston of Waseca, was indisposed for the major part of the session which accounts for the fact that he is recorded as voting on few roll calls. Rep. Thos. Lowe of Pipestone, died March 13.

\*Born May 20, 1908. Graduate Georgetown Law School.

(NOTE—*The vote cast for the three candidates is shown on the opposite page.*)

## ORGANIZATION OF THE SENATE

ON THE Senate side the organization by the so-called conservatives was just as decisive as in the House, although a bit less dramatic. With only 11 members out of 67<sup>‡</sup> to call on, the minority was the weakest since the Farmer-Labor party ascended to power.

During the process of organizing, only one issue—that creating the Senate standing committees—drew fire expressed in 8 nay votes. Two of the 11 voted with the majority and one did not vote.

<sup>‡</sup>John J. White of Ogilvie, 1937 House member, defeated Fay Cravens for the Senate in the 1938 election, but died before the session convened. Fred Newton, dairy farmer of Princeton (Mille Lacs County) was elected to fill the vacancy and was sworn in Jan. 23rd.

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

REDACTED	REDACTED	REDACTED
For Hall 100	For Slen 10	For Hagen, E. 19

ON Selection of a Speaker

DATE January 3, 1939

19

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

H	S	Hagen	REDACTED			H	S	Hagen	H	S	Hagen
NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN	*			HAGEN, E.				MYRE		*	
ANDERSON, C. G.	*			HAGEN, G.				NELSON, C. J.		*	
ANDERSON, G. E.	*			HAGLAND				NELSON, W. N.		*	
ANGSTMAN	*			HALSTED				NONNEMACHER		*	
ANTILA		*		HANSEN		*		OBERG		*	
BARRETT		*		HARRISON		*		ODENBORG		*	
BECKWITH	*			HART		*		O'MALLEY		*	
BENNETT		*		HARTKOPF		*		ONAN		*	
BERLIN	*			HARTLE		*		ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER		*	
BONDHUS	*			HEADLEY		*		PAIGE		*	
BOZE	*			HELLING		*		PALMER		*	
BROPHEY	*			HERING		*		PESHEK		*	
BURDICK	*			HERSETH		*		PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.		*	
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE		*		POWERS		*	
CHILGREN		*		HOWARD		*		PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH		*	
COVERT	*			IMDIEKE		*		RYKKEN		*	
CUMMINGS	*			IVERSON		*		SAWYER		*	
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.		*	
DAY		*		JOHNSON, J. A.		*		SCHULZ		*	
DIXON	*			JOHNSON, R. G.		*		SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.		*		SLEN	Voted for Zwach		
DOMINICK	*			KEMPFER		*		STANCHFIELD		*	
DORWEILER	*			KIEFER		*		STOCKWELL		*	
DREXLER	*			LEE		*		SWENNES		*	
DUCKSTAD	*			LENERTZ		*		TEIGEN		*	
DUEMKE	*			LITCHKE		*		TERWILLIGER		*	
DUNN	*			LORENTZ		*		THOMPSON		*	
EICHHORN	*			LOWE		*		TRISCH		*	
EKLUND	*			MacKINNON		*		VANCE		*	
EKMAN	*			MANN		*		VUKELICH		*	
EMOND	*			MARTINSON		*		WANICK		*	
ENSTROM	*			McNULTY		*		WEIDENDORF		*	
ERICKSON	*			MELBY		*		WELCH		*	
EVENSON	*			MEMMER		*		WIDSTRAND		*	
FINSTUEN	*			MERRILL		*		YOUNG		*	
GALE	*			MILLER		*		ZWACH		*	
GIBBONS	*			MOBERG		*		MR. SPEAKER		*	
GLEASON	*			MORTINSON		*					

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**Explanatory Note**—Chapter 2 relating to elections in the City of Winona, will be found listed under "Winona," "elections" and "Hering," the author of the bill.

**The numerals following the names of the members refer to Chapter numbers.**

**All other figures refer to page numbers.**

The House and Senate votes are listed separately. They are not numbered, but they have been indexed by the number of the nearest facing page.

HF stands for House File.

SF stands for Senate File.

(R) stands for Representative. R indicates Resolution Numbers.

(S) stands for Senator.

The Governor's messages to the Legislature, including his veto messages, maps, organization vote, etc., will be found listed in the Table of Contents.

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CHAPTER 1--HF 1

Allen - Ramsey County.  
For Committee on Appropriations.

Appropriated \$150,000 for legislative salaries and expense.

SESSION EXPENSE

Signed January 5, 1939.

CHAPTER 2--HF 55

Hering - Winona County.

Extends the period of filing for city office in Winona 20 days.

WINONA ELECTIONS

Signed January 17, 1939.

Note: Chapter 93, Laws of 1937 enacted the following amendment: "...provided that all candidates not enumerated above in this Section shall file their affidavit as herein provided not less than 40 days before said primary election." Inasmuch as Winona's city primary election is held on February 15, the 40th day fell on January 6th, and since it has been the custom in Winona to open filings on January 4th, only 3 days were left in which candidates for city office could enter the primary. By this Act they now have 23 days.

CHAPTER 3--SF 40

Galvin - Winona County.

Amends Laws 1933, Chapter 161, as amended by Laws 1935, Chapter 312, appropriating \$74,013.12 from Trunk Highway Fund to bring State Compensation Revolving Fund up to \$150,000.

RESTORES REVOLVING FUND

Signed January 20, 1939.

CHAPTER 4--HF 81

MacKinnon - Hennepin County.  
For Committee on Judiciary.

Makes 1938 Supplement to Mason's Minnesota Statutes 1927 prima facie evidence of statutes therein contained.

VALIDATES MINNESOTA SUPPLEMENT

Signed January 30, 1939.

CHAPTER 5--HF 146

Johnson, R.G. - Washington County,  
Lee (Wright), Howard (Washington), Palmer (Wright).

REENACTS  
ADVERTISING  
REQUIREMENT

Amends Mason's Minnesota Statutes 1927, Section 991, as amended by Extra Session Laws 1933-34, Chapter 69, as amended by Laws 1935, Chapter 17, requiring that counties having a population of less than 75,000 advertise for bids on all purchases or contracts in excess of \$500.

Signed February 3, 1939.

Note: By an inadvertence this requirement was repealed in the Extra Session of 1933 and by passage of this Act it is again made effective.

CHAPTER 6--HF 13

Schwanke, at large - Crow Wing, Morrison Counties,  
Halsted - Crow Wing County.

CROW WING  
TAX LIMITS  
RAISED FOR  
2 YEARS

Raises the tax limitation in Crow Wing County for a period of 2 years, thereby permitting the county to remain on a cash basis. This increase made necessary by relief.

Signed February 3, 1939.

CHAPTER 7--SF 53

Loftsgaarden - Ramsey County,  
Sullivan - Stearns County.

MORTGAGE  
MORATORIUM  
EXTENSION

Reenacts the mortgage moratorium on real estate mortgages and extends it to March 1, 1941. Applies only to those mortgages made prior to April, 1933, but does not apply to mortgages made prior to that date which have been renewed or extended for a period more than one year after the passage of this Act.

Signed February 4, 1939.

CHAPTER 8--HF 166

Mrs. Kempfer - Otter Tail County.

DEPOSIT  
OF FUNDS  
IN TRUST

Amends Mason's Minnesota Statutes 1927, Sections 4462-4463. Permits County Welfare Boards having funds in trust for defective, delinquent, dependent, neglected and illegitimate children to

deposit such funds in local banks carrying Federal deposit insurance and designated by the County Welfare Board for such purpose. The amount of such deposit is not to exceed the amount protected by Federal deposit insurance.

Signed February 8, 1939.

CHAPTER 9--HF 175

Mrs. Kempfer - Otter Tail County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 4467-1. Permits Probate Court to determine the method and manner of advertising the liquidation of estates not over \$1,000 in value of persons committed to the State Board of Control and where there is no guardian of the estate.

PUBLISHED  
NOTICES IN  
LIQUIDATION  
OF ESTATES

Signed February 8, 1939.

Note: The law previously provided for publication in local newspapers concerning the liquidation of estates of state wards. As the amended bill gives the court a right to dispense with two publications, opposition in the House, consisting of 39 votes, included member-newspaper publishers. There was no opposition to the bill in the Senate.

CHAPTER 10\*--HF 463

Dunn - Otter Tail County,  
Johnson, R.G. (Washington), Merrill (Faribault),  
Hartle (Steele), MacKinnon (Hennepin).

Appropriated \$50,000 to coordinate and carry on the investigation of the state departments as provided in Senate Joint Resolution No. 3.

INVESTIGATION  
APPROPRIATION

Signed February 8, 1939.

\* See Joint Resolution No. 7.

Note: Disbursement of the \$50,000 was placed in the hands of the Governor, Chairman of the Senate Rules and Chairman of the House Rules Committee, with the understanding that it was to be distributed as required by the Joint Legislative Committee, the Attorney General, the State Comptroller, and the Ramsey County Attorney.

Eight members of the House caused the following to be printed in the House Journal of February 6:

"The undersigned representatives dissent and protest against the passage of HF 463 on Friday February 2, 1939, thereby appropriating \$50,000 for the investigation proposed in Senate Joint Resolution No. 3.

"While we favor the investigation we believe a lesser sum should have been initially appropriated, at least until such time as a preliminary investigative report indicated a need and warranted additional funds.

George Hagen,  
Thos. D. Vukelich,  
S. A. Stockwell,  
John M. Zwach,  
E. M. Stanchfield,  
Will N. Nelson,  
Harold L. Peterson,  
John J. McNulty."

The vote on final passage of HF 463 was 112 to 8, the 8 listed above voting No.

### CHAPTER 11--SF 27

Simonson - Meeker County.  
Gage - Renville County.

**CHANGES  
COURT TERM  
IN MEEKER**  
Changes the time of holding District Court in Meeker County from the second Monday in June to the second Monday in March, and from the first Monday in December to the third Monday in October.

Signed February 9, 1939.

### CHAPTER 12--HF 36

Johnson, R.G. - Washington County,  
Barrett, (Ramsey), Dammann (McLeod), Merrill  
(Faribault), Gleason (Hennepin).

**SMALL LOAN** Small Loan Act.\* \*\*

Permits loans up to \$300 at 3% per month.

Licenses to be issued by Commissioner of Banks.

Applicant must post \$50 fee for investigating application and an additional \$100 as an annual license fee for a period ending on the last day of the current calendar year; provided that if application is filed after June 30 in any year such additional sum shall be only \$50.

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 12

AYE	NAY	NOT-VOTING
108	20	

ON HF 36 - the small loan bill

DATE February 7, 1939

19

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.		*		MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.	*		
ANGSTMAN	*			HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN		*		OBERG	*		
BARRETT	*			HARRISON		*		ODENBORG	*		
BECKWITH	*			HART		*		O'MALLEY	*		
BENNETT	*			HARTKOPF		*		ONAN	*		
BERLIN	*			HARTLE		*		ORAAS	*		
BOEHLKE				HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING		*		PALMER	*		
BROPHEY	*			HERING		*		PESHEK	*		
BURDICK	*			HERSETH		*		PETERSON, G. C.	*		
BURNAP	*			HILL		*		PETERSON, H. L.	*		
BUTLER	*			HILLIER		*		PETERSON, P. B.	*		
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE		*		POWERS	*		
CHILGREN	*			HOWARD		*		PRIFREL	*		
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.		*		SCHULZ	*		
DIXON	*			JOHNSON, R. G.		*		SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.		*		SLEN	*		
DOMINICK	*			KEMPFER		*		STANCHFIELD	*		
DORWEILER	*			KIEFER		*		STOCKWELL	*		
DREXLER	*			LEE		*		SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHHORN	*			LOWE		*		TRISCH	*		
EKLUND	*			MacKINNON		*		VANCE	*		
EKMAN	*			MANN		*		YUKELICH	*		
EMOND	*			MARTINSON		*		WANICK	*		
ENSTROM	*			McNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND	*		
FINSTUEN	*			MERRILL		*		YOUNG	*		
GALE	*			MILLER		*		ZWACH	*		
GIBBONS	*			MOBERG		*		MR. SPEAKER	*		
GLEASON	*			MORTINSON		*					

# MINNESOTA STATE SENATE

## CHAPTER 12 ROLL CALL

AYE	NAY
52	14

ON HF 36 - Small Loan Bill

DATE February 9 1939

Final passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON			MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
68	58	4

ON Rep. Hayford's request for permission to introduce a DATE March 24 1939  
 bill repealing Chapter 12, Laws of 1939 - the law regulating the small loan industry.  
 As a two-thirds majority was required, the request was denied.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHY	*			HERING	*			PESF EK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*		*	POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.	*		*	SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE (deceased)				TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

In addition to annual license fee, licensee must pay actual cost of each examination.

All money turned into the general revenue fund.

Applicant must furnish proof that he has \$15,000 in liquid assets.

Applicant must file corporate surety bond.

Application must be approved or denied within 60 days of filing.

Commissioner may require additional bond up to \$1,000.

License may be revoked by Commissioner upon 10 days written notice and reasonable opportunity for a hearing.

Commissioner may suspend any license for 30 days on 3 days notice.

Examination of loan companies records at least once a year required.

Effective June 1, 1939.

Signed February 15, 1939.

\* Progress record of HF 36 (Companion SF 67)  
Introduced Jan. 11, referred to Committee on  
Public Welfare, Paige, ch.  
Recommended to pass as amended Jan. 27.  
Recommended to pass as amended by Committee of the  
Whole February 6.  
Passed House February 7.  
Went to Senate February 8 and laid on table.  
Taken from table and substituted for Senate bill  
February 8.  
Passed Senate February 9.

\*\* After HF 36 had been passed it was discovered that an amendment striking out a single sentence had actually stricken out an entire section. The section involved exempted credit unions, licensed pawnbrokers and building and loan associations from the provisions of the Act. On February 15, HF 688 was introduced by Reps. Johnson, R.G., Dammann, Merrill, Barrett, and Gleason, amending Chapter 12, Laws of 1939, to exempt building and loan associations, credit unions, and licensed pawnbrokers. This became Chapter 22, Laws of 1939.  
(See Chapter 22.)

Note: On March 24, Senator Carley introduced an amendment to Chapter 12, Laws of 1939, providing that in the

matter of issuing licenses preference was to be given citizens of the State or corporations 75% of whose stock was owned and held by citizens of Minnesota. This bill was referred to Committee on General Legislation, Carley, chairman, and was later returned to the Senate and referred to the Committee on Public Welfare, Stiening, chairman, where it reposed to the end of the session.

On March 24, Rep. Hayford requested permission to introduce a bill repealing Chapter 12, Laws 1939. A record vote disclosed 68 for and 58 against the request. Four members did not vote. As a two-thirds majority was required under the rules the request was denied.

HF 1563 by Rep. Schulz would have compelled loan companies to charge the same interest rate after June 1st as they advertised before that date. Advertisements appeared offering loans at  $1\frac{1}{2}\%$  per month until the law became effective June 1st. The Schulz proposal did not get out of committee.

Regulation of the small loan industry has been on the way in Minnesota for at least 16 years. Something nearly happened in the session of 1937. HF 40 was introduced on January 11, 1937, and passed the House April 16 by a vote of 100 to 2. It reached the Senate on April 19, was referred to a committee and in the closing rush was buried there.

The bill had a rough passage through the 1937 House. As passed, it allowed loan companies to charge  $1\frac{1}{2}\%$  per month on loans of less than \$300.

### CHAPTER 13--SF 178

Kelly - St. Louis County.

**FIXES  
KINNEY  
VILLAGE  
SALARIES**

Fixes salaries of village officials in Kinney, St. Louis County, where assessed valuation had dropped to such a point that salaries of the president and trustees were reduced to lower classification. This law raises them.

Signed February 14, 1939.

### CHAPTER 14--SF 94

Miller, F.J. - Morrison, Crow Wing Counties.

**CORPORATE  
EXISTENCE  
RENEWED**

Permits Brainerd Cooperative Creamery to renew its corporate existence.

Signed February 14, 1939.

CHAPTER 15--SF 87

Tungseth - Pennington, Clearwater and Red Lake Counties.

Four counties - Roseau, Marshall, Red Lake, Pennington - operate jointly a tubercular sanitarium in Thief River Falls. This law authorizes a levy of not more than 4 mills for its support, of which a minimum of 3 mills is for maintenance. The extra mill is for buildings and improvements.

Signed February 14, 1939.

LEVY FOR  
JOINT  
SANITARIUM

CHAPTER 16--SF 91

Sullivan - Stearns County.

Permits rural telephone company to renew corporate existence.

Signed February 17, 1939.

CORPORATE  
EXISTENCE  
RENEWED

CHAPTER 17--HF 314

MacKinnon - Hennepin County.  
Mann - Pine County.

Amends Mason's Minnesota Statutes 1927, Chapter 1, Section 6-1 and gives the Federal government supervision over the land on which the Federal prison at Sandstone, Pine County, is situated.

Signed February 17, 1939.

U.S. GOV'T  
GIVEN CONTROL  
OVER PRISON  
PROPERTY

Note: The Federal jail at Sandstone is primarily for prisoners from Minnesota, Wisconsin, Illinois, Iowa and the Dakotas, serving sentences of 18 months or less. The men will be employed on the 2,800 acres of cut-over land surrounding the prison building which has been constructed at a cost of \$826,000. Gordon W. Humphrey, Jr., a native of Red Wing and a wartime flier, is warden. He has been in the Federal prison service about eight years.

CHAPTER 18--SF 310

Johnson, C.E. - Pine and Chisago Counties.

A remedial measure authorizing Pine County Board of Commissioners to issue and sell negotiable bonds for the purpose of funding

AUTHORIZES  
PINE COUNTY  
BOND ISSUE

the county's outstanding warrant indebtedness as of January 1, 1939. Bonds to run not longer than 15 years and bear interest at such rate or rates as the County Board shall determine.

Signed February 17, 1939.

CHAPTER 19--SF 295

Stiening - Clay and Wilkin Counties.

**SURETY BONDS  
FOR COUNTY  
EMPLOYEES**

Amends Laws 1937, Chapter 343, Section 4, requiring surety bonds for employees of County Welfare Boards not previously provided by law.

Signed February 17, 1939.

CHAPTER 20\*--HF 112

Imdieke - Stearns County, First Division.

**LEGALIZES  
SAUK CENTER  
STREET PAVING**

Legalizes proceedings under which streets in the city of Sauk Center were paved.

Signed February 17, 1939.

Note: In a communication to the Mayor and Council of Sauk Center, the City Attorney pointed out certain defects in the proceedings under which the Ashworth-Hawkinson Company had constructed bituminous streets in the City of Sauk Center. Among the defects cited were the notice for advertising for bids, execution of the contract, failure to fix a date for commencement and completion of the work, failure to designate the streets to be paved, and the amount of paving, faulty petitions, failure to give proper notice, etc. The City Attorney ruled that under the circumstances the only remedy was to obtain an act of the Legislature by which property could be legally assessed for the improvement.

\* See Chapter 49 which is an amendment to this Act.

CHAPTER 21--HF 9

Hilton - Ramsey County.

**EXTENDS LAW  
GOVERNING  
CEMETERY  
ASSOCIATIONS**

Amends Mason's Minnesota Statutes 1927, Section 7610 making applicable to any public cemetery association the law which previously permitted only trustees of a cemetery association in cities of more than 50,000 population to change articles

of incorporation by a two-thirds vote of members of the association, to provide for an election of a Board of Associates, etc. The amended law restricts voting to members, eliminating its associates and gives perpetual duration to all cemetery associations.

Signed February 17, 1939.

CHAPTER 22--HF 683

Johnson, R.G., - Washington County, Barrett (Ramsey), Merrill (Faribault), Dammann (McLeod), Gleason (Hennepin).

Amends Chapter 12, Laws 1939 (Small Loan Bill) which inadvertently failed to exempt building and loan associations, credit unions, and licensed pawnbrokers from the provisions of the Act. This Act does it.

DESIGNATES EXEMPTIONS FROM LOAN ACT

Signed February 18, 1939.

\* See Chapter 12.

CHAPTER 23--HF 62

Litchke - Itasca County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2720-269 Subdivision (b) and Section 2720-270 by permitting the hauling of pulpwood in 100 inch lengths on the public highways. The limit formerly was 96 inches, but inasmuch as the mills will buy nothing less than 100 inch lengths which must be hauled cross-wise on trucks, an amendment to the law was necessary.

PERMITS HAULING LONG LENGTH PULPWOOD

Signed February 18, 1939.

CHAPTER 24--HF 54

Peshek - Scott County.

Allows Scott County Treasurer \$1200 per year for clerk hire.

ALLOWS SCOTT COUNTY CLERK HIRE

Signed February 18, 1939.

CHAPTER 25--HF 42

Gale - Hennepin County.

LEGALIZES  
EXCELSIOR  
VILLAGE  
WARRANTS

Amends Mason's Minnesota Statutes 1927, Section 1258, legalizing the issuance of warrants by the Village Council of Excelsior, Minnesota, for park purposes. The amended law legalizes and declares valid the obligations of the Village incurred pursuant to Chapter 167, Laws of 1905 and authorizes the Village Council to levy at the rate of 2 mills upon taxable property (the old law provided a levy of 1 mill) for the retirement of the warrants.

Signed February 18, 1939.

CHAPTER 26\*--HF 213

Hart - Carlton County.

AUTHORIZES  
ADDITIONAL  
TAX LEVY IN  
CARLTON CO.

Permits Carlton County Commissioners to levy taxes in excess of existing limitations so as to produce sufficient revenue to meet the county's expenses. The increase amounts to \$15,000 per year additional for 2 years only.

Signed February 17, 1939.

\* See Chapter 82, which is an amendment to this Act.

CHAPTER 27--HF 344

Mrs. Kempfer - Otter Tail County,  
Mrs. Hansen (Lincoln), Martinson (Big Stone).

CASH PAYMENTS  
TO PAROLED  
INMATES

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 4440-1 and provides that upon the parole of any inmate of the State Training School for Boys at Red Wing, or the School for Girls at Sauk Center, the State Board of Control may, in its discretion, pay to each such paroled inmate a sum not exceeding \$10. Under the old law only those discharged from these institutions received a \$10 cash allowance.

Signed February 24, 1939.

Note: Jobs are usually provided for discharged inmates. No such provision is made for paroled inmates. Sponsors of the bill therefore argued that paroled inmates stood in need of cash assistance.

CHAPTER 28--HF 319

Hart - Carlton County.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 1108-31 by validating the actions of the Town Board of Thompson in the construction of a sewer system taken before the passage of this Act, and authorizing the issuance of warrants and the levying of assessments for the cost.

VALIDATES ACTION OF THOMPSON TOWN BOARD

Signed February 24, 1939.

CHAPTER 29--HF 300

Howard - Washington County.  
Hartle (Steele), Dammann (McLeod), Oberg (Chisago), Daun (Nicollet).

Requires that on all State printed matter there shall appear thereon, wherever practical, the following words or slogan:

AUTHORIZES MILK AND BUTTER SLOGAN

"DRINK MORE MILK,  
EAT MORE BUTTER  
FOR YOUR HEALTH AND PROSPERITY"

The law vests in the State Printer the authority to determine upon what printed matter the slogan is to appear.

Signed February 24, 1939.

CHAPTER 30--HF 261

Kieffer - Winona County.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 669-12 permitting Winona County to accept 28 acres as a gift from H. C. Garvin, to be used in the encouragement, aid and maintenance of County cooperative work and education in agricultural and home economics, and in aid and furtherance of the work of the Farm Bureau Association in Winona County. Amended law provides for the expenditure of not to exceed \$1200 a year in maintaining the property which lies three miles East of Lewiston on State Highway No. 14.

PERMITS WINONA COUNTY TO MAINTAIN PUBLIC PARK

Signed February 24, 1939.

CHAPTER 31--HF 214

Hart - Carlton County.

**PERMITS LEVY  
FOR UNORGANIZED  
PROPERTY IN  
CARLTON COUNTY**

Permits Carlton County Board of Commissioners to levy up to 7 mills for revenue purposes upon property in unorganized territory. This levy is to be in addition to that which is at present levied for county revenue purposes.

Signed February 25, 1939.

CHAPTER 32--HF 287

Wanwick - St. Louis County.

**EXTENDS TIMBER  
PERMITS AND  
CONTRACTS**

Amends Mason's Minnesota Statutes 1927, Section 6394-8, Paragraph (a) as amended by Laws 1937, Chapter 368, Section 2. Relates to the granting of extensions of timber permits and contracts and repeals the clause which provides that no extension shall be granted until the purchaser shall have paid to the State interest at the rate of 6% on the unpaid purchase price.

Signed February 25, 1939.

CHAPTER 33--SF 366

Wolfe - Hennepin County,  
Dahle - St. Louis County.

**REENACTS  
MORATORIUM  
ON CONTRACTS  
FOR DEED**

Reenacts the moratorium on cancellation of Contracts for Deed made necessary by the stress of economic conditions, by extending it to March 1, 1941. Applies to contracts made prior to April 21, 1933.

Signed February 25, 1939.

CHAPTER 34--SF 690

Dahle - St. Louis County.

**DECLARES  
MORATORIUM  
ON LEASES**

Declares a moratorium to March 1, 1941 on real estate leases of 20 years or more. It does not apply to leases made prior to the passage of this Act which are renewed or extended for a period ending more than one year after passage. Nor does it allow an extension of time when any right might be adversely affected by the statute of limitations.

Signed February 25, 1939.

CHAPTER 35--SF 208

Stiening - Wilkin, Clay Counties.

Grants authority to School District No.81, Dilworth, in Clay County, to incur a net indebtedness of not more than 40% of its assessed value for the purchase of land for school purposes and for the erection or enlargement of school buildings. This action was taken because 65% of the district's valuation is exempt from local taxes because taxes are paid on gross earnings.

Signed February 28, 1939.

ADJUSTS  
FINANCES  
FOR SCHOOL  
PURPOSES

CHAPTER 36--HF 439

Eichhorn - Murray County.

Changes the terms of the District Court in the Thirteenth Judicial District as follows: Murray County, first Tuesday in December (was second Tuesday in December) and Pipestone County first Tuesday in June (was second Tuesday in June).

Signed March 1, 1939.

CHANGES  
COURT  
TERMS

CHAPTER 37--SF 236

Wing - Carlton, Aitkin Counties.

Directs the Governor and the State Auditor to execute and deliver to one Dan Finn a deed to certain real estate in Carlton County.

Signed March 2, 1939.

RE-COVEYS  
CARLTON CO.  
PROPERTY

Note: At the time the State acquired the site for the Moose Lake Hospital there was a certain portion of land owned by Dan Finn to which the State desired title. In the execution of the deed an error occurred by which all of Mr. Finn's property was deeded over to the State for the sum of \$25. This Act corrects the error.

CHAPTER 38--HF 451

Dorweiler - Stevens County  
Burnap - Fillmore County.

Amends Mason's Minnesota Statutes, 1927, Section

AMENDS  
MANNER OF  
SETTING UP  
SURPLUSES

7671 which originally provided that one-fifth of a bank's net profits were to be set aside as a surplus fund before the payment of dividends and after deducting all necessary expenses, losses, interest and taxes due or levied and that such allocation was to continue until the fund was equal to one-fifth of the capital stock. The directors were then permitted to declare a dividend of the remainder. The present amendment provides that all of the net profits after deduction of expenses, losses, interest and taxes, is to be set aside as a surplus fund until it is equal to one-fifth of the capital stock.

Signed March 4, 1939.

CHAPTER 39--HF 450

Litchke - Itasca County.  
For Game and Fish Committee.

RE-DEFINES  
REFUGES FOR  
WATERFOWL

Amends Mason's Minnesota Statutes, 1927, Section 5612, to extend the limits of waterfowl refuges to one-quarter mile on land from the high water mark. By the amendment, refuges for waterfowl will necessarily consist mostly of water rather than to permit a refuge consisting of a large tract of land with a pond at one end and calling it a waterfowl refuge.

Signed March 4, 1939.

CHAPTER 40--SF 354

Galvin - Winona County.

AMENDMENT  
RELATING TO  
BOUNTIES

Amends Mason's Minnesota Statutes, 1927, Section 6259 giving the County Board or Town Board the right to designate the month (formerly July to October, inclusive) when a bounty will be paid for the destruction of blackbirds. It extends the time also when a bounty will be paid for the destruction of crows from April 1 (formerly May 15) to June 15 and from August 15 (formerly September 15), to November 15.

Signed March 4, 1939.

CHAPTER 41--SF 331

Cashman - Steele County,  
Imm (Blue Earth), Bridgeman (Beltrami).

Authorizes Director of Forestry to destroy records and documents that are more than 15 years old, after State Historical Society has had a chance to select any of value for its own files. The items marked for destruction are claims, vouchers, miscellaneous documents and correspondence.

Signed March 4, 1939.

AUTHORIZES  
DESTRUCTION  
OF OLD  
RECORDS

CHAPTER 42--SF 230

Ribenack - St. Louis County,  
For St. Louis County Delegation.

Authorizes the Board of Commissioners of St. Louis County to expend a sum not exceeding \$10,000 a year in addition to any unexpended appropriation heretofore authorized for the improvement of navigable lakes or streams lying wholly or partly within the county.

Signed March 4, 1939.

AUTHORIZES  
ST. LOUIS CO.  
TO IMPROVE  
LAKES & STREAMS

Note: Chapter 42 is one of several laws approved for St. Louis County where a steady decline in assessed values threatens to make ineffective a number of laws based on assessed valuation in excess of \$250,000,000. In 1938 the assessed valuation of St. Louis County was \$274,757,453. This year it is \$251,121,521 and in 1940 it is expected to be still lower. Laws applicable to counties "with an assessed valuation in excess of \$250,000,000" would therefore become ineffective, so far as St. Louis County is concerned, as soon as the assessed value had gone below \$250,000,000. Hence the necessity of changing the qualifying provisions of a law by using the less changeable figures of population and area instead of assessed valuation.

CHAPTER 43--HF 222

Thompson - St. Louis County,  
For St. Louis County Delegation.

Amends Mason's 1938 Minnesota Supplement, Section 1455-1 providing that employees of the Board of Education of any independent school district located within the boundaries of Duluth, but

EXTENDS  
CIVIL SERVICE  
TO SCHOOLS  
OUTSIDE DULUTH

which is not governed by the Duluth city government, are to be classified as employees under the provisions of the Duluth Charter and become eligible under the City's Civil Service. The law requires that the school district pay to the city its proportionate share of the actual cost of maintaining civil service.

Signed March 4, 1939.

CHAPTER 44\*--SF 226

Ribenack - St. Louis County,  
For St. Louis County Delegation.

**AUTHORIZES  
"LIFT" FOR  
DISCHARGED  
PRISONERS**

Permits the superintendent of St. Louis County Work Farm to furnish each inmate, upon his or her discharge, transportation by car or bus to the place where sentence was imposed.

Signed March 4, 1939.

\* See note under Chapter 42.

CHAPTER 45\*--SF 227

Ribenack - St. Louis County,  
For the St. Louis County Delegation.

**EFFECTIVENESS  
OF ST. LOUIS  
COUNTY LAW  
ASSURED**

Amends Laws 1921, Chapter 16, by changing the language "assessed valuation" to "population and area" but continuing the provisions of the old law which permitted the printing and binding of proceedings of the County Board and the annual financial statement of the county.

Signed March 4, 1939.

\* See note under Chapter 42.

CHAPTER 46--HF 171

Dorweiler - Stevens County,  
Burnap - Fillmore County.

**BANKS MAY  
PLEDGE ASSETS  
IN SECURING  
U.S. DEPOSITS**

Amends Mason's 1938 Minnesota Supplement, Section 7699-14 by permitting banks to pledge assets in securing deposits of postal savings funds. Banks have for years been permitted to pledge their assets in securing other forms of public deposits. This adds to the list.

Signed March 4, 1939.

CHAPTER 47--SF 141

Wahlstrand - Swift, Kandiyohi Counties.

Legalizes all acknowledgments on every legal document taken by a person as notary public residing in Minnesota, who was not a citizen of the U.S., but who acted in good faith under a valid appointment by the Governor between April 18, 1932 and the date of approval of this Act.

Signed March 4, 1939.

Note: The notary public affected by this Act was unaware that her father was not a citizen until he proposed taking a trip to Europe and was unable to get his passport because he had taken out only his first papers.

LEGALIZES  
ACKNOWLEDGMENTS  
OF NOTARY  
PUBLIC

CHAPTER 48--HF 12

Schwanke, at large - Crow Wing & Morrison Counties, Halsted (Crow Wing), Dominick (Morrison).

Amends Mason's Minnesota Statutes, 1927, Section 1993, Class 1, as amended by Laws 1937, Chapter 365, which provides for the assessment of stockpiled low grade iron ore for the first assessment period at the same rate as if it were unmined. Sponsors hope that with this act in force the underground mines will operate more extensively during the winter months and thereby reduce unemployment.

Signed March 4, 1939.

TO ASSESS  
LOW GRADE ORE  
AS UNMINED

CHAPTER 49--HF 923

Imdieke - Stearns County.

Amends Laws 1939, Chapter 20, by changing the word "sufficient" to "insufficient" in the matter of giving notice of a public hearing on street improvements in Sauk Center.

Signed March 6, 1939.

AMENDS  
LAWS 1939,  
CHAPTER 20

CHAPTER 50--HF 169

Peterson, P.J.E. - Martin County.

**LIGHTENS  
PUNISHMENT  
FOR STEALING  
AUTOMOBILES**

Amends Mason's Minnesota Statutes, 1927, Section 2717-1 making it a felony punishable by not more than 5 years in the penitentiary or one year in the county jail, or a fine of not more than \$500 for using a motor vehicle without the permission of the owner or his agent. Formerly the penalty was not more than 10 years in the penitentiary or a fine of not more than \$1,000.

Signed March 6, 1939.

CHAPTER 51--SF 242

Nelsen - McLeod County,  
Weber (Murray), Sletvold (Becker).

**CORPORATE  
EXISTENCE  
RENEWED**

Provides for the renewal of the corporate existence of the Glencoe Republic, a cooperative newspaper.

Signed March 7, 1939.

CHAPTER 52--SF 361

Wright - Hennepin County.

**REQUIRES  
REASONS  
IN GRANTING  
NEW TRIAL**

Amends Mason's Minnesota Statutes, 1927, Section 9325, relating to the granting of a new trial in civil actions. This amendment provides that a motion stating the reasons must accompany any order granting a new trial.

Signed March 7, 1939.

CHAPTER 53--SF 257

Wahlstrand - Kandiyohi, Swift Counties.

**CONVEYS LAND  
TO U.S. GOV'T  
FOR HATCHERY**

Authorizes the State to convey to the U.S. Government land at New London, Minnesota, and granting control of the easement and water flow. The U.S. Government in return agrees to establish a fish hatchery which will ultimately cost about \$150,000. The amount for immediate expenditure is about \$35,000.

Signed March 7, 1939.

CHAPTER 54---SF 231

Ribenack - St. Louis County.  
For the St. Louis County Delegation.

Empowers St. Louis County to levy annually not to exceed 2 mills for the purpose of operating, maintaining and making permanent improvements to the county tubercular sanitarium.

Signed March 7, 1939.

\* See note under Chapter 42.

PERMITS LEVY  
FOR SANITARIUM  
IN ST. LOUIS  
COUNTY

CHAPTER 55---SF 225

Ribenack - St. Louis County.  
For St. Louis County Delegation.

Amends Mason's Minnesota Statutes, 1927, Section 10896 relating to the establishment and maintenance of a work farm owned and maintained jointly by St. Louis County and the City of Duluth. The Act increases the county's tax levy for maintenance from one-fifth to three-tenths of a mill.

Signed March 7, 1939.

\* See note under Chapter 42.

INCREASES  
LEVY FOR  
WORK FARM IN  
ST. LOUIS CO.

CHAPTER 56---SF 41

Bridgeman - Beltrami County.

Appropriates \$25,000 with which to complete construction of a Physical Education Building at the Teacher's College in Bemidji.

Signed March 7, 1939.

BEMIDJI  
COLLEGE  
APPROPRIATION

Note: The 1937 Legislature appropriated \$200,000 which amount, added to \$140,000 worth of WPA labor, was to be used for the construction of three building units at the Bemidji State Teacher's College. A State and Grand Jury investigation of charges of inefficient, if not misuse, of funds, was started in May, 1938. No criminal prosecutions grew out of the inquiry but strong prejudices were created in the public mind by the published fact that the 1937 appropriation had been spent and the WPA labor credit exhausted before the completion of the first of the three units. Deploring the manner in which the funds had been

handled, friends of the college appeared before the 1939 Legislature with a request for \$325,000. This amount they said would complete Unit A and leave enough to construct Unit B, a class room unit, and Unit C, an auditorium. Everything but the amount necessary to complete Unit A. was stricken out. Late in the session the House Appropriations Committee approved a request for \$190,000, which amount the Governor included in his budget recommendation, for the construction of Unit B. About a week or ten days before the end of the session, a meeting of the State Teacher's College Board was held, at which it was decided that the needs of the institutions would be listed in the order of their importance, as follows: St. Cloud, Bemidji, Duluth. Additional requests from St. Cloud and Duluth were rejected by the House Appropriations Committee about a week before the end of the session. Amendments, however, were made on the floor of the House reducing the Bemidji request to \$130,000 and approving the requests of St. Cloud and Duluth. These requests were contained in a bill which also provided for the Agronomy building at the University, cottages at the School for the Feeble-Minded, work at the Soldiers' Home and other smaller appropriations. In the Senate Finance Committee the University request was transferred to another bill, and everything else thrown into the discard.

#### CHAPTER 57--HF 374

Johnson, R.G. - Washington County.  
Howard - Washington County.

**DATE ON  
"PRISON MADE"  
GOODS NOT  
REQUIRED** Amends the 1938 Supplement to Masons Minnesota Statutes, 1927, Section 3976-32 by striking out the provision that the year of manufacture shall be marked on goods made in the State's Prison or Reformatory. No change is made in the requirement that all such goods are to be labeled "PRISON MADE" with the name of the institution.

Signed March 8, 1939.

#### CHAPTER 58--HF 108

Onan - Clay County.

**CLAY COUNTY  
GIVEN RIGHT  
TO BUY LAND** Authorizes Commissioners of Clay County to acquire by purchase or condemnation not more than 80 acres of land containing gravel, clay or sand for road building purposes. The Authority expires December 1, 1939.

Signed March 8, 1939.

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 59

AYE	NAY	NOT-VOTING
78	26	

ON SF 195 - Requiring an examination of in-

DATE March 6

1939

come tax returns within 3 years

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN				HAGEN, E.				MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.		*	
ANGSTMAN				HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN		*		OBERG	*		
BARRETT	*			HARRISON		*		ODENBORG			
BECKWITH	*			HART		*		O'MALLEY			
BENNETT				HARTKOPF		*		ONAN	*		
BERLIN	*			HARTLE		*		ORAAS			
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING		*		PALMER			
BROPHEY	*			HERING				PESHEK	*		
BURDICK	*			HERSETH		*		PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.			
BUTLER	*			HILLIER		*		PETERSON, P. B.		*	
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE		*		POWERS	*		
CHILGREN	*			HOWARD				PRIFREL			
CONSTABLE				HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON				SAWYER	*		
DAMMANN	*			JEBB				SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.				SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER				STOCKWELL		*	
DREXLER	*			LEE				SWENNES	*		
DUCKSTAD				LENERTZ		*		TEIGEN	*		
DUEMKE				LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHHORN	*			LOWE		*		TRISCH			
EKLUND	*			MacKINNON		*		VANCE			
EKMAN	*			MANN		*		VUKELICH		*	
EMOND	*			MARTINSON		*		WANVICK		*	
ENSTROM				McNULTY				WEIDENDORF		*	
ERICKSON	*			MELBY		*		WELCH			
EVENSON	*			MEMMER		*		WIDSTRAND		*	
FINSTUEN	*			MERRILL		*		YOUNG	*		
GALE	*			MILLER		*		ZWACH		*	
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

CHAPTER 59\*--SF 195

Neumeier - Washington County.

Repeals Laws 1933, Chapter 405, Section 46 and Extra Session Laws 1935-36, Chapter 87, and amends Extra Session Laws 1937, Chapter 49, Section 24. By this Act examination and auditing of income returns insured within a 3-year period so that it will be conformable with Federal practice.

DEAD LINE  
OF 3 YEARS  
FOR EXAMINING  
TAX RETURNS

Signed March 10, 1939.

\* See Chapter 423.

Note: It has been customary for the State to accumulate income returns over a long period and then attempt to enter into agreements for adjustment in cases of dispute with the taxpayers. Under this Act the State and its officers are prohibited from entering into any such agreement after June 1, 1939. The provisions of the new Act do not affect any action or proceeding now pending, and will not affect assessments made or proceedings for the collection of taxes brought within one year from the passage of the Act pursuant to any agreement heretofore made.

CHAPTER 60--HF 286

Martinson - Big Stone County.

Provides for a compact between Minnesota and South Dakota, authorizing the creation of a Commission with power to determine and to control water levels on artificially controlled waters bordering on the two states. The interstate commission is to be known as the "South Dakota-Minnesota Boundary Waters Commission." It is to consist of the Director of the Game and Fish Commission of South Dakota, the Commissioner of Conservation in Minnesota, and an engineer appointed by mutual consent of the Governors of South Dakota and Minnesota, for a term of four years. The Commission is given power to designate the levels of boundary waters artificially controlled, and to prescribe a plan for control and regulating such levels.

CREATES  
S.D.-MINN.  
COMMISSION

Signed March 15, 1939.

Note: On March 7 the Governor of South Dakota signed a law which stands as South Dakota's agreement to this compact. No appropriation has been made by either state.

CHAPTER 61--HF 335

Eklund - St. Louis County.

**GIVES RIGHT  
TO CONTRACT  
FOR 3-YEAR  
TERM**

Authorizes the Board of Education or other governmental body in a School District which lies within the limits of Duluth, to make a contract with its superintendent for a term not to exceed three years.

Signed March 17, 1939.

Note: This bill was approved by the Duluth Board of Education and by the Minneapolis delegation in the Legislature. It does not affect St. Paul.

CHAPTER 62\*--SF 786

Almen - Lyon County.  
For Committee on Education.

**REGULATES  
SCHOOL  
ELECTIONS**

Amends Mason's Minnesota Statutes, 1927, Section 2793, as amended by Laws 1931, Chapter 390, and Laws 1937, Chapter 427, and Sections 2793-1, 2802, 2805, 2806, 2807, 2832, and Laws 1937 Chapter 221, Section 1. Relates to the date and method of conducting meetings, elections and regulation of other school matters.

Changes the annual meeting date of all common school districts to the last Tuesday in June at 8 P.M. (was third Tuesday in July at 7 P.M.)

Fixes the annual meeting or election in districts maintaining graded, elementary and high schools to the third Tuesday in May.

Provides that there shall be 10 days posted notice of an annual meeting as well as the election.

Gives the School Board the right to designate one polling place as the place for the school meeting, provided that by a majority vote at any annual or special meeting, when proper notice has been given, the annual meeting in any independent school district which maintains two or more schools may be discontinued, substituting therefor an annual election.

Changes the annual meeting in any school district organized under a general or a special law, where the annual meeting has been set for the first Monday in September, to the last Tuesday of June in each year commencing with the last Tuesday of June 1939.

Provides that the chairmen in all common school districts in Minnesota embracing ten or more townships shall hold office until July 1st (was August 1st) following the next biennial state election; the treasurers until 1 year from such date, and the clerks until 2 years from such date. Requires the clerk to report to the county superintendent on or before July 10 (was August 10) on the usual matters concerning the condition and value of school property and all information required by the State Commissioner of Education.

Signed March 17, 1939.

Note: For years voters in independent districts in towns have been electing school board members in July - a time when school problems seem almost remote. The thought behind the change was that by moving the election forward into May, there is likely to be a more active interest in school problems.

In an official opinion delivered to the Department of Education on April 8, 1939, the Attorney General of Minnesota held that the term of office of all incumbent members of School Boards under the provisions of Chapter 62 terminate on July 1st of the year their term expires. This includes both common and independent school districts. The Attorney General ruled, further, that the newly elected School Board members shall take office on July 1st, and shall take part in the annual meeting on the first Saturday in July, to meet and organize for the coming year.

"To hold otherwise," said the Attorney General, "would not only nullify the purpose of this Act but would deprive newly elected members of the privilege of voting for or being elected to the offices of chairman, treasurer and clerk for the coming year. This would be against public policy and welfare and would interfere with the efficiency of the School Board for the entire first year and for at least two years thereafter."

\* See Chapter 107.

#### CHAPTER 63--SF 409

Anderson - Hennepin County,  
Ribenack - St. Louis County.

Reenacts permission to Cities of First Class or school districts within them to use all the money they receive from the State Income Tax for school operations and maintenance during 1939 and 1940 if necessary.

EXTENDS TIME  
TO SCHOOLS  
FOR USE OF  
INCOME TAX

Signed March 17, 1939.

Note: This is a continuation of the law which in 1935

and 1936 permitted school districts in Cities of the First Class to use income tax revenue for current maintenance and operation up to \$90 per pupil enrolled. The 1937 session by Chapter 122 extended the time through 1938 and raised the cost per pupil from \$90 to \$100.

#### CHAPTER 64--SF 388

Lightner - Ramsey County.

**"FRESH PURSUIT" ACT**

This Act is called the "Uniform Act of Fresh Pursuit." It permits any peace officer from another State which gives Minnesota the same right, to enter this State in pursuit of a person believed to have committed a felony in the other State and to arrest the suspect in Minnesota. "Fresh Pursuit" is defined as pursuit without unreasonable delay. Upon making the arrest the pursuing officer is required to take the suspect before a magistrate in the county in which the arrest was made.

Signed March 17, 1939.

#### CHAPTER 65--SF 275

Anderson - Hennepin County.  
For Hennepin County Delegation.

**PROVIDES  
RETIREMENT  
FUND PAYMENTS  
BY INSTALLMENT**

Authorizes the Retirement Fund Board of Minneapolis, when required to refund net accumulated credits of any contributing employee at death, to pay up the balance to the beneficiary in monthly installments. Nothing in this Act changes the method of determining the person entitled to receive such refunds, or the amount to be paid as provided in Mason's Minnesota Statutes, 1927, Sections 1442-11 to 1442-34.

Signed March 17, 1939.

#### CHAPTER 66--SF 274

Anderson - Hennepin County,  
For Hennepin County Delegation.

**AUTHORIZES  
INVESTMENT  
IN FHA**

Amends Mason's Minnesota Statutes, 1927, Section 1442-26, authorizing the Retirement Fund Board of Minneapolis to make loans on and to invest in mortgages in property insured by the Federal

Housing Administration. The Board is to provide for the repayment of any contributing employee who has borrowed from the fund under the FHA Insured Mortgage System by deducting from the employees monthly pay.

Signed March 17, 1939.

CHAPTER 67--SF 114

Gardner - Todd County,  
Miller, F.J. - Morrison County.

Fixes salaries of court reporters in the Seventh Judicial District (Stearns, Benton, Mille Lacs, Morrison, Todd, Wadena, Douglas, Otter Tail, Becker, Clay) at \$3,000 per year.

FIXES SALARIES  
OF COURT  
REPORTERS

Signed March 17, 1939.

CHAPTER 68--SF 16

Miller, F.J. - Morrison County.

Amends Mason's Minnesota Statutes, 1927, Section 3186, by adding a provision which makes it a misdemeanor for any person who has been removed from a community, as provided in Section 2, to return and apply for relief within 90 days. Section 2 provides that the Welfare Board or Village Council shall refuse relief to persons not having a legal residence within their jurisdiction and shall order them away or have them taken back to their place of settlement.

REGULATES  
RELIEF TO  
NON-RESIDENTS

Signed March 17, 1939.

CHAPTER 69--HF 562

Welch - Hennepin County.

Makes it a misdemeanor for any unauthorized person to duplicate in any manner a summons, complaint, writ, final or other notice or legal document or court process of any kind.

PROHIBITS  
REPRODUCTION  
OF LEGAL  
PAPERS

Signed March 18, 1939.

Note: This law is aimed at collectors who resort to fake legal-looking documents with which to frighten their victims.

CHAPTER 70 - HF 397

Widstrand - St. Louis County.

**CONCILIATION  
COURT DUTIES  
IMPOSED ON  
SITTING  
JUDGES**

Confers on the Judges of Municipal Court at Hibbing and Chisholm the powers and duties of Judges of Conciliation Court and specifies the jurisdiction and procedure of Conciliation Courts in that Village and City.

Signed March 18, 1939.

CHAPTER 71 - SF 29

Neumeier - Washington County.  
Sullivan - Stearns County.

**REPEALS LAW  
CREATING  
STATE BOARD**

Repeals Session Laws 1935, Chapter 207, relating to classification and sentencing of criminals. This was a law creating the State Board of Criminal Classification, to be composed of two oldest ranking members on the Board of Control and the Chairman of the State Board of Parole. The Board never functioned.

Signed March 18, 1939.

CHAPTER 72 - SF 410

Wolfe - Hennepin County.

**EXEMPTS  
RETIREMENT  
FUNDS FROM  
ATTACHMENT**

Exempts from garnishment, attachment and execution or sale, of accounts and interest deposited by or credited to a teacher or other member of any Teachers' Retirement Fund or Association organized under Chapter 343, Session Laws of 1909.

Signed March 22, 1939

CHAPTER 73 - SF 1109

Orr - Ramsey County.

**APPROPRIATION  
TO REPAIR  
SENATE CHAMBER**

Appropriates \$5086.09 from the State Treasury for repairs and improvements to the State Senate Chamber.

Signed March 22, 1939.

Note: On the last day of the session the Senate adopted a resolution that "the Governor be requested to instruct the custodian of the State Capitol that during the

interim between the close of the 1939 session and the next legislative session the Senate Chamber, corridors and Senate retiring room be not used for public or State gatherings of any kind, and that when the Senate Chamber is open it be for observation only."

#### CHAPTER 74--HF 491

Dorweiler - Stevens County,  
Oberg (Chisago), Swennes (Redwood).

Repeals Mason's Minnesota Statutes, 1927, Sections 7641 and 7694 and provides for the voluntary liquidation of a bank or trust company upon written consent of the Commissioner of Banks and by resolution adopted by 75% of the stockholders. The bank or trust company is to give 8 weeks published notice in a newspaper to the creditors to present claims. A certificate of termination of its corporate existence is to be issued by the Commissioner of Banks when an affidavit has been filed with him that all depositors and other creditors have been satisfied.

Signed March 23, 1939.

PROVIDES  
MANNER OF  
LIQUIDATING  
BANKS

#### CHAPTER 75--HF 357

Hillier - Mower County.

Authorizes the City of Austin to widen any of its streets or roadways which lie on its boundary and which by widening will extend beyond the city limit. Permits the city to acquire the necessary property by condemnation. The city is empowered to afford police protection to the acquired territory.

Signed March 24, 1939.

AUTHORIZES  
AUSTIN  
TO GO BEYOND  
OWN LIMITS

#### CHAPTER 76--SF 1

Miller, F.J., Morrison County.

An amendment to Mason's Minnesota Statutes, 1927, Section 5536-2 and 5505, Subdivision 7. Reduces the \$4 fishing license for non-residents to \$3 and makes the license for the season so that a person may come in from neighboring states at will.

Leaves the resident small game hunting license at \$1.

NON-RESIDENT  
FISHING  
LICENSE  
REDUCED

Leaves non-resident small game hunting license at \$25.

Leaves resident big game hunting license at \$2.

Leaves non-resident big game license at \$50.

Leaves resident fishing license at 50 cents.

Provides non-resident season fishing license at \$3.

Provides combination fishing license for non-resident husband and wife at \$4.50.

Fixes \$1 charge for two shipping coupons, one of which is to be attached to each shipment of fish.

Provides that not more than two shipping coupons may be issued to any licensee or combination licensee in one season.

Licenses may be issued under this law to non-residents to fish on Big Stone Lake and Lake Superior upon same terms and conditions as those granted by South Dakota and Wisconsin.

Bait dealers licenses remain at \$2.50.

Licenses for one net not exceeding 100 ft. in length for fishing white fish and inland herring remains at \$1.

Fish house licenses for winter fishing remain at \$1.

A non-resident with proper license may ship outside the State in one season not more than 24 pounds of any variety or one fish lawfully caught, and not more than 12 pounds of undressed fish on one coupon. A non-resident may carry outside the State not to exceed one daily limit of fish of any variety. The shipment is to be made by the licensee to himself only.

Signed March 24, 1939.

Progress Action, S.F.1 (Companion HF 11)

Introduced January 4. Referred to Game and Fish Committee, Dahle, Chairman.

Recommended to pass as amended February 11.

Recommended to pass by Committee of the Whole February 15th.

Passed Senate February 17th.

Sent to the House and referred to House Game and Fish Committee, Litchke, Chairman, February 20.

Game and Fish Committee recommended to pass as amended February 27th.

HF 11 returned to its author March 3rd.

SF 1 passed House March 13th.

Senate refused to concur in amendments.

Conference Committee of Dahle, Larson, H.A., Herreid for the Senate and Litchke, Mrs. Kempfer and Halsted for the House.

The House withdrew amendments which would have reduced the non-resident small game and big game license fees, and the Senate acceded to an amendment to limit the shipment of fish to a point outside the State to 24 pounds in any one season; with the further proviso that not more than 12 pounds were to be shipped on one coupon. Another House amendment permitted non-residents to transport outside of the State not to exceed one daily limit of fish of any variety.

Report of the conferees was accepted in the House and Senate March 21, and bill repassed as amended March 21.

#### CHAPTER 77--HF 627

Welch - Hennepin County.

Known as the "Uniform Judicial Notice of Foreign Law Act."

Enables all courts to take judicial notice of the common law and statutes of every jurisdiction in the United States. The Court is permitted to inform itself of such laws in any manner it may deem proper, and call upon counsel to aid it in obtaining such information. The Court and not the jury is to determine which laws are reviewable. Any party may present to the trial Court admissible evidence of such laws and reasonable notice is to be given to the adverse party either in proceedings or otherwise. The law of any jurisdiction other than that provided for in this Act may be an issue.

UNIFORM  
FOREIGN LAW  
ACT

Signed March 24, 1939.

#### CHAPTER 78--HF 593

Welch - Hennepin County.

Known as the "Uniform Business Records as Evidence Act."

The record of any business is to be considered competent evidence if it is made in the regular course of business at or near the time of the

UNIFORM  
EVIDENCE  
ACT

act if a qualified witness testifies to its identity and if the court considers the sources of information, method and time of presentation such as to justify examination.

Signed March 24, 1939.

CHAPTER 79--SF 863

Siegel - Ramsey County.

TO REGULATE  
BUILDINGS IN  
UNORGANIZED  
TERRITORY

Authorizes Ramsey County Commissioners to establish building regulations in Rose and New Canada Townships. The Board is required to regulate all kinds of construction, repair, alteration or removal of existing buildings, issue permits, provide inspection at a fixed fee, etc. Town Boards are authorized to regulate building in their respective localities. Before the law may become operative in any unorganized territory, the Town Board must consent to the regulations of the Act.

Signed March 25, 1939.

Note: The Ramsey County Board voted on November 21, 1938, to sponsor a rural building code before the 1939 Legislature. Too many complaints were lodged with the Board that relief clients were erecting shacks, unfit for winter habitation, on the outskirts of St. Paul. The shacks had the effect also of destroying the value of the better homes in the vicinity.

CHAPTER 80--SF 804

Larson, N.J. - Norman County.

AUTHORIZES  
NORMAN CO.  
TO MAKE  
SPECIAL LEVY

Authorizes Norman County Commissioners to levy for general revenue purposes, not to exceed \$55,000, the amount necessary to defray expenses payable from the General Revenue Fund.

Signed March 25, 1939.

CHAPTER 81--SF 802

Larson, N.J. - Norman County.

AUTHORIZES  
NORMAN CO.  
TO ISSUE  
BONDS

Authorizes Norman County Commissioners to issue bonds to pay any or all of its outstanding road and bridge warrants in excess of \$100,000. The bonds may be issued prior to July 1, 1939, with-

out the approval of the voters, but all other proceedings are to be in conformity with the provisions of Chapter 10, Mason's Minnesota Statutes, 1927.

Signed March 25, 1939.

CHAPTER 82--SF 779

Wing - Carlton, Aitken Counties.

Amends Laws 1939, Chapter 26, permitting Carlton County Commissioners to levy taxes in excess of existing limitations to produce sufficient revenue to meet the County's expenses payable out of the Revenue Fund. The amendment passed as Chapter 82 adds the provision limiting the amount to \$55,000 for 1939 and 1940 and for the years thereafter to not more than \$45,000. The legal limit is \$40,000.

AMENDS  
LAWS 1939  
CHAPTER 26

Signed March 25, 1939.

CHAPTER 83--SF 760

Ledin - Anoka, Isanti Counties.

Authorizes Isanti County by unanimous vote of the Board of Commissioners, to issue bonds or exchange its negotiable bonds for the purpose of funding valid outstanding warrants of indebtedness existing as of March 1, 1939. This is a remedial measure applicable only within three months after the passage of the Act, by resolution of the County Board, which is to show the necessity and the portion of outstanding indebtedness to be funded and the amount of bonds to be issued. No vote by the people is required. The bonds are to run not to exceed 15 years.

AUTHORIZES  
ISANTI CO.  
BOND ISSUE

Signed March 25, 1939.

CHAPTER 84--SF 704

Solstad - Polk County.

Permits land that has been repurchased by an heir or the representative of a deceased owner of land which has been forfeited to the State through tax delinquency between 1926 and 1930 inclusive, to be sold under Probate Court

REGULATES  
RE-PURCHASE  
OF ESTATE  
BY HEIRS

proceedings as a part of the estate. The rights of the land are to go to the purchaser upon receipt of the deed from the representative of the estate. The new owner may then complete the purchase by paying the unpaid installments and by furnishing the County Auditor or the Tax Commission the recorded deed or a copy of it. The purchaser is to pay to the representative of the estate the amount paid on the land prior to the sale by Probate Court, with interest, and the balance of the purchase price to the estate.

Signed March 25, 1939.

CHAPTER 85--SF 580

Carley - Wabasha County.

WABASHA CO.  
CLERK HIRE

Allows the Commissioners of Wabasha County not less than \$300 per year for clerk hire by the County Superintendent of Schools.

Signed March 25, 1939.

CHAPTER 86--SF 333

Herreid - Itasca County.

SETS UP  
ELECTION  
METHODS  
IN ITASCA CO.

Provides for primary elections in the villages of Nashwauk and Keewatin, in Itasca County and sets up alternative methods for adoption of a primary election system. The first is by resolution adopted by a two-thirds vote of the School Board and the second by a petition signed by at least 10% of the legal voters, requiring the School Board to submit the question to the voters in a special election to be decided by a majority of the votes cast.

Signed March 25, 1939.

CHAPTER 87--SF 262

Dahle - St. Louis County.

PERMITS USE  
OF FLEXIBLE  
INDEXES

Permits the clerk of the District Court in St. Louis County to keep the plaintiff's and defendant's index to court records by means of a flexible alphabetical index instead of by books.

Signed March 25, 1939.

CHAPTER 88--SF 253

Gardner - Todd County.

Permits employment of clerical help in the office of Todd County Attorney at a salary not to exceed \$900 per year.

Signed March 28, 1939.

AUTHORIZES  
TODD COUNTY  
ATTORNEY TO  
EMPLOY HELP

CHAPTER 89--SF 537

Finstad - Cottonwood, Jackson Counties.

Amends Mason's Minnesota Statutes 1927, Sections 5356, 5357, 5358, 5361, 5365 and 5366 relating to birth and death certificates. Time limit for certifying to a birth shortened from 10 to 5 days. Adds a provision making it a misdemeanor to furnish false affidavits for the purpose of securing a delayed registration of birth. Provides for certifying to the birth of a foundling, making a new birth certificate in case of an illegitimate child, etc. Prohibits disclosure of a new birth certificate having been filed for an adopted child. Provides that a Court order is not necessary for Board of Control to inspect new certificates of adopted children.

Signed March 28, 1939.

RELATES  
TO VITAL  
STATISTICS

Note: One of the main purposes of the amendment is to save the illegitimate child from the humiliation of repeatedly reporting, after he arrives at the age where he has to have a social security number, that he is illegitimate and yet report the important facts as to the time and place of his birth in compliance with the various requirements of the Federal and State governments.

CHAPTER 90--SF 597

Anderson - Hennepin County.

Amends Mason's Minnesota Statutes, 1927, Section 8058. Protects an heir's title to an estate or to a share in an estate against an outside party who might acquire the property by purchase, by abolishing the "Worthier Title" rule.

Signed March 28, 1939.

Note: This Act is the result of an action taken by the

"WORTHIER  
TITLE"  
ABOLISHED

Minnesota State Bar Association at its meeting in Duluth last July when it approved recommendations of the Committee on Real Property Law that the doctrine of "Worthier Title" be abolished in Minnesota. This recommendation was in accord with the position of the American Law Institute and the American Bar Association that neither the rule of "Worthier Title" nor the "Rule in Shelley's Case" both of which were abolished in England after the downfall of the feudal system, have a place in our own statutes. An example of the application of the "Worthier Title" rule is submitted by a student of the law as follows: "Suppose a testator making his will in 1929 of an estate then valued at one million dollars, had left \$100,000 to each of his five children, and specific legacies out of the remaining \$500,000 to distant relatives, friends and servants, and charities. Suppose, also, that by the time of his death and the probate of his will, his estate had depreciated to \$500,000. Here the application of the 'Worthier Title' rule would result in the outside interests capable of taking by purchase absorbing his entire estate; and his children, the natural objects of his bounty, who were mentioned first in his will, would take nothing."

#### CHAPTER 91--SF 623

Miller, F.J. - Morrison, Crow Wing Counties.  
For Committee on Taxes.

**"CONFESSON OF  
JUDGMENT"**

Provides that persons having property tax delinquent beginning in 1936 or prior years may have the original taxes, exclusive of penalties and interest, composed into one sum together with the tax of 1937 under so-called "confession of judgment," and arrange to pay it off in 10 annual installments, with interest charges of 5% on the unpaid balance. Provides owners have until November 1, 1939, to file applications which would permit them to take advantage of the Act. Penalties and interest up to November 1, 1939, are excluded; between November 1, 1939 and November 1, 1940, regular penalties are excluded, but a penalty of 10% of the amount of taxes as originally assessed are to be added. This procedure does not apply to lands assessed at a figure exceeding 40% of the full and true value. Only one confession of judgment and agreement to pay by installments may be made by any owner on any given parcel of land.

Signed March 28, 1939.

Note: A hypothetical case was submitted to the Attorney General in connection with Chapter 91, as follows:  
"'A' has confessed judgment for 1934 and 1935 delinquent taxes upon property that he then and does now own. He

has paid the annual tenth pursuant to said confession. He has failed to pay 1937 and 1938 taxes. What is the status of 'A' with reference to the 1934-5-6-7 taxes? May he confess judgment for all of these years?"

To which the Attorney General replied: "We assume from your statement that 'A' confessed judgment under Chapter 72 Extra Session Laws of 1935-1936. You state that 'A' failed to pay the 1937 and 1938 taxes. The failure to pay the taxes for the year 1937 within the time specified in the agreement known as the 'confession of judgment' constituted a default within the meaning of said Chapter 72. After the default the original judgment is reinstated with penalties and interest, and the situation is much the same as it would be if judgment had never been confessed. Forfeiture proceedings should then continue in the manner prescribed by law as though no confession of judgment had intervened. We call your attention to Sec.6, Chap. 91, Laws 1939...it is our opinion that subject to the limitations provided in said Section 6, 'A' may again confess judgment for delinquent taxes. Practically, of course, this will do 'A' no good unless he pays up in full the amount due under the judgment reinstated by his default as above set forth before forfeiture occurs."

#### CHAPTER 92--SF 812

Berg - Dakota County.

Allows the Dakota County Board of Commissioners to levy taxes in excess of existing limitations to meet county expenses and payable out of the revenue fund. The amount to be raised is not to exceed \$115,000.

Signed March 28, 1939.

EXCESS LEVY  
AUTHORIZED  
TO PAY BILLS  
IN DAKOTA CO.

#### CHAPTER 93--SF 824

Friberg - Roseau County.

Applies to Roseau County which, under the provisions of Extra Session Laws of 1937, Chapter 55, is classified for purposes of the present act as a "distressed county." Under the terms of the amendment Roseau County is not required to certify to the State Agency that it levied an amount for 1937 which, if collected, would have been sufficient to pay its share of old age pensions for 1937.

ROSEAU  
COUNTY  
EXEMPT

Signed March 28, 1939.

Note: Chapter 55, Extra Session Laws of 1937, defines a distressed county as one having subsequent to 1935 a levy of 110 mills, under which the State is authorized to set aside out of old age assistance funds a separate fund not to exceed \$250,000 annually called a Supplemental Reimbursement Fund from which to grant to such distressed counties sufficient money to make up the difference between the amount the county actually collects for old age assistance and the amount to make the pensions in that particular county conform to the general average of pensions throughout the State.

### CHAPTER 94--SF 587

Carley - Wabasha County.

CLOSED SEASON  
ON MUSSELS  
SHORTENED

Changes the date of closed season on mussels from March 1 - June 20 to March 1 - May 15, both inclusive. Mussels may still be bought, sold or transported at any time.

Signed March 28, 1939.

### CHAPTER 95--SF 461

Dahle - St. Louis County.

AUTHORIZES  
FACSIMILE  
SIGNATURES

Applies to independent school district within the limits of Duluth. The School Board may authorize by resolution that the Chairman and Clerk use facsimile signatures on orders upon the Treasurer for payment of authorized claims; the Treasurer to accept the orders and disburse school funds upon such orders; the Treasurer to use facsimile signature on checks for disbursement of funds of the school district; the use of facsimile signatures on all warrants, orders and checks of the school district or on particular orders described in the resolution.

Signed March 28, 1939.

Note: Paragraph 24, Section 10933, Mason's Minnesota Statutes, 1927, provides that "signatures, when required by law, must be in the handwriting of the person," etc. This paragraph was construed to mean that it was necessary for the President (Chairman) and Clerk of the Board of Education of the City of Duluth to sign in their own handwriting all school warrants. About 1200 school warrants are issued each month by the Board of Education of Duluth. The signing of so many warrants was a burdensome task, particularly for the President who is a non-salaried officer. The Board of Education of the City of Duluth found that the State of Minnesota, City of Duluth

and other governmental agencies, could, under special law or charter provision, use facsimile signatures on warrants and checks issued in large numbers, and also that facsimile signatures could be affixed by use of a check writer with at least as much safety as in longhand. The Board arranged to relieve this officer of the task of signing so many warrants, but found that this could not be done under Paragraph 24, Section 10933. Hence the necessity for a special Act. School warrants are usually deposited in various banks. The Treasurer issues one check to take up a large number of such warrants so the number of checks issued by the Treasurer in the ordinary course of business is not large and such checks will continue to be signed in the handwriting of the Treasurer. However, there is a special fund known as Minnesota High School Pupil Aid Fund on which the Treasurer issues a large number of small checks every month. To relieve the Treasurer in the signing of these small checks, provision permitting the use of his facsimile signature on checks drawn on this fund was inserted in the bill.

#### CHAPTER 96--SF 402

Miller, F. J. - Morrison, Crow Wing Counties.

Establishes a law library at Little Falls in Morrison County. Provides that the customary fee of one dollar shall be collected from each civil action filed in district court; one dollar from the plaintiff initiating an action; one dollar from each defendant or intervening party appearing separately, such fees to be allocated to the support of the library by the County Treasurer. Management of the library is vested in a Board of Law Library Trustees composed of one District Judge, three members of the Bar to be elected by the members of the oldest bar association of the county, and one member of the County Board. The Clerk of the Probate Court is to serve as Librarian without additional pay.

ESTABLISHES  
LITTLE FALLS  
LAW LIBRARY

Signed March 28, 1939.

Note: There were two other requests for law libraries - one from Crookston, which was approved, and became Chapter 325, and a second from St. Cloud which was disallowed. Opposition to the Little Falls library developed 28 votes in the Senate on March 2nd, and 27 votes in the House on March 27th. It was based primarily on a plea for economy. Ramsey County started the practice of financing a law library from litigants' fees several years ago; reduced the fees later from \$1 to 50 cents. With a falling off in court cases, it is claimed this fee is not giving adequate funds to the library. At present there is said to be no disposition to raise it.

CHAPTER 97\*--SF 224

Ribenack - St. Louis County.  
For St. Louis County Delegation.

**CONTINUES  
LAW IN EFFECT**

Continues in effect a county salary law by changing the classification from one of assessed value to population and area. Does not change the provisions of the original Act.

Signed March 28, 1939.

\* See note at bottom of Chapter 42.

CHAPTER 98--SF 1229

Berg - Dakota County.

**LEGALIZES  
BOND SALE  
IN DAKOTA CO.**

Legalizes the issuance and sale of bonds for the purchase of a site and construction of school buildings in West St. Paul. Makes mandatory a tax levy sufficient to pay principal and interest. Does not affect any action or proceedings now pending.

Signed March 31, 1939.

CHAPTER 99--HF 1103

Schwanke, at large - Crow Wing, Morrison Counties.

**FIXES COUNTY  
SALARIES IN  
MORRISON**

Fixes salaries and compensation of County officials and provides for clerk hire in Morrison County. Repeals Laws 1921, Chapter 437, Laws 1925 Chapter 91, Laws 1929, Chapters 20, 161, Laws 1933 Chapter 432, Laws 1937 Chapter 230, and Special Session Laws 1937 Chapter 54.

Signed March 31, 1939.

CHAPTER 100--SF 932

Loftsgaarden - Ramsey County.

SIMPLIFIES  
REGISTRATION  
AND ACQUIRING  
OF TITLE

Amends Mason's Minnesota Statutes, 1927, Sections 8249 and 8250. Describes those who may make application for registration of land. Strikes out the provision in Section 8250 that no land acquired from any tax or local assessment sale shall be first registered until the title has been determined valid by Court and a certified copy of

the decree filed with the Register of Deeds. The provision stating that "any person may make application when, after at least 15 years, the land has been in adverse possession of the applicant or those through whom he claims title" is made a part of Section 8249.

Signed March 31, 1939.

Note: It is now possible to acquire title and register land in one action. Heretofore two separate actions have been necessary.

#### CHAPTER 101\*--SF 922

Wing - Carlton County.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 3200-21, 3200-28 and 3200-33 - the Liquor Law. Adds a provision prohibiting the retail sale, for beverage purposes, of ethyl alcohol or neutral spirits or substitutes therefor, possessing the taste, aroma and characteristics generally attributed to ethyl alcohol or neutral spirits as such. This does not prohibit the manufacture or sale of other products obtained by the use of ethyl alcohol or neutral spirits as defined in the Standards of Identity for Distilled Spirits. Provides that violation shall constitute a gross misdemeanor.

Signed March 31, 1939.

Note: The purpose of this law was to prohibit the sale of ethyl or grain alcohol as a beverage regardless of proof. Under Chapter 46, Section 1, Laws of 1933, ethyl or grain alcohol or neutral spirits were classified as intoxicating liquor and legally could be sold as such. However, prior to January 1939, an agreement existed between the industry and the Liquor Control Commissioner that no alcohol whatever its proof would be placed upon the market. In January a request was made for an interpretation of the law and the Commissioner had no alternative but to issue a regulation permitting the sale of alcohol up to 100% proof. At once the market was flooded with alcohol, which members of the Legislature considered a menace to public welfare, particularly in the dry counties where "spiking" prevailed.

PROHIBITS  
RETAIL SALE  
OF ETHYL  
ALCOHOL

\* Attention of the Attorney General has been called to apparent inconsistencies between Chapters 101, 248 and 429. In replying to the inquiry the Attorney General

quotes the State Supreme Court as follows: "Where two inconsistent statutes are enacted at the same Session of the Legislature, the first must give way to the last as the latest expression of the law-making power." The Attorney General holds that the rule applies only to the inconsistent portions. The Attorney General is of the opinion that 101 will be in full effect from June 1, 1939, except as to parts which are inconsistent. "The effective date of the statute is not controlling or material," he says. Asked what the penalty is at present for the sale of intoxicating liquor without a license, the Attorney General has said, "It is a gross misdemeanor under Chapter 248 and there will be no change in the penalty on June 1 because Chapter 248 supersedes 101 as to inconsistent parts. You next ask if the holder of a liquor license, who sells at a prohibited time, is to be treated as selling without a license and punished under Chapter 248, Section 1, Paragraph (f); or to be charged with a gross misdemeanor under Paragraph 3 of the same. We think a statutory prosecution for selling after hours should be under Section (f), and that this section of Chapter 248 fixes the penalty for violation of Chapter 429 relating to closing hours."

#### CHAPTER 102\* HF 853

Mrs. Paige - Hennepin County.  
Eklund (St. Louis), \*\*Lowe (Pipestone).

#### PLACES BAN ON USE OF BARBITURATES

A measure regulating the use of the drug barbital. Makes barbital or any of its derivatives or compounds unlawful except on a written prescription of a physician, dentist or a veterinarian. Sale is limited to licensed pharmacists. Regulates the drawing up and use of prescriptions by physicians, dentists or veterinarians. Violation is a gross misdemeanor, punishable by a fine of not to exceed \$1000 or imprisonment in the county jail for not more than one year or both.

Signed March 31, 1939.

\* See Chapter 193, an amendment to this Act.

\*\* Deceased.

Note: Barbital is a drug used for relief of insomnia. It is sold under twenty trade names in the form of capsules, pills and liquids. It is habit-forming and creates abnormal exhilaration in some, and exceptional drowsiness in others. Minnesota State Medical Association was behind the bill. Seventeen states have laws

restricting the sale of "lullabies" or barbital. In England and Germany, use of barbital in overdoses is a common method of suicide. Companion bills were introduced in the Legislature upon representation of medical groups that use of the drug was growing among young people of school age. The authors reported personal observations of some of the effects produced by the sleeping tablets. Even while the bill was under consideration, the State Medical Association reported two deaths directly attributable to barbiturates taken on top of alcohol. In many countries barbital is said to be taking the place of the deadly marihuana.

### CHAPTER 103--HF 813

Peterson, Gordon C. - Anoka, Isanti Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 1732, which provides that certain cities may create a park board of three members, serving for terms of one, two and three years respectively, with power to acquire land for park purposes. The amended Act applies specifically to the City of Columbia Heights and authorizes it to create a board of five members with terms of one, two, three, four and five years respectively, with the same powers as in the original law.

CREATES  
PARK BOARD  
OF 5 MEMBERS

Signed March 31, 1939.

Note: This amendment was deemed advisable in the light of extensive WPA park developments in Columbia Heights and the public's desire to take the park board out of politics. Under the act it becomes unlikely that any council can get control of the board.

### CHAPTER 104--SF 811

Dougherty - Martin, Watonwan Counties.  
Murphy - Faribault County.

Amends Mason's Minnesota Statutes, 1927, Section 10273 relating to the disposition of animal carcasses. The amendment requires that the rendering plant to which such carcasses are removed and for which the Sanitary Board issues permits for removal must be located within the boundaries of Minnesota.

REQUIRES  
USE OF  
MINNESOTA  
RENDERERS

Signed March 31, 1939

CHAPTER 105--SF 740

Miller, F.J. - Crow Wing, Morrison Counties.  
Wahlstrand - Kandiyohi, Swift Counties.

ADDS TO  
AUTHORIZED  
SAVINGS BANKS  
INVESTMENTS

Amends 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 7714, subsection 12, designating the authorized securities in which savings banks may invest. Adds certificates of deposit of any bank or trust company which are insured in whole or in part by the Federal Deposit Insurance Corporation.

Signed March 31, 1939.

CHAPTER 106--SF 702

Solstad - Polk County.

REGULATES  
SALE OF  
HYBRID  
SEED CORN

Defines and regulates the sale of hybrid seed corn. The dean and director of the University Department of Agriculture is authorized to establish and identify corn growing sections of the State and publish for each such section the approximate number of days constituting a growing season. The Act is to be enforced by the Commissioner of Agriculture and takes effect July 1, 1939. Violation is a misdemeanor.

Signed March 31, 1939.

Note: Hybrid seed corn produces better and more corn than ordinary seed corn. For that reason it sells at a higher price. This has brought about a situation in many parts of the State where unscrupulous persons sell ordinary corn for hybrid seed corn. Chapter 106 is intended to protect the farmer buying hybrid seed corn.

CHAPTER 107\*--HF 636

Nelson, C.J. - Blue Earth County.  
Champlin - Blue Earth County.

CHANGES  
DATE FOR  
TAKING  
OFFICE

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 2807-18 (a) to 2807-18 (c). Provides that in the Special Mankato School District where the members of the Board of Education are elected on the 3rd Saturday in July in each year for a term of 2 years, the term of office shall commence on the first Saturday in August after the election. Provides that

the Board of Education shall meet on the Friday preceding the first Saturday in August (was 2nd Saturday) to close the books.

Signed March 31, 1939.

\* See Chapter 62.

Note: Chapter 107 affects only special school districts operating under special law and having a population of not less than 10,000 nor more than 20,000 inhabitants, where some members are elected at large, etc. Although intended to affect the Mankato school district, it possibly affects others which fall in the same classification. Having been passed some 2 weeks after Chapter 62, the Attorney General's office is of the opinion that Chapter 107 will supersede and affect Mankato school districts and any other school districts which fall within its classification.

#### CHAPTER 108--HF 630

Thompson - St. Louis County.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 3164-8, by extending until April 1, 1941 the portion of the law which permits the City of Duluth to issue bonds for poor relief.

EXTENDS  
POOR RELIEF  
BOND ISSUE  
IN DULUTH

Signed March 31, 1939.

Note: This amendment applies to Cities of the First Class only and is to be used only in the case of an emergency.

#### CHAPTER 109--HF 596

Erickson - Benton, Sherburne Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 7771 by requiring that either \$100,000 paid in cash capital must be kept and maintained by investment, loan, thrift, benefit, cooperative, home, securities, trust and guarantee companies, or there shall be kept on deposit with the Commissioner of Banks authorized securities in an amount equal to the cash surrender value of all investment contract liabilities on investment contracts held by residents of this State. Provides that such deposits at no

REQUIRES  
CAPITAL OR  
SECURITIES  
TO PROTECT  
CONTRACT  
HOLDERS

time shall be less than \$50,000 and requires that on the first day of each month a verified report is to be made to the Commissioner of Banks setting forth the total amount of the cash surrender value of all investment contract liabilities on such contracts.

Signed March 31, 1939.

**Note:** This measure has the effect of making it possible for new capital to be used in this State to the greater security of the contract holder. A communication dated May 12, addressed to the Commissioner of Banks, raised the question: "Is minimum deposit of \$50,000 required therein capital, or may it be obtained through any form of borrowing?" The Attorney General has answered: "As to the deposit of authorized securities with you in lieu of maintaining specified capital requirements, the important thing is that the deposit be available for the protection of contract holders. It is a guaranty fund established for their benefit. It must be free and clear of any claim or lien. It is immaterial how it has been obtained so long as there are no strings attached to it, so long as the company's capital has not been so impaired by borrowing as to raise a question as to its responsibility."

#### CHAPTER 110--SF 574

Carley - Wabasha County.

**FIXES SALARY  
OF SCHOOL SUPT.  
IN WABASHA CO.** An act to fix the salary of the Superintendent of Schools in Wabasha County at \$2500 per year.

Signed March 31, 1939.

#### CHAPTER 111--HF 549

Day - Pennington, Red Lake, Clearwater Counties.  
Slen - Lac qui Parle County.

**CREATES FUND  
FOR INQUIRY  
INTO LIQUOR  
VIOLATIONS**

Creates in each county a Sheriff's contingent fund to be kept by the County Treasurer. The fund is composed of one-fourth of all liquor and beer fines and is to be used by the Sheriff in investigating and securing evidence of violations of liquor and beer laws. The money is to be withdrawn from the funds on application to the District Court and by its order. Any money in excess of \$100 remaining in the fund at the end of any calendar year is to be transferred to the General Revenue Fund.

Signed March 31, 1939.

CHAPTER 112--HF 539

Constable - Nobles County.

Authorizes the Nobles County Board of Commissioners to purchase an automobile for the use of the Sheriff.

Signed March 31, 1939.

AUTHORIZES PURCHASE OF CAR FOR SHERIFF

CHAPTER 113--HF 516

Young - Hennepin County.

Amends Laws 1937, Chapter 480, Sections 2 and 3, which authorizes the payment of damage claims out of the Trunk Highway Fund. The amendment provides that in case a verdict or judgment is rendered against the State the State Auditor shall pay the amount out of the Trunk Highway Fund or out of funds credited to it from highway patrol fine collections; and further that the Commissioner of Highways is authorized to settle claims out of the same fund.

Signed March 31, 1939.

STATE AUDITOR AUTHORIZED TO SETTLE AFTER VERDICT

CHAPTER 114--HF 505

Hartle - Steele County.  
Herseth (Kittson), Kiefer (Winona).

Defines farm tractor fuel, regulates its sale and exempts it from the gasoline tax. The Act gives the specifications for farm tractor fuel. The Act places enforcement under the Oil Inspection Bureau. Blending of the fuel with taxable petroleum products is prohibited. Violation is declared to be a gross misdemeanor and cause for cancellation of the distributor's license. Became effective April 15, 1939.

Signed March 31, 1939.

REGULATES DISTRIBUTION OF FARM TRACTOR FUEL

CHAPTER 115--HF 481

Erickson - Benton, Sherburne Counties.

Grants an extension of two years to certain companies to dispose of their property. Provides that during the second year period a

EXTENDS TIME TO DISPOSE OF PROPERTY

company may by a membership vote of its directors and with written consent of the majority of stockholders having voting power, convey its property to trustees with power of sale in trust for the benefit of all the stockholders.

Signed March 31, 1939.

CHAPTER 116--HF 448

Daun - Nicollet County.  
Hart (Carlton), Butler (Otter Tail), Erickson (Benton, Sherburne), Peterson, H.L. (Kandiyohi).

AUTHORIZES  
TREATMENT  
OF TUBERCULAR  
STATE  
EMPLOYEES

Authorizes the treatment in public sanatoriums of State employees who have contracted or may contract tuberculosis in the institutions of the Board of Control by reason of having been in direct contact in line of duty with known tubercular patients. Employees shall be examined for tuberculosis upon entering State employment under the Board of Control.

Signed March 31, 1939.

CHAPTER 117--HF 434

Campbell - Hennepin County.

PROVIDES FOR  
FILING OF  
BANKRUPTCY  
PETITIONS

Provides that when a petition for bankruptcy or a decree of adjudication, or an order approving trustee's bond is made pursuant to the Federal Bankruptcy Act of 1898, a certified copy of the petition, decree or order may be filed in the office of the Registrar of Titles of any County in Minnesota.

Signed March 31, 1939.

CHAPTER 118--SF 385

Ribenack - St. Louis County.

PERMITS USE  
OF TRADE NAME

Amends Mason's Minnesota Statutes, 1927, Section 8330, by permitting a corporation or association manufacturing and marketing beverages, milk, cream, ice cream and butter to obtain from the Secretary of State the right of adoption and use of a trade name. Formerly the law restricted the right to a "person."

Signed March 31, 1939.

CHAPTER 119--HF 385

Johnson, R.G. - Washington County.

Amends Mason's Minnesota Statutes, 1927, Section 2715, making it a misdemeanor to tamper with a motor vehicle without permission of the owner; climb into an automobile without authority of the person in charge; throw stones or missiles at an automobile or occupants; set a car in motion; damage a car; place glass, tacks, etc. in streets and highways. Before amendment the law merely prohibited these acts but fixed no penalty.

Signed March 31, 1939.

PROVIDES  
PENALTY FOR  
TAMPERING WITH  
AUTOMOBILES

CHAPTER 120--HF 274

Wanwick - St. Louis County.

Amends Mason's Minnesota Statutes, 1927, Section 6394-18 by stipulating that a purchaser of State timber shall give to the State a bond equal to double the value of the timber before a permit is issued to him; states the procedure in event of default of payment. The Act now designates a time limit of 90 days after date of purchase for furnishing the bond and provides that signed approval of the bond shall be given by the Commissioner of Conservation instead of by the State Auditor as formerly and the bond filed for record in the office of the Director of Forestry.

Signed March 31, 1939.

AMENDS  
REQUIREMENTS  
IN TIMBER  
PURCHASES

CHAPTER 121--HF 258

Chilgren - Koochiching County.  
Litchke - Itasca County.

Amends Mason's 1938 Minnesota Supplement Section 5541 (2). Bear may be taken during any open season for deer, and between April 15 and May 15, inclusive, next following the deer season except where bear is a nuisance to agriculture, or a menace to persons or property, when they may be taken at any time on a permit from the Game Warden in the district. The permit is good only in the township of the applicant or in the adjoining township. No charge is made for the permit and it may be revoked by the Director of Game and Fish on recommendation of

PROVIDES  
FOR TAKING  
BEAR IN A  
CLOSED SEASON

the Game Warden. Steel traps may be used by permission of the Game and Fish Commissioner. A person setting traps so as to endanger any person walking in the woods is to be charged with a gross misdemeanor.

Signed March 31, 1939.

CHAPTER 122--HF 92

Hering - Winona County.

INCREASES  
PENSION  
TO POLICEMEN  
AND WIDOWS

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 1643-2 increasing the monthly pension to not more than \$60 for policemen 50 years old who shall have been in service 20 years or more. Increases also the amount payable to a police officer's widow to not more than \$60 per month as long as she remains unmarried. The City of Winona is directly affected by this Act.

Signed March 31, 1939.

CHAPTER 123--HF 32

Erickson - Benton, Sherburne Counties.

CORPORATE  
EXISTENCE  
RENEWED

Renews the corporate existence of a rural co-operative telephone company.

Signed March 31, 1939.

CHAPTER 124--HF 25

Widstrand - St. Louis County.

Huhtala - St. Louis County.

CHANGES  
FORM OF TAX  
TO FINANCE  
FIREMEN'S FUND

Amends 1938 Supplement Mason's Minnesota Statutes, 1927, Section 1828-16 7/8d by changing the form of tax levied in Eveleth for support of the Firemen's Relief Association Fund from 1/5 of a mill to a lump sum of \$5,000.

Signed March 31, 1939.

CHAPTER 125--HF 10

Schwanke, at large - Crow Wing, Morrison Counties.

Amends Laws 1937, Chapter 468, Section 5, relating to control of the surface and underground waters of the State. The amendment permits the Highway Department, a railroad or a political subdivision to build roads, bridges or culverts by supplying the Commissioner of Conservation with data pertaining to topography, flowage and volume of water and water shed areas.

AMENDS LAW  
RELATING TO  
UNDERGROUND  
WATERS

Signed March 31, 1939.

CHAPTER 126--HF 409

Nonnemacher - Ramsey County.

Amends Mason's Minnesota Statutes, 1927, Section 2337, Money and Credits Law. The Act adds to the definition of credits and shares of stock in corporations, 75 per cent of whose real and tangible personal property is not taxable in Minnesota.

MONEY AND  
CREDITS  
LAW AMENDED

Signed April 1, 1939.

CHAPTER 127--HF 419

Nonnemacher - Ramsey County.

Amends Mason's Minnesota Statutes, 1927, Section 1980, subdivision 2 of the Money and Credits Law. Re-defines "credits" as used in Chapter 11 of Mason's Minnesota Statutes of 1927 to include shares of stock in corporations, 75 per cent of whose real and tangible personal property is not taxable in Minnesota.

MONEY AND  
CREDITS  
LAW AMENDED

Signed April 1, 1939.

Note: Chapters 126 and 127 amend different sections of the law but accomplish the same purpose. Both of them reach out for property that has not heretofore been taxable in Minnesota. A case in point has been raised by the State Tax Commission. Addressing an inquiry to the Attorney General, the Commission asked: "Are the shares of capital stock of corporations such as railroads, sleeping car companies, express companies, freight line companies, trust companies, telephone and telegraph companies, which pay a tax on their gross earnings, tax-

able under the provisions of either Chapters 126 and 127, Laws of 1939, regardless of the per cent of their real and tangible personal property not taxable in this State?" To which the Attorney General has replied: "Gross earnings taxes have been considered by our court as a tax on the property of the corporation. Prior to the passage of Chapters 126 and 127 of the 1939 Session Laws, the shares of stocks in corporations 'the property of which is not assessed or taxed in this state' were taxed. Under that law former opinions of this office held that where a Minnesota resident owned shares of capital stock issued by a railway corporation, which corporation owns and operates a line of railroads within the state and in connection therewith pays gross earnings tax to the State of Minnesota, such shares of stock are not taxable under the monies and credits law. Chapters 126 and 127 of the 1939 Session laws change the former law so that shares of stock in corporations '75 per cent or more of the real and tangible personal property of which is not taxable in this state' are taxable as credits. I am therefore of the opinion that shares of stock in corporations whose real and tangible personal property taxable in this State is equal to 25 per cent or less of its total real and tangible property, are taxable as credits."

### CHAPTER 128--HF 580

Swennes - Redwood County.

**REPEALS OLD  
AND ENACTS  
NEW NEWSPAPER  
REGULATIONS**

Repeals 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 10935, relating to the qualifications of a newspaper and enacts a new law based on the old one but with changes.

Signed April 1, 1939.

**Note:** The principal purpose of this Act is to regulate publication of newspapers by individuals who have no printing equipment of their own. The old newspaper law had been amended so many times that it was thought best to strike it out and enact an entirely new one.

### CHAPTER 129--HF 707

Schulz - Ramsey County.

Drexler - Ramsey County.

**AUTHORIZES  
SEMI-MONTHLY  
PAYDAY  
IN RAMSEY**

Authorizes the Ramsey County Commissioners to direct the payment of County officials and employees twice a month. Allows the County Auditor, by permission of the County Board to make deductions from pay with employees' consent.

Signed April 1, 1939.

CHAPTER 126  
CHAPTER 127

## ADDENDUM

Chapter 127 amends Section 1980, Laws 1927, which reads in part as follows: "(2) Credits shall mean and include x x x all shares of stock in corporations the property of which is not assessed or taxed in this State."

The Portion amended by Chapter 127 now reads: "x x x and all shares of stock in corporations 75 per cent or more of the real and/or tangible personal property of which is not taxable in this state."

## MONEY AND CREDITS TAX

Chapter 126 amends Section 2337, Laws 1927, which reads in part as follows "x x x and all shares of stock in corporations the property of which is not assessed or taxed in this State."

The portion amended by Chapter 126 now reads: "x x x and all shares of stock in corporations 75 per cent or more of the real and tangible personal property of which is not taxable in this State."

The only difference between the two amendments is that "/or" is omitted in Chapter 126. This apparently is not material.

Section 1979, Laws 1927, which reads, "Personal property, for the purposes of taxation, shall be construed to include: 10. All shares of stock in foreign corporations owned by residents of this state," was not touched by either Chapter 126 or Chapter 127. Failure to amend Section 1979 has raised the question: Did this show an intent on the part of the Legislature not to tax domestic corporation shares? Are shares of stock in domestic corporations taxable to a Minnesota resident?

Until 1933 it was the established policy of the Minnesota Tax Commission not to tax domestic shares. Up to that time it was the expressed opinion of each succeeding Attorney General that shares of stock in domestic corporations were not taxable.

On November 15, 1933, Attorney General W.S. Ervin, construing Section 2337, held that shares of stock in both foreign and domestic corporations were taxable as money and credits when owned by a resident taxpayer.

In the case of Holmes vs. Borgen, 273, N.W.623, involving shares of stock in the Russell Miller Milling Co., Minneapolis, a domestic corporation 60 per cent of whose property was in Minnesota, the Supreme Court disagreed with the Attorney General, and held that shares of stock in a domestic corporation were not taxable to a resident taxpayer.

Hence at all times prior to 1939 shares of stock in a domestic corporation owned by a Minnesota taxpayer were exempt from taxation.

Neither Chapter 126 nor Chapter 127 read that "x x x shares of stock in all corporations x x x", or "x x x shares of stock in both foreign and domestic corporations x x x." It is pointed out that had the 1939 Legislature intended to tax shares of both domestic and foreign corporations it would have employed more explicit language.

Many tax students favor repeal of the money and credits tax. Without contesting that point, assessors take the view that Chapters 126 and 127 now make the way clear to assess shares in foreign corporations, whereas in the past the Legislature has given them no definite instructions. Right or wrong, say the assessors, shares in foreign corporations are about all of a known quantity that is left to tax under the law. Domestic corporations are out; millions, they charge, are taken out of local banks and put into tax exempt securities every May 1st; building and loan associations are exempt under Chapter 423, Laws 1939, and if shares in foreign corporations were to be exempt also, there wouldn't be much to tax except individual bank deposits which the individuals were willing to declare.

Note: The purpose of Section 2 is to allow deductions for group insurance when employees desire that arrangement.

CHAPTER 130--HF 841

Wanwick - St. Louis County.  
Berlin (St. Louis), Dominick (Morrison), Chilgren (Koochiching).

Permits St. Louis County to establish a revolving fund of \$15,000 to help farmers clear land for agricultural purposes not to exceed 10 acres a year per owner. The Act is conditioned on the County having now or later not less than 35 per cent of its land area vacant and unimproved. Upon application for aid to clear land of stumps and boulders, the County Agricultural Agent and Auditor are to determine whether the land is suitable for agricultural purposes and worth the cost of clearing. The decision of the County Board is final. County equipment is to be used under the direction of the County Engineer. On tax delinquent land a cash payment must be made to cover the cost of labor, transportation, equipment, etc. Where the taxes are paid, the owner may pay 20 per cent of the estimated cost to the County Treasurer before the work is started or pay in full at the end of the job. If payment is made in installments, balances are charged as assessments on tax rolls to be collected over a period of four years. All collections go into the revolving fund.

Signed April 1, 1939.

EXTENDS AID  
IN CLEARING  
LAND FOR FARM  
PURPOSES

CHAPTER 131--HF 875

Burnap - Fillmore County.  
Johnson, J.A., at large - Fillmore, Houston Counties.

Fixes the salary of Probate Judge in Fillmore County at not less than \$2400 per year.

Signed April 1, 1939

FIXES SALARY  
OF PROBATE  
JUDGE IN  
FILLMORE

CHAPTER 132--HF 1004

Eklund - St. Louis County.  
 Thompson - St. Louis County.

INCREASES  
 SALARIES  
 OF DULUTH  
 ALDERMEN

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 1417-1, increasing salaries of aldermen in Duluth to \$2400 per year.

Signed April 1, 1939.

CHAPTER 133--HF 1137

Hartle - Steele County.

RE-DEFINES  
 "GRAIN"

Amends Mason's Minnesota Statutes, 1927, Section 5088, relating to the operation of grain elevators and re-defines the term "grain" by adding flax-seed and soy beans.

Signed April 1, 1939.

CHAPTER 134--HF 1151

Oberg - Chisago County.

LEGALIZES  
 BOND ISSUES  
 FOR SCHOOL  
 DISTRICT

Two bond issues and the elections which authorized them in Independent School District No. 8 in Chisago, but which had no legislative approval, are made legal in this Act. The Act does not apply to or have any effect on court actions now pending.

Signed April 1, 1939.

Note: The bonds were issued for constructing and equipping a school gymnasium-auditorium addition in an amount of \$36,750.00 together with a PWA grant of \$27,884.00.

CHAPTER 135--HF 1174

Constable - Nobles County.

PERMITS  
 COUNCIL  
 TO FIX  
 INTEREST

Amends Mason's Minnesota Statutes, 1927, Sections 1821 and 1918-7, relating to rate of interest on assessments and deferred payments for improvements in Villages and Cities of the Fourth Class. The change permits the council to determine the rate of interest to be paid not exceeding 6% on assessment and accrued interest in the construction of water mains.

Signed April 1, 1939.

CHAPTER 136--HF 1209

MacKinnon - Hennepin County.

Every employee, officer or person on the payroll of the fire or police department in Cities of the First Class shall retire at 65, except employees who served prior to January 1, 1939, and who have become 65 years of age but have not served long enough to entitle them to benefits from the pension fund. In such cases employees are permitted by the Act to remain on the payroll a sufficient length of time to qualify for pension fund benefits, subject, however, to the provisions of any civil service rules in force. Substitutes and persons irregularly employed are not included. Becomes effective September 1, 1940.

COMPELS  
RETIREMENT  
OF EMPLOYEES  
AT 65 YEARS.

Signed April 1, 1939.

CHAPTER 137--SF 286

Seifert - Brown, Redwood Counties.

Legalizes the issuance and sale of bonds for the construction of municipal light plants.

LEGALIZES  
BOND SALE

Signed April 4, 1939.

Note: The bill was originally designed to cover a situation affecting Springfield, Lakefield, Worthington and Litchfield. While the bill was pending, a Supreme Court order was handed down invalidating all village contracts involving more than \$100 which were not let to the lowest responsible bidder. This cast a cloud of insecurity on all bonds and stocks held by the public in power companies and for this reason the terms of the bill were expanded to take care of similar situations that may exist throughout the State.

CHAPTER 138--SF 500

Siegel - Ramsey County.

Makes it a misdemeanor to sell beer while holding a Federal retail liquor dealers special tax stamp without having a State intoxicating liquor license as well as a State beer license. Permits

U.S. STAMP  
NO PROTECTION

the governing body to revoke a beer license without formal notice and without hearing.

Signed April 4, 1939.

Note: The Federal tax stamp does not authorize the sale of liquor over State or local authority. It is issued in the nature of a receipt rather than as a license and is issued to the seller of beer on request regardless of whether he holds a State license to sell liquor. It is said that a condition existed where sellers of beer were using the Federal stamp tax as protection against "raids" and were using the stamp as an authority to sell liquor without a State license.

### CHAPTER 139--HF 1177

Jebb - Meeker County.

**PROHIBITS  
PARTICIPATION  
IN CONTRACTS  
BY OFFICIALS**

Amends the 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 1199, providing that all contracts for construction work amounting to \$100 or more, if not paid from the road or poll tax, are to be let on bids to the lowest responsible bidder. The remainder of the section provides that no member of a village council may be interested, directly or indirectly, in any contract made by the council. Violation is declared to be a misdemeanor except that a councilman may sell to the village, on a 4/5 vote of the council, in an amount not to exceed \$50 in any one year.

Signed April 4, 1939.

### CHAPTER 140--SF 1230

Berg - Dakota County.

**MAY NAME  
COMMISSION  
TO SUPERVISE  
SEWAGE  
DISPOSAL**

Authorizes the city council of any third or fourth class city in Dakota County (South St. Paul, Hastings, etc.) by a two-thirds vote, to appoint a commission to supervise sewage treatment or disposal plants.

Signed April 4, 1939.

CHAPTER 141--HF 1271

Dorweiler - Stevens County.  
For Committee on Banks.

Amends Mason's Minnesota Statutes, 1927, Section 7714, subdivision 4, relating to the authorized securities in which savings banks must invest. The amendment permits investment in notes or bonds secured by unincumbered real estate in Minnesota, Wisconsin, Iowa, North Dakota, South Dakota and Montana, but not in excess of 60% of the appraised value of the land. The notes or bonds are payable in installments aggregating not less than 5% of the original sum per year with interest on a regular amortization basis - in 20 years if on non-agricultural land, and 25 if on agricultural land. Such investments are limited to 50% of the whole monies of the bank. The old law fixed the rate at 70%.

PERMITS  
INVESTMENT  
IN NOTES, BONDS  
OF N.W. STATES

Signed April 4, 1939.

CHAPTER 142--SF 1108

Sletvold - Becker, Hubbard Counties.

Legalizes the issuance of bonds in the City of Detroit Lakes which were issued after a favorable vote of the majority of those voting on the question but without authority of the Charter and notwithstanding other defects which might have occurred.

LEGALIZES  
DETROIT LAKES  
BOND ISSUE

Signed April 4, 1939.

CHAPTER 143--SF 993

Weber - Murray, Lincoln, Pipestone Counties.

Appropriates \$19,250 for payment to newspapers for the publication of proposed amendments to the Constitution during the month of October, 1938.

APPROPRIATES  
MONEY TO PAY  
NEWSPAPERS

Signed April 4, 1939.

CHAPTER 144--SF 803

Larson, N.J. - Norman, Mahnomen Counties.

**LEGALIZES  
EXCESS  
LEVY** Legalizes excess tax levy in Norman County for 1937 in the sum of \$8230.07.

Signed April 4, 1939.

**Note:** Floods that damaged roads and washed out bridges made the additional tax levy necessary.

CHAPTER 145--SF 787

Almen - Lyon County.  
For Committee on Education.

**VOCATIONAL  
TRAINING  
LAW CONFORMS  
TO FEDERAL  
ACT**

Amends Mason's Minnesota Statutes, 1927, Sections 3037 to 3046 inclusive, relating to Federal aid for vocational education, and provides only for acceptance and expenditure by the State of the aid established in the so-called Smith-Hughes Act of 1917. Since that time there have been several Acts modifying to some extent the fields of training for which vocational aid is granted and the purposes for which Federal funds can be used. The amendments contained in Chapter 145 will extend the operation of these aids to appropriate agencies in Minnesota to whom they are denied under the present Acceptance Act. Sections 1 to 5 extend the scope of the Acceptance Act to allow Acts amendatory to the Smith-Hughes Act of 1917, including the George-Deen Act of 1936, under which aid for distributive education and the training of public service employees is included. These aids have not been withheld from Minnesota under the present Acceptance Act, but technically they have been accepted without legal authority. Section 2 of the amended Act permits the State Board for Vocational Education to do things not previously authorized: (a) To reimburse their individual agencies in addition to school districts for vocational education carried on by them and (b) to include necessary travel expense in determining the basis for reimbursement.

Signed April 5, 1939.

**Note:** At the present time such institutions as the State Training School for Boys at Red Wing have not been able to receive Federal aid for vocational training because the law has specified that the aid shall be paid only to school districts. Federal funds are now available under the amended law for the training of police, firemen and other municipal employees.

CHAPTER 146--SF 913

Anderson - Hennepin County.

Amends Mason's Minnesota Statutes, 1927, Sections 3415, 3416, to provide for group accident and health insurance covering not less than 25 association members or 25 employees, which may include dependents, under a master policy issued to any Government agency or employer. Authorizes any company that writes accident and health insurance to issue such group policies. Copy of form must be inspected by the Commissioner of Insurance. Permits family group policies issued to the head of the household.

GROUP  
ACCIDENT,  
HEALTH  
INSURANCE

Signed April 5, 1939.

CHAPTER 147--HF 1074

MacKinnon - Hennepin County.  
For Judiciary Committee.

Blanket curative act legalizing mortgage foreclosure sales against all customary procedural errors.

BLANKET  
CURATIVE  
ACT

Signed April 5, 1939.

CHAPTER 148--SF 292

Neumeier - Washington County.

Court action against the owner or driver of a motor vehicle involved in an accident may be brought in the county in which the accident occurred or in the county where the defendant or majority of defendants live. The place of trial for such action shall not be changed without written consent of the person bringing the action and filed with the court, or it may be changed by order of the court.

ACTION IN  
COUNTIES WHERE  
ACCIDENT  
OCCURS

Signed April 8, 1939.

CHAPTER 149--SF 404

Mullin - Hennepin County,  
Miller, F.J. - Crow Wing, Morrison Counties.

INDUSTRIAL  
COMMISSION  
MAY DESTROY  
OLD RECORDS

Authorizes the Industrial Commission to destroy its records covering the years prior to June 1, 1921 and each year hereafter to destroy the records for one year, i.e. destroy all records back 18 years.

Signed April 8, 1939.

CHAPTER 150--SF 403

Mullin - Hennepin County,  
Miller, F.J. - Crow Wing, Morrison Counties.

REGULATES  
APPEALS IN  
COMPENSATION  
CASES

Amends Mason's Minnesota Statutes, 1927, Section 4315. Authorizes the Industrial Commission to extend the time for taking appeals or for filing of the answer or other pleading for not to exceed 30 additional days. The amendment provides also that the appealing parties shall, within the time limited for appeal, serve a copy of such written notice of appeal upon all adverse parties and file the original with the Industrial Commission with proof of service by admission or affidavit.

Signed April 8, 1939.

CHAPTER 151--SF 520

Gardner - Todd County

LEGALIZES  
NOTARIAL  
RECORD

Legalizes acknowledgments of real estate mortgages and satisfactions of mortgages, also the recording made in a county which were acknowledged by a Notary whose seal did not bear the name of the county where the Notary lived.

Signed April 8, 1939.

CHAPTER 152--SF 553

Dahle - St. Louis County.

Abolishes dower and courtesy and statutory interests in lieu of dower and courtesy in all lands conveyed prior to January 1, 1920.

Signed April 8, 1939.

ABOLISHES  
DOWER AND  
COURTESY

Note: In many chains of title to real property there appears a deed by an owner with no spouse joining and of no showing as to whether owner is married. In such cases an attorney examining the title for a purchaser or a mortgagee is apprehensive concerning the possibility that the grantor may be a married man, in which event, if the property is his homestead, the deed or mortgage is void; and if the property is not his homestead, the purchaser or mortgagee may eventually lose a one-third interest in the property by death of the grantor survived by the spouse who failed to join. To remedy the matters as to records which were so ancient that no affidavit can be procured to explain the situation, the Legislature has from time to time passed Acts to bar the inchoate interests of the non-joining spouse as to non-homestead property and to limit the right of the spouse or others to assert the invalidity of the deed as to homestead property. The last statutes of this type were Laws of 1929, Chapter 333 and Laws 1925, Chapter 134, in which latter act there was a typographical error. Chapter 152 is in the same words as Chapter 333, Laws 1921, except that it relates to conveyance made prior to a much later date, January 1, 1920.

CHAPTER 153--SF 686

Siegel - Ramsey County.

Amends Mason's Minnesota Statutes, 1927, Section 659, providing that when the office of County Auditor, Treasurer, Register of Deeds, Sheriff, County Attorney, Coroner or Superintendent of Schools, becomes vacant the chief deputy or first assistant shall assume responsibilities of the office.

Signed April 8, 1939.

CHIEF  
DEPUTIES  
TO ASSUME  
DUTIES OF  
OFFICE

Note: Prior to this year if a county office became vacant, there was no one authorized by law to perform the duties pending an appointment by the County Board. Thus, in effect, the office was closed to public business. The issue was raised in Ramsey County at the time the office of County Auditor was vacated by death.

CHAPTER 154--SF 682

Sullivan - Stearns County.

PERMITS  
"ON SALE"  
LICENSES  
TO CLUBS

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 3200-25. Permits "on sale" licenses in all but Cities of the First Class to incorporated clubs 20 years old for sale to its members only. License fee fixed at \$100.

Signed April 8, 1939.

CHAPTER 155--SF 694

Imm - Blue Earth County.

PROHIBITS  
LOITERING

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 10151-1, by prohibiting loitering in any public school building or on playgrounds.

Signed April 8, 1939.

Note: Complaints that individuals loiter on school grounds for the purpose of contacting the instructor after school hours in order to sell or solicit sales brought about the introduction of this bill. The law as amended still permits solicitation or sales to school boards, boards of education or superintendents but specifically prohibits loitering for such purposes.

CHAPTER 156--SF 755

Seifert - Brown, Redwood Counties.

PERMITS  
CONSOLIDATION  
OF PETITIONS

Permits the governing body of New Ulm to consolidate separate petitions for public improvements which were received about the same time and treat them as one petition. Validates action taken prior to passage of this Act.

Signed April 8, 1939.

CHAPTER 157--SF 794

Neumeier - Washington County.

APPROPRIATES  
\$50,000 FOR  
CLAIMS OF  
VETERANS

Appropriates \$50,000 out of the Spanish War Veterans Relief Fund created by Chapter 405, Section 4, Laws 1931, for the payment of claims approved under the provisions of Laws 1935,

Chapter 213. Adjutant General charged with administration of the Act. Duties under the Act to be concluded by June 30, 1941.

Signed April 8, 1939.

CHAPTER 158--SF 817

Carley - Wabasha County.

Amends 1938 Supplement to Mason's Minnesota Statutes, 1927, Section 5595, Subdivision 4, relating to net and set line fishing in St. Croix and Mississippi rivers (border line streams) allowed by a license from the Commissioner of Conservation. The amendment absolves Minnesota set line fishermen from taking out a bond until the State of Wisconsin enacts a similar regulation.

ABSOLVES  
MINNESOTA  
FISHERMEN

Signed April 8, 1939.

CHAPTER 159--SF 882

Starks - Dodge, Mower Counties.  
Swenson - Nicollet, Sibley Counties.

Amends Mason's Minnesota Statutes 1927, Section 5189, relating to licensing of warehousemen. "Every warehouseman" has been changed to read "every person."

LICENSES  
DEMANDED

Signed April 8, 1939.

Note: This Act was drawn to tighten the conditions under which persons engage in the business of warehousing. Whereas formerly it was taken more or less for granted that the warehouseman was operating under a license, the amendment specifically provides that no person shall engage in the business until he is licensed to do so.

CHAPTER 160--SF 894

Siegel - Ramsey County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 5771, 5772, 5774, 5782 and Mason's Minnesota Statutes 1927, Section 5777, relating to the practice of chiropody. A paragraph is added making it a misdemeanor for

REGULATES  
ADVERTISING BY  
CHIROPODISTS;  
FEE RAISED

a chiropodist to advertise in any way except by a professional card, or if the practice is limited to a specialty, that fact may be announced. Under the Act it is not to be considered unlawful or unprofessional to conduct an educational campaign about chiropody, but the campaign must have the approval of the State Board of Chiropody Examiners. A violation of any of the provisions of the Act is made a cause for revocation of license. A change is made in the fee for renewal of license from \$2 to \$5. The license fee of a practitioner coming from another state to practice in Minnesota, is increased from \$50 to \$100. Other fees are left unchanged - examination \$25; reexamination \$2; penalty for not registering June 1, \$5.

Signed April 8, 1939.

#### CHAPTER 161--SF 963

Ribenack - St. Louis County.  
Dahle - St. Louis County.

**INCREASES  
LEVY FOR  
POOR RELIEF**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3199, under which St. Louis County levies tax for poor relief. The amendment provides that the levy shall finance all forms of public and social assistance (dependent children, blind aid, and old age assistance) administered by the County Welfare Board created by Laws 1937, Section 343. The limit of the tax levy for the support of the poor and for social assistance permitted to be assessed, and not including the erection or repair of buildings at the county poor house, is raised from 3 to 5 mills except that in 1939 and 1940 the amount may exceed 3 but not 8 mills. A new paragraph is added to the law providing that during 1939 and 1940, if the Welfare Board determines that the amount levied is inadequate for the minimum requirements for the balance of the year, it shall notify the Board of County Commissioners who may authorize the Board to spend additional sums for specific purposes without penalty.

Signed April 8, 1939.

CHAPTER 162--SF 1089

Sell - Nobles, Rock Counties.  
 Stiening (Clay, Wilkin), Seifert (Brown, Redwood).

Provides that the State Board of Education, upon the request of the superintendent of any public or private high school, shall furnish forms for State examinations in each high school subject to be held during May of each year. The request shall be in writing and made to the Commissioner of Education before January 1.

Signed April 8, 1939.

AUTHORIZES  
 FORMS FOR  
 HIGH SCHOOL  
 EXAMINATIONS

CHAPTER 163--SF 1115

Stiening - Clay, Wilkin Counties.

Amends Laws 1933, Chapter 306, Section 1, as amended by Laws 1935, Chapter 152, Section 2, relating to the issuance of refunding bonds, providing that when any town has been divided into two or more towns while its bonds are outstanding, the indebtedness represented by the bonds may be apportioned between them upon a written agreement between the towns and the holders of unmatured bonds, and the towns or school districts may then issue refunding bonds to take up their portions and the respective bonds shall be the obligations of the respective towns. This Act applies particularly to School Districts 81 and 118 in Clay County.

Signed April 8, 1939.

PROVIDES  
 FOR DIVIDING  
 BONDED DEBT

CHAPTER 164--SF 1147

Galvin - Winona County.

Authorizes County Treasurers to appoint deputies who shall file their certificates of appointment bearing their oaths of office with the Register of Deeds. Deputies are authorized to perform the duties of the Treasurer.

Signed April 8, 1939.

MAY NAME  
 DEPUTY  
 TREASURERS

Note: This is a state-wide measure. There was no authority in law for the appointment of Deputy County Treasurers although the clerks often performed the duties common to deputies.

CHAPTER 165--HF 619

Zwach, at large - Brown, Redwood Counties.

**PERMITS  
PUBLICATION  
OF WELFARE  
EXPENDITURES**

Permits County Welfare Boards, with the approval of the County Commissioners, to publish monthly or quarterly all expenditures except those which the law says specifically shall not be published.

Signed April 8, 1939.

CHAPTER 166--HF 79

Eklund - St. Louis County.

**EXTENDS  
FRATERNAL  
ASSOCIATION  
INVESTMENT  
PRIVILEGES**

Amends Mason's Minnesota Statutes 1927, Section 3463, as amended by Laws 1929, Chapter 156, giving fraternal beneficiary associations the right to invest in bonds of the United States, State of Minnesota, any other State, Dominion of Canada or any of its Provinces, or the political subdivisions or school districts of the United States and Canada. Fraternal associations are allowed by law to invest in first mortgages or first mortgage bonds upon improved real estate for not exceeding 50% of the actual cash value; the amendment permits investment to not exceed 75% where the loans are on an amortized basis and paid for monthly over a period of 20 years.

Signed April 8, 1939.

CHAPTER 167--HF 91

Gale - Hennepin County.  
Hartkopf - Hennepin County.

**SANATORIUM  
TAX LEVY  
INCREASED**

Amends Laws 1923, Chapter 101, permitting the Hennepin County Board to increase the rate from 2 to  $2\frac{1}{4}$  mills for the County tax levy to operate the Glen Lake Sanatorium; also permits an increase from 2 to  $2\frac{1}{4}$  mills for the total tax levy for both maintenance and improvements without a vote of the people.

Signed April 8, 1939.

CHAPTER 168--HF 342

Anderson, C.G. - Cook, Lake Counties.

Sets up minimum salaries for Register of Deeds, Treasurer and Auditor and their clerks; also for Clerk of District Court and County Attorney in Cook County.

MINIMUM  
COUNTY  
SALARIES

Signed April 8, 1939.

CHAPTER 169--HF 506

Headley - Wilkin County.  
Martinson (Big Stone), Nelson, W.N. (Lyon).

Amends the 1938 Supplement to Mason's Minnesota Statutes 1927, Section 4140-3. Makes two changes in the law requiring railroads to inform an employee as to the reason for making a payroll deduction. Requires the date or period covered by the deduction and provides that if a railroad violates the Act two or more times in any one year in the case of the same employee, it shall be prima facie evidence of wilful violation.

TIGHTENS  
REGULATIONS  
COVERING  
DEDUCTIONS  
BY RAILROADS

Signed April 8, 1939.

CHAPTER 170--HF 576

Hall - Stearns County.  
Schneider, W. (Stearns, 1st Division), Imdieke (Stearns, 2nd Division).

Amends Mason's Minnesota Statutes 1927, Section 2060, as amended by Laws 1937, Chapter 379. Authorizes Stearns County to levy up to 7 mills for the general revenue fund by a unanimous vote of the County Board.

AUTHORIZES  
LEVY IN  
STEARNS CO.

Signed April 8, 1939.

CHAPTER 171\*-HF 617

Dammann - McLeod County.  
Evenson (Renville), Howard (Washington), Gale (Hennepin), Day (Pennington, Red Lake, Clearwater).

Known as "Bang's Indemnity Bill." Amends Mason's Minnesota Statutes 1927, Sections 5402 and 5403. Changes the section which provides for indemnity

"BANG'S  
INDEMNITY  
BILL"

to be paid the owner of cattle or horses for destruction of the animals by reason of condemnation by the State Live Stock Sanitary Board for tuberculosis and glanders by adding Bang's Disease. Changes the amount of indemnity that may be paid down to \$15 for grade females and \$30 for purebred animals for both tuberculosis and Bang's disease. (The indemnity is paid the owner in addition to amount received from sale of the carcass up to appraised value.) Specifies 15 exceptions to right to receive indemnity. Provides for co-operation of Federal Agency. Violation of the Act is gross misdemeanor.

Signed April 8, 1939.

\* See Chapter 217 and Chapter 422.

Note: Bang's Disease affects cows in such a way as to prevent production. The raw milk is liable to become contaminated so that the disease affects humans who have suffered with what is known as an undulant fever. Pasteurized milk is free from this possible contamination. Wisconsin has a Bang's disease inspection law which is reported to be functioning successfully. Since the tuberculosis test law has been in effect in Minnesota, dairy herds have become comparatively free from that disease.

#### CHAPTER 172--HF 752

Hart - Carlton County.  
For Committee on Education.

RESPONSIBILITY  
PLACED ON  
STATE BOARD  
OF EDUCATION

Amends Laws 1913, Chapter 550, Section 6, placing the responsibility of construction, alteration and condemnation of school buildings, adoption of sanitary standards, etc. on the State Board of Education. A provision is added empowering the Board to prepare and furnish to local school boards plans for schools of two class rooms or less.

Signed April 8, 1939.

#### CHAPTER 173--HF 883

Chilgren - Koochiching County.

AUTHORIZES  
PURCHASE  
OF BONDS

Authorizes State Board of Investment to purchase refunding bonds of an unorganized school district in Koochiching County.

Signed April 8, 1939.

CHAPTER 174--HF 1037

Burnap - Fillmore County.

Renews a corporate existence in Fillmore County.

Signed April 8, 1939.

RENEWS  
CORPORATE  
EXISTENCE

CHAPTER 175--HF 1109

Burnap - Fillmore County.

Amends Mason's Minnesota Statutes 1927, Sections 2399, 2405, 2408, 2412, 2413, 2417, 2418, 2425, 2450, 2454 and 2460. Brings the State militia code in line with the National Defense Act. Gives the Adjutant General Power to organize a defense force in the State should the National Guard be called into Federal service. Changes the National Guard Reserve to Inactive National Guard. Makes other changes mostly of minor character.

Signed April 8, 1939.

MILITIA  
CODE  
AMENDED

CHAPTER 176--HF 1210

Daun - Nicollet County.

Authorizes Nicollet County to make an excess tax levy for general revenue purposes of not more than  $1\frac{1}{2}$  mills above the authorized limitation and for not more than 2 years following the passage of this Act.

Signed April 8, 1939.

AUTHORIZES  
EXCESS LEVY  
IN NICOLLET

CHAPTER 177\*--HF 1222

Covert - Rice County.

Cemetery associations in counties which do not contain a city of more than 50,000 inhabitants and were incorporated prior to January 1, 1909, whose period of duration has expired are legalized and granted perpetual succession.

Signed April 8, 1939.

\* See Chapter 21.

PERPETUAL  
SUCCESSION  
FOR CEMETERY  
ASSOCIATIONS

CHAPTER 178--HF 1232

Memmer - Ramsey County.

CHANGES  
POOR RELIEF  
PROPORTIONS  
PAID BY CITY  
AND COUNTY

Amends Laws 1929, Chapter 371, Section 6 as amended by Extra Session Laws 1935-1936, Chapter 90, relating to joint support of institutions and relief by St. Paul and Ramsey County. The amendment changes the proportion from 66-2/3% to 72 $\frac{1}{2}$ % for the County, and from 33-1/3% to 27 $\frac{1}{2}$ % for the City of St. Paul. It changes also the name of the Board of Public Welfare to that of County Welfare Board. Under the Act the City and County are each authorized to issue bonds exclusively for the relief of the poor. The County may issue bonds upon approval of a majority of those voting on the question in an election held in the County. The City may then issue bonds as a result of that approval and by a majority vote of the City Council for its share, and without a direct vote of the people.

Signed April 8, 1939.

Note: The requirement in this Act, that the question of issuing poor relief bonds shall be submitted to the voters, does not supersede any law or charter provision which permits emergency bonds or warrants without a vote of the people. Laws of 1933 provide for emergency bond issues when warranted for poor relief.

CHAPTER 179--HF 1515

Litchke - Itasca County.

LEGALIZES  
PURCHASE  
OF FIRE  
TRUCK

Legalizes proceedings taken or which may be taken before July 1, 1939 by the Village of Grand Rapids for the purchase of a fire truck not exceeding \$8500 on a conditional sales contract, payable over a period of not more than 30 months from date of delivery.

Signed April 8, 1939.

CHAPTER 180--HF 1580

Allen - Ramsey County.  
For Committee on Appropriations.

WORLD'S FAIR  
EXPENSE  
APPROPRIATION

Appropriates \$2,000 to be spent without accounting to meet the expenses of the "Minnesota Commission to the New York World's Fair," members of which consist of the Governor, the President of the

Senate (Lieutenant Governor), the Speaker of the House, three members of the Senate and three members of the House.

Signed April 8, 1939.

Note: The personnel of the Committee has been announced as follows: Governor Stassen, Lieutenant Governor and President of the Senate C. Elmer Anderson, Speaker of the House L. M. Hall, Senators Charles N. Orr, Henry A. Larson, and Anchor Nelsen; Representatives Roy E. Dunn, Claude H. Allen, and R. G. Johnson.

CHAPTER 181--HF 71

MacKinnon - Hennepin County.

Appropriates \$9,000 each for the fiscal years ending June 30, 1940 and June 30, 1941 to be allocated by the State Board of Education for the purpose of conducting summer classes for crippled children. Any school district that receives special aid during the regular school term for classes for crippled children is eligible under the Act. The sum of \$50 may be allocated for each pupil annually and not more than \$7,000 in any one year shall be allowed any school.

SUMMER  
CLASSES FOR  
CRIPPLED  
CHILDREN

Signed April 10, 1939.

CHAPTER 182--HF 198

Day - Pennington, Red Lake, Clearwater Counties.

A remedial measure authorizing the Board of Commissioners of Clearwater County by a unanimous vote to issue bonds for funding or refunding its warrant indebtedness existing before January 1, 1939, and without submission to the voters.

CLEARWATER  
BOND ISSUE  
AUTHORIZED

Signed April 10, 1939.

CHAPTER 183--HF 209

Mrs. Paige - Hennepin County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 208-2, relating to the probation department of the District Court in

REVOKE  
BOARD  
APPROVAL

Hennepin County. Strikes out the provision which gave the Board of County Commissioners the authority to approve the salaries of Probation and Investigation Department employees set by the Judges of the District Court.

Signed April 10, 1939.

CHAPTER 184--HF 575

Mann - Pine County.

AREA FOR  
SCHOOL  
ATTENDANCE  
EXTENDED

Amends Mason's Minnesota Statutes 1927, Section 2822. The section which authorizes a School Board to discontinue its school, or any grade in it, and send its pupils to schools in an adjoining district is amended to allow the pupils to attend in a nearby district. Effective July 1, 1939.

Signed April 10, 1939.

CHAPTER 185--HF 660

Johnson, J.A., at large - Fillmore, Houston Counties.

For Committee on Municipal Affairs.

LENGTHENS  
TERM OF  
VILLAGE  
PRESIDENT

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1152-12, by extending the term of Village President from 1 to 2 years except terms expiring under the existing law on the first secular day in January, 1940.

Signed April 10, 1939.

CHAPTER 186--HF 801

Doerr - Sibley County.

REGULATES  
OVERTIME  
TO 'PHONE  
OPERATORS

Amends Mason's Minnesota Statutes 1927, Section 4218, which empowers the Industrial Commission to determine minimum wages for women, minors and apprentices to provide that telephone companies are exempt from payment of overtime to their night operators on duty 12 hours and who have an opportunity to sleep at least 4 hours out of the 12. Excludes from minimum hours any town of 15,000 or less.

Signed April 10, 1939.

CHAPTER 187--HF 901

Gale - Hennepin County.

Zoning and building regulations may be established by the Board of Supervisors in any township in Hennepin County if 70% of the voters voting on the question vote in the affirmative.

VOTERS  
MAY APPROVE  
ZONING

Signed April 10, 1939.

CHAPTER 188--HF 977

Melby - Pennington, Red Lake, Clearwater Counties.

RED LAKE  
SALARIES  
FIXED

Fixes salaries of Commissioners of Red Lake County at \$300 per year.

Signed April 10, 1939.

CHAPTER 189--HF 1022

Hart - Carlton County.  
For Committee on Education.

Amends Mason's Minnesota Statutes 1927, Section 3086, making mandatory an annual school census to be taken August 15 to September 15 (was July 1 to October 1), and provides that all children under 21 as of September 1 are to be counted. The amendment eliminates the provision withholding special State aid for failure to take a census.

SCHOOL  
CENSUS  
MANDATORY

Signed April 10, 1939

CHAPTER 190\*--HF 1114

Covert - Rice County.

Permits the City of Faribault, which has come into possession of encumbered property to be used for hospital purposes, to extend or renew the mortgage or execute a new one. The mortgage may be foreclosed in case of default, but an amount greater than that which the property brings at a foreclosure sale cannot be collected from the city. The funds secured are to be

FARIBAULT  
COUNCIL  
EMPOWERED  
TO ACT

used exclusively for payment of principal and interest and all prior liens on the property.

Signed April 10, 1939.

\* See Chapter 196.

Note: This Act relates to the same transaction referred to in Chapter 196. In order to be doubly sure that the way would be cleared in the handling of the mortgage, Chapter 190 was enacted to give the City Council of Faribault authority to proceed if it develops that the City Council is to take the initiative. Chapter 196 was enacted to give the City Hospital Board the same authority if it should develop that initiative is to come from that quarter.

#### CHAPTER 191--SF 784

Bridgeman - Beltrami County.

**EXTENDS  
POWERS OF  
RAILROAD  
COMMISSION**

Amends Mason's Minnesota Statutes 1927, Section 4842, which authorizes the Railroad and Warehouse Commission to adjust rail rates within the State. The amendment strikes out the provision which prohibited the Railroad and Warehouse Commission from promulgating any rule or establishing any rate or rates in conflict with or in violation of the provisions of the Act and gives the Commission specific authority to authorize a rate for railway transportation which may be inconsistent with the requirements of the Act on petition of a railroad and for good cause shown.

Signed April 10, 1939.

#### CHAPTER 192--SF 1329

Adams, at large - Otter Tail County.

**RESTRICTS  
RECREATION  
EXPENDITURES**

No city of the fourth class may appropriate money for the improvement of parks, golf courses or recreational centers which are not within the city limits or are not touching the boundary lines unless approved by a majority of the voters voting at any election at which the question is submitted. Affects the City of Fergus Falls.

Signed April 10, 1939.

Note: Replying to a request from the City Attorney of Cloquet as to whether under Chapter 192 it would be necessary for

the City Council to submit to the voters the question of purchasing and improving land not within the corporate limits and contiguous to the city to be used as an airport, the Attorney General has replied in the negative. The theory on which the opinion is rendered is that an airport does not properly come within the purview of Chapter 192 which refers specifically to "parks, golf courses or recreation centers."

CHAPTER 193\*--SF 1434

Wahlstrand - Kandiyohi County.

Amends Laws 1939, Chapter 102, Section 4, relating to the manner of handling prescriptions for Barbital. This amendment makes no change in the intent of Chapter 102. The sentence "no such prescription shall be refilled" was in such a place as to make the law ambiguous. The amendment precedes the words "except with the written or verbal consent of the prescriber."

AMENDS  
BARBITAL  
ACT

Signed April 10, 1939.

\* See Chapter 102.

CHAPTER 194--HF 1605

Allen - Ramsey County.  
For Committee on Appropriations.

Appropriates \$55,000 for salaries of members and employees and expenses of the Legislature.

SESSION  
EXPENSE

Signed April 12, 1939.

CHAPTER 195--HF 197

Paige, Mrs. - Hennepin County.  
Wanwick (St.Louis), Zwach, at large (Brown, Redwood), Butler (Otter Tail).

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 8688-3, 8688-6, 8688-11. Relates to aid to dependent children. Amends the law by redefining "dependent child;" in the section defining "continuous absence from home of a parent," the amendment now makes the law include "by reason of absence from home by the

LIBERALIZES  
DEPENDENT  
CHILDREN  
AID LAW

parent for a period of at least three months continuous duration, together with failure on the part of the absent parent to support the child, provided that reasonable efforts have been made to secure support for such children from the defaulting parent." Under the Act aid can now be given to dependent children even though it is impossible to issue a criminal complaint charging abandonment.

Signed April 12, 1939.

Note: Section 8688-3 required a complaint and warrant charging abandonment to be issued as a prerequisite to receiving aid in the case of an absence from home and failure to support for a three months period. In some cases County Attorneys were unable to issue such complaints and because no complaint could be issued, no aid could be given. Chapter 195 remedies this situation.

#### CHAPTER 196\*--SF 910

Roepke - Rice County.

**EMPOWERS  
HOSPITAL  
BOARD  
TO ACT** Permits the City of Faribault, which has come into possession of encumbered property to be used for hospital purposes, to extend or renew the mortgage or execute a new one.

Signed April 12, 1939.

\* See Chapter 190.

#### CHAPTER 197--SF 1178

Gardner - Todd County.

**PATIENTS  
MAY BE SENT  
TO COUNTY  
SANATORIUMS** Amends Mason's Minnesota Statutes 1927, Section 710, relating to county tuberculosis sanatoriums and free care for county citizens unable to pay. The amendment provides that the State Board of Control may send patients to a County Sanatorium upon payment of \$5.00 per week out of funds available for maintenance of the institution, but the amount received by the sanatorium from both State and County is not to exceed \$15 per week.

Signed April 12, 1939

Note: A request for information as to whether county sanatoriums are eligible under Chapter 197 to receive \$5 per week for non-resident patients receiving care

prior to April 12, 1939, has been answered in the negative by the Attorney General's office. It is held that the law is prospective in its operation.

CHAPTER 198--HF 1296

Kiefer - Winona County.  
Hering - Winona County.

Allows for clerk hire in office of Winona County Auditor and Winona County Treasurer an amount equal to that allowed by Laws of 1938 regardless of any decrease in valuation, change in population or other factor. This Act was made retroactive to January 1, 1939.

Signed April 12, 1939.

WINONA CO.  
CLERK HIRE  
RETROACTIVE

CHAPTER 199--HF 1319

Butler - Otter Tail County.

Authorizes the Governor to sell enough real estate owned by the State adjoining Fergus Falls township to enable the township to widen the present road to four rods.

Signed April 12, 1939.

WOULD WIDEN  
TOWNSHIP  
ROAD

CHAPTER 200--HF 238

Thompson - St. Louis County.  
For St. Louis County Delegation.

Authorizes the State Fire Marshal to petition the District Court for an order of condemnation directing the destruction, repair or alteration of any building or structure on State owned land or State trust land which is considered to be a fire hazard and dangerous to life and limb.

Signed April 12, 1939.

AUTHORIZES  
DESTRUCTION  
OF UNSAFE  
BUILDINGS

Note: Several buildings that became the property of the State through tax delinquency were adopted by the children as a playground, and inasmuch as authorities considered them fire hazards and there was no authority for one State Agency to demolish buildings belonging to another State Agency, this law was designed. The law is state-wide in scope, and has been drawn to safeguard against abuses.

CHAPTER 201--HF 700

MacKinnon - Hennepin County.  
For Hennepin County Delegation.

PERMITS  
DESTRUCTION  
OF RECORDS  
10 YEARS OLD

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 836-1, permitting destruction of County Auditor's records after they are ten years old. Before amendment the law required preservation of records for 20 years.

Signed April 12, 1939.

CHAPTER 202--HF 713

Nonnemacher - Ramsey County.

RELATES  
TO RAISING  
OF SEWAGE  
SERVICE FUND

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1607-24, relating to the payment for construction and operation of the St. Paul-Minneapolis sewage disposal system. Adds a provision to subsection (d), (which allows either city to adopt an ordinance providing for payment and collection of rentals for sewage service from those being served), that the city may raise its proportion of required funds from rental in any way desired. Subsection (e) is amended to provide that the city shall use its rental fund for its portion of the cost of operation and maintenance.

Signed April 12, 1939.

CHAPTER 203--HF 779

Constable - Nobles County.  
Anderson, C.G. - Cook, Lake Counties.

PROVIDES  
FIELD DOG  
TRIAL  
EXPENSES

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5536-22, relative to field dog trials. Law formerly required a \$2000 corporate surety bond; the amendment provides that only a sufficient sum of money to assure payment of expense of game warden supervision need be posted.

Signed April 12, 1939.

CHAPTER 204--HF 906

MacKinnon - Hennepin County.  
For Hennepin County Delegation.

Fixes the salary of the Sheriff of Hennepin at \$6500 a year and makes it effective May 1, 1939.

Signed April 12, 1939.

FIXES SALARY  
OF HENNEPIN  
SHERIFF

CHAPTER 205--HF 976

Hall - Stearns County.  
Imdieke - Stearns, 1st Division.

Provides that premiums on surety bonds of County Auditor and his deputies and Register of Deeds and his deputies in Stearns County shall be paid by the County.

Signed April 12, 1939.

COUNTY  
TO PAY  
PREMIUMS

CHAPTER 206--HF 982

Hart - Carlton County.

Empowers the Governor to accept Federal aid for educational program of the State if authorized between sessions and pending further action by the Legislature. Authorizes the State Board of Education to approve and carry out the plans. The Federal funds are to be paid out by the State Treasurer on requisition of the State Board of Education. The Act is effective from and after the legislative day preceding adjournment of the 1939 Session.

Signed April 12, 1939.

EMPOWERS  
GOVERNOR  
TO RECEIVE  
FEDERAL AID  
FOR EDUCATIONAL  
PROGRAM

CHAPTER 207--HF 1216

Dixon - Todd County.  
Hall - Stearns County.

The State may issue a license to any person desiring to explore ancient burial grounds, prehistoric ruins, fossil deposits, etc., at an annual fee of \$25, renewable each year at the same fee. The fees are to be paid into the

PROVIDES  
LICENSE FOR  
EXPLORATION

State Treasury and credited to the Department of Conservation Contingent Fund. The State reserves to itself the exclusive right and privilege of doing such work by and through the persons licensed. The University shall appoint from its staff an archaeologist to issue the licenses under the Commissioner of Conservation and to supervise the work. One-half of whatever is discovered shall go to the licensee and the other half to the State. Violation of the Act is a misdemeanor.

Signed April 12, 1939.

CHAPTER 208--HF 1282

Bondhus - Cottonwood County.

**FIXES  
COMMISSIONERS'  
SALARIES** Fixes salaries of Commissioners of Cottonwood County at \$600 per year.

Signed April 12, 1939.

CHAPTER 209--SF 649

Dougherty - Martin, Watonwan Counties.  
Herreid (Cass, Itasca), Sell (Rock, Nobles).

**REGULATES  
AUTO DEALERS** Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2686, licensing dealers in new and used automobiles. Subsection (a) of Section 2686 compels such dealers to be licensed by the Registrar of Motor Vehicles. The amendment adds a provision requiring from the applicant proof (1) that he maintains an established place of business which does not include a residence, tent or temporary quarters, and (2) that he has a contract with the manufacturer or distributor of motor vehicles. Subsection (b) is new matter permitting the licensee to use unimproved lots provided they are in the same county as his principal business and permitting him to locate in more than one county by securing a separate license for each county. He must secure permission from the Registrar to move his main business to another location. The fee remains at \$20 for new and renewed licenses.

Signed April 13, 1939.

CHAPTER 210--HF 233

Herseth - Kittson County.

Fixes the amount allowed for clerk hire in the office of Kittson County Auditor at \$1800 per year.

Signed April 13, 1939.

FIXES  
CLERK  
SALARY

CHAPTER 211--HF 267

Anderson, C.G. - Cook, Lake Counties.

Amends Laws 1919, Chapter 23, as amended by Laws 1933, Chapter 46, which allows the County Commissioners in Lake County an annual salary of \$420 plus \$5 per day for Committee work and mileage. Because of decreasing assessed valuation, reenactment of this Act was necessary to keep it in force.

Signed April 13, 1939.

RE-ENACTS  
SALARY  
LAW

CHAPTER 212--HF 339

Widstrand - St. Louis County

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1264-13 $\frac{1}{2}$ d relating to firemen's pension funds by adding a provision that the Board of Trustees of a Firemen's Relief Association may invest the balance of its special funds in its village certificates of indebtedness after paying the premiums of the bonds of the Treasurer and Secretary.

Signed April 13, 1939.

MAY INVEST  
SPECIAL FUNDS  
IN VILLAGE  
BONDS

CHAPTER 213--HF 350

Champlin - Blue Earth County.

Nelson, C.J. - Blue Earth County.

Amends Mason's Minnesota Statutes 1927, Section 2703, by changing the size of the automobile license plates to approximately 5-5/8 inches by 12 inches, the numbers to be approximately three inches high.

Signed April 13, 1939.

CHANGES  
SIZE OF  
LICENSE  
PLATES

CHAPTER 214--HF 412

Nonnenmacher - Ramsey County.

RAMSEY CO.  
SALARY  
INCREASE

Increases the salary of the Ramsey County Attorney from \$5000 to \$6000.

Signed April 13, 1939.

CHAPTER 215--HF 427

Peterson, P.J.E. - Martin County.  
Imdieke (Stearns, 1st Division), Powers (Norman, Mahnomen).

EXEMPTS  
COOPERATIVE  
UTILITY

Amends Mason's Minnesota Statutes 1927, Section 2211, which provides that the County Auditor shall certify as to the status of taxes before land transfer can be made. The amendment exempts such action on easements made to any cooperative public utility for right of way.

Signed April 13, 1939.

CHAPTER 216--HF 595

Erickson - Benton, Sherburne Counties.

ALLOWS  
PRIZES  
TO MEMBERS

Amends Mason's Minnesota Statutes 1927, Section 3443, designating the kind of policy to be issued by any domestic assessment, health or accident association, for commercial travelers and persons in no more hazardous occupation, and which pays no compensation for membership. The amendment allows prizes of nominal value, in proportion to the membership fees, to be awarded members.

Signed April 13, 1939.

CHAPTER 217\*--HF 615

Dammann - McLeod County.  
Howard (Washington), Evenson (Renville), Gale (Hennepin), Day (Pennington, Red Lake, Clearwater).

PRESCRIBES  
BANG'S DISEASE  
AREA TEST

Authorizes the State Live Stock Sanitary Board to test cattle on the area plan for the eradication of Bang's disease. The area plan involves testing and periodic re-testing of cattle and elimination

of all animals reacting to the test, in any county or any township if determined by the County Board upon petition of 70% of the cattle owners. The Board may order tests to be made without expense to the cattle owners after a hearing on petition, following a published newspaper notice. A rehearing is to be granted upon petition by not less than 20% of the resident cattle owners in the area. Act effective July 1, 1939.

Signed April 13, 1939.

\* See Chapter 171 which provides for indemnity payments.

CHAPTER 218--HF 654

Miller - LeSueur County.

Legalizes money already spent for a municipal band under authority of the Council but without first having taken a vote of the people.

LEGALIZES  
BAND EXPENSE

Signed April 13, 1939.

CHAPTER 219--HF 657

Miller - LeSueur County.

Empowers fourth class city councils in LeSueur County, by a unanimous vote, to levy annually not more than 2 mills, but not to raise more than \$2,000 a year, to employ a municipal band.

2 MILLS FOR  
MUNICIPAL  
BAND

Signed April 13, 1939.

CHAPTER 220--HF 678

Duemke - Hennepin County.

Authorizes the Hennepin County Auditor to refund \$207.50 to one Gust Albin Jackson, who in April, 1938, purchased unredeemed land at public auction. The land was described officially as adjoining property owned by Jackson but later was found to be a considerable distance from it.

AUTHORIZES  
REFUND

Signed April 13, 1939.

CHAPTER 221--HF 708

MacKinnon - Hennepin County.  
For Hennepin County Delegation.

REVISES  
PAYROLL OF  
HENNEPIN CO.  
AUDITOR

Revises the salaries of deputies and clerks in the office of the Hennepin County Auditor. The amendment reduces the salary of the Chief Accountant, increases other salaries, and makes a net addition of ten clerks to the staff.

Signed April 13, 1939.

CHAPTER 222--HF 806

Thompson - St. Louis County.  
Terwilliger - Goodhue County, 2nd Division.

CLEARANCE  
LIMITS  
CHANGED

Amends Mason's Minnesota Statutes 1927, Section 4758 and the 1938 Supplement to Mason's Minnesota Statutes 1927, Section 4759, relating to railroad clearances. Section 4758 requires a railroad to keep the space between its tracks and between the rails free from obstructions that would be a hazard to its employees, except in special cases where the tracks are being depressed within the limits of a municipality. The amendment applies the law to persons or corporations; also includes the space beside the tracks and within eight feet of the center line of the track. Section 4759 imposes a penalty of \$500 for each and any violation and provides that each day the violation is continued shall be considered a separate offense. The amendment fixes the penalty at not more than \$500 for each violation, and strikes out the part providing that each day of violation shall be a separate offense and adds that failure to correct the condition within the time ordered by the Railroad and Warehouse Commission, if no appeal has been taken from the order, shall be an offense separate from the original violation.

Signed April 13, 1939.

Note: This Act is intended to apply particularly to grain elevators, coal sheds, stockyards and similar structures located on railway loading tracks.

CHAPTER 223--HF 815

Hart - Carlton County.  
For Committee on Education.

Amends Mason's Minnesota Statutes 1927, Section 1942, which states the purposes for which cities, villages, counties, towns and school districts may issue bonds. The amendment relates to school districts and strikes out "special and independent districts;" gives any school district the right to issue bonds for building teacherages and school garages and purchasing of busses or other equipment for transportation of pupils.

AMENDS  
SCHOOL  
BOND LAW

Signed April 13, 1939.

CHAPTER 224--HF 826

Hartkopf - Hennepin County.  
Gale - Hennepin County.

Adjusts the salaries of clerks in the office of the Hennepin County Sheriff.

ADJUSTS  
CLERKS'  
SALARIES

Signed April 13, 1939.

CHAPTER 225--HF 838

Anderson, C.G. - Lake, Cook Counties.  
Odenborg (Traverse), Ottinger (Carver), Johnson, J.A. (Fillmore, Houston).

Amends Mason's Minnesota Statutes 1927, Section 2557, as amended by Laws 1933, Chapter 440, Section 4, subdivision 3, which permits the Commissioner of Highways to make agreements and settlements with Cities of the First Class for construction, improvement, or maintenance of trunk highways within their limits. The amendment makes the law apply to all municipalities and adds a provision that the Commissioner is further authorized to make settlement with and pay to municipalities for benefits to the trunk highway system because of work done prior to passage of this Act.

EXTENDS  
HIGHWAY  
AGREEMENTS

Signed April 13, 1939.

CHAPTER 226--HF 953

MacKinnon - Hennepin County.  
For Hennepin County Delegation.

CLERK HIRE  
AND SALARIES  
ADJUSTED

Adjusts salaries and clerk hire in the office of Hennepin County Register of Deeds.

Signed April 13, 1939.

CHAPTER 227--HF 981

Constable - Nobles County.

MAY MAINTAIN  
CEMETERY

Authorizes Town Board to maintain a cemetery which has been neglected for 10 years or more.

Signed April 13, 1939.

CHAPTER 228--HF 995

Constable - Nobles County.

CANNOT REMOVE  
DRAINAGE TILE

Provides that any drainage tile laid on farm land under authority granted in county ditch or judicial ditch proceedings, and which has been in same location for 20 years or more, shall not be removed by owner or occupant of the land.

Signed April 13, 1939.

CHAPTER 229--HF 1048

Hart - Carlton County.  
For Committee on Education.

REVISES  
TAX LEVY  
LIMITATION

Amends Mason's Minnesota Statutes 1927, Section 3013 relating to limitation of tax levy in common school districts. The amendment strikes out the rate of 30 mills in common school districts, but continues 10 mills for the purchase of school sites and erection and equipping of buildings except where 10 mills will not produce \$600; then not more than 30 mills is allowed to raise not more than \$600. Strikes out the provision that in common school districts, having less than 10 voters, the tax shall not exceed \$400. Retains the authority for independent districts to levy 8 mills for school sites and new buildings and special districts to raise such amounts as are allowed by special law at the same time when the

revised law takes effect. Strikes out the part allowing 30 mills in common school districts where there may be a high or grade school.

Signed April 13, 1939.

CHAPTER 230--HF 1093

Champlin - Blue Earth County.  
Nelson, C.J. - Blue Earth County.

Amends Mason's Minnesota Statutes 1927, Section 1860, which provides that the Act authorizing a water, light, power and building commission in cities and villages of less than 10,000 population shall not apply to cities under a home rule charter. This amendment applies the Act specifically to Lake Crystal, a city of the fourth class under a home rule charter.

Signed April 13, 1939.

EXCEPTS  
PROVISION  
AS TO  
LAKE CRYSTAL

CHAPTER 231--HF 1100

Boze - Becker County.  
Sawyer (Cass), Prifrel (Ramsey).

Repeals Laws 1931, Chapter 373, relating to harvesting of wild rice. New Act prohibits all but Indians or residents from harvesting wild rice within the boundaries of the White Earth, Leach Lake, Nett Lake, Vermilion, Grand Portage, Fond du Lac and Mille Lacs Reservations; fixes license fees and enacts other regulations.

Signed April 13, 1939.

REGULATES  
WILD RICE  
HARVESTING

Note: This Act was drawn for the purpose of doing away with competition for the Indians in the rice fields. The 12,000 Indians of the State rely on wild rice harvesting for a good part of their income, and Chapter 231 will protect their interests.

CHAPTER 232--HF 1176

Harrison - Hennepin County.

Authorizes the City Council of Minneapolis to pay to the estate of the late Municipal Judge Clyde White the full salary for the month in which he died.

Signed April 13, 1939.

AUTHORIZES  
PAYMENT TO  
JUDGE'S ESTATE

CHAPTER 233--HF 1259

Peterson, P.J.E. - Martin County.

EXCHANGES  
PUBLIC  
PROPERTY

Authorizes Adjutant General to exchange State for City property, and incidentally corrects a mistake in the records.

Signed April 13, 1939.

CHAPTER 234--HF 1341

Peterson, P.B. - Pope County.

AUTHORIZES  
ASSESSMENTS

Authorizes assessment against benefitted property in Starbuck for sewer construction, water main extensions, etc. done during the past three years where no assessments were made.

Signed April 13, 1939.

CHAPTER 235--HF 1450

Schwanke, at large - Crow Wing, Morrison Counties, Halsted (Crow Wing), Dominick (Morrison), Lorentz (Wadena).

MAY HOLD  
TWO OFFICES

Amends Mason's Minnesota Statutes 1927, Section 3656, relating to election of officers of township mutual fire insurance companies. The amendment permits the same person to hold the offices of secretary and treasurer.

Signed April 13, 1939.

CHAPTER 236--HF 1529

Johnson, R.G. - Washington County.  
For Committee on Taxes.

REQUIRES  
REFUND

Requires a refund of any sum erroneously paid for taxes that were charged against forfeited tax land.

Signed April 13, 1939.

CHAPTER 237--HF 1535

Johnson, R.G. - Washington County.  
For Committee on Taxes.

Legalizes proceedings already taken for the acquisition of title to real estate by the State and the title validated, and which were properly taken except that the State Auditor made up separate posted notices and kept them on file in loose leaf binders in his office for inspection instead of making up a single posted notice for all parcels.

LEGALIZES  
PROCEEDINGS

Signed April 13, 1939.

CHAPTER 238--HF 1565

Allen - Ramsey County.  
For Committee on Appropriations.

Appropriates \$803,000 to be disbursed as provided in Chapter 95 of the Special Session Laws of 1935 for old age assistance, and appropriates an additional sum of \$218,000 for the support of dependent children, both sums to be immediately available.

APPROPRIATES  
FOR OLD AGE  
RELIEF AND  
DEPENDENT  
CHILDREN

Signed April 13, 1939.

CHAPTER 239--SF 1446

Kelly - St. Louis County.

Authorizes Village of Hibbing to issue bonds in an amount required to finish a sewage disposal plant which was started with PWA aid, the amount not to exceed \$50,000.

AUTHORIZES  
BOND  
ISSUE

Signed April 14, 1939.

CHAPTER 240--HF 639

Lenertz - Dakota County.

Cited as the "Uniform Criminal Extradition Act." Repeals Mason's Minnesota Statutes 1927, Section 10541 to 10547 inclusive and enacts a new measure. Makes no important changes in the proced-

"UNIFORM  
EXTRADITION  
ACT"

ure, but merely brings the Act in line with similar statutes in other states so that extradition practice will be uniform. The Act became effective 30 days after its passage.

Signed April 14, 1939.

#### CHAPTER 241--SF 304

Mullin - Hennepin County.

**PERMITS  
EXAMINATION  
OF COMMISSION  
RECORDS**

Amends Mason's Minnesota Statutes 1927, Section 4293, requiring that reports of injuries to or death of employees be made by employers and physicians to the Industrial Commission and making it a misdemeanor to disclose any report. The amendment allows examination of reports by an attorney who has a signed authorization of the employee, his dependents and the employer or insurer for the purpose of determining the merits of a pension claim.

Signed April 14, 1939.

#### CHAPTER 242--SF 368

Wolfe - Hennepin County.

**INCREASE  
IN VALUE OF  
ESTATE BY  
OLD AGE  
PENSION**

Amends Extra Session Laws 1935, Chapter 95, Section 15, which provides that the total amount of old age assistance shall be a claim against the estate at death and that the statutes of limitation shall not apply. The amendment provides that if, after death, it is found that the person did not disclose the full value of his property, the amount that the pension increased the value of the property shall be allowed by the Probate Court as a preferred claim after claims for administration and funeral expenses. If the value of the estate is more than was disclosed, it shall be *prima facie* evidence that the value of the estate was increased by the old age pension to the extent of the excess but not exceeding the total amount of pension paid.

Signed April 14, 1939.

Note: In the opinion of the author, the provision for preferred claims against the estate of a deceased recipient of old age assistance is operative only in those cases where, by reason of non-disclosure of assets or fraud in concealing assets, a person received old age assistance to which he would not have been entitled had he made a full disclosure; or where by reason of his

failure to disclose assets or fraudulently concealed assets, he received a larger amount of old age assistance than he would have been entitled to had he made full disclosure. In those events the claim becomes preferred, according to sponsors of the law. The law provides that a preferred claim shall extend only so far as the estate of the deceased has been enhanced in value by reason of fraud or non-disclosure, and it naturally follows that his estate has been enhanced in value by the assistance which he would not otherwise have received had he made a full statement of his assets.

### CHAPTER 243--SF 685

Finstad - Cottonwood, Jackson Counties.  
Dougherty - Martin, Watonwan Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 8569, requiring that five days elapse between the application for the marriage license and the marriage. The amendment provides that a male under 21 and a female under 18 must have the consent of their parents or guardians personally given before the clerk or written and witnessed by two persons. The old law required at least one witness to appear before the clerk and make oath that he saw the signature of the parents or guardians or heard them give consent. The amendment requires witnesses as before but the consent may be verified by an officer authorized to take oaths.

MARRIAGE  
LAW AMENDED

Signed April 14, 1939.

### CHAPTER 244--HF 529

Litchke - Itasca County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5509, prohibiting hunting with firearms within two miles of the limits of any city of more than 50,000 but allowing target practice and trap shooting by club members on land given over for that purpose. The amendment allows upland game birds and migratory waterfowl to be taken with shotguns within two miles of the city but not closer than 500 feet of any home or barn or enclosure for live stock. Target practice is allowed within a two mile area and outside the 500 foot limit with rifles on regular ranges; trap shooting or shotgun practice

SHOOTING  
LIMITS  
REDEFINED

by members of gun clubs having 10 or more members on land set aside for that purpose within the area prohibited for the use of shotguns, are excepted from the operation of this section.

Signed April 14, 1939.

CHAPTER 245--HF 537

Bondhus - Cottonwood County.  
For Committee on Relief.

DEFICIENCY  
RELIEF  
APPROPRIATION

Appropriates \$2,330,000 to make up a deficiency in relief fund for the year ending July 1, 1939; not more than \$55,000 to be used for emergency work projects; those on relief shall accept employment when offered and if the wage received is less than established budget requirements the difference is to be made up from relief funds. A tax levy is authorized to raise one-half in the taxable year 1940, the other half in 1941.

Signed April 14, 1939.

CHAPTER 246--HF 579

Eklund - St. Louis County.

MUST CALL  
FOR BIDS

Provides that all agencies in St. Louis County having authority to contract shall call for bids on all purchases or contracts in excess of \$500.

Signed April 14, 1939.

CHAPTER 247--SF 710

Sullivan - Stearns, Benton Counties.

COMMISSIONERS  
TO FIX  
SALARIES

Provides that the salaries of deputy clerks of the County Treasurer and of the Probate Court in Benton County shall be fixed by the County Commissioners.

Signed April 14, 1939.

CHAPTER 248\*--SF 723

Sullivan - Stearns, Benton Counties.  
Finstad - Cottonwood, Jackson Counties.

Amends Extra Session Laws 1933-34, Chapter 46 Section 13, stating the penalties for violation of liquor laws by adding a provision making it a gross misdemeanor to sell liquor without a license.

Signed April 14, 1939.

\* See Chapters 101 and 429.

MAKES  
PENALTY  
SPECIFIC

CHAPTER 249--SF 759

Feidt - Hennepin County.

Prohibits any person, either individually or as a member of a commission or board, who has the power of appointment, from appointing himself to fill a vacancy that may occur in an elective or school district office even though he resign his other office.

Signed April 14, 1939.

PROHIBITS  
APPOINTMENT  
BY SELF

CHAPTER 250--SF 780

Cashman - Steele, Waseca Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1120 $\frac{1}{2}$  which establishes procedure in detaching lands from villages. The amendment decreases the minimum acreage authorized to be detached from 40 to 30 acres.

Signed April 14, 1939.

MAY DETACH  
30 ACRES

CHAPTER 251--SF 791

Swenson - Nicollet, Sibley Counties.  
Dougherty (Martin, Watonwan), Dietz (LeSueur).

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 6240-18 $\frac{1}{2}$  and 6240-18 $\frac{1}{2}$ a. Section 6240-18 $\frac{1}{2}$  defines a wholesale dealer in produce as one who buys or sells, acts as agent or handles in wholesale lots for resale, or

EXEMPTS  
CO-OPS.

gathers on trucks produce without an established place of business. The amendment excludes co-operative associations having not more than 40% of non-member patrons from the term. Section 6240-18 $\frac{1}{2}$ a is amended to give creameries and ice cream manufacturers an additional 15 days following the fixed monthly day for accounting, for due date.

Signed April 14, 1939.

CHAPTER 252--HF 845

Enstrom - Roseau County.

10 COUNTIES  
ADDED TO LIST  
PERMITTED TO  
USE LIGHTS  
FOR FISHING

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5574-2, naming the counties in which artificial lights may be used in spear- ing fish. The amendment adds Clearwater, Polk, Beltrami, Koochiching, Red Lake, Pennington, Marshall, Itasca, Roseau and Lake of the Woods to the counties where lights are permissible between May 1 and June 15, both inclusive.

Signed April 14, 1939.

CHAPTER 253--SF 1008

Miller, A.H. - Hennepin County.

CHANGES  
TRUCK,  
TRACTOR  
TAXES

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2674-a, establishing motor vehicle license tax. The amendment lowers the minimum tax on trucks and tractors of over one ton and under two tons, used as class "T" trucks, from \$15 to \$10, and fixes a minimum tax on trucks and tractors of over one ton and under two tons, used as class "X", at \$15.

Signed April 14, 1939.

CHAPTER 254--SF 1069

Welle - Stearns County.

SAUK CENTER  
HOSPITAL  
AUTHORIZED

Authorizes City of Sauk Center to build and operate a hospital; authorizes an issue of certificates of indebtedness not to exceed \$20,000 payable and redeemable only in hospital service within 15 years from date of issuance. The certificates are outside of the city's net indebtedness.

Signed April 14, 1939.

CHAPTER 255--SF 1075

Sell - Nobles, Rock Counties.  
 Seifert - Redwood, Brown Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1049, relating to the duties of town boards. Authorizes them to prohibit sale of fireworks.

Signed April 14, 1939.

TOWN BOARDS  
MAY PROHIBIT  
SALE OF  
FIREWORKS

CHAPTER 256--SF 1103

Herreid - Itasca County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5537, relating to hunting deer and antlered moose. This amendment provides that deer may be taken in Itasca County with bow and arrow only between November 1 to 5 inclusive in even numbered years only.

Signed April 14, 1939.

5-DAY DEER  
SEASON WITH  
BOW AND ARROW  
IN EVEN YEARS

CHAPTER 257--SF 1177

Feidt - Hennepin County.

Amends Laws 1939, Chapter 33, Sections 2 and 7, extending the moratorium on contracts for deed to March 1, 1941. The amendment provides for publishing notice to unknown heirs of the vendee in process of closing the contract for deed in case of default, filing an affidavit stating that the heirs are proper parties and that their names and residences cannot be ascertained.

Signed April 14, 1939.

PROVIDES  
FOR NOTICE  
TO MISSING  
HEIRS

CHAPTER 258--SF 1222

Tungseth - Pennington, Red Lake, Clearwater Counties.

Amends Laws 1931, Chapter 309, relating to bounty on foxes. Adds red foxes to law covering capture of and bounty on grey foxes.

Signed April 14, 1939.

RED FOXES  
ADDED TO  
BOUNTY LAW

CHAPTER 259--SF 1266

Galvin - Winona County.  
Swenson (Sibley, Nicollet), Roepke (Rice).

NON-PAYMENT  
OF MOTOR TAXES  
IN HANDS OF  
SEC'Y. OF STATE

Amends Mason's Minnesota Statutes 1927, Section 2693, subsection (a), relating to investigation of motor vehicle taxes. This amendment transfers from the Commissioner of Highways to the Secretary of State, the duty of investigating non-payment of motor vehicle taxes and authorizes the Secretary of State to employ not more than eight persons for investigation work and to take cases of non-payment to Court.

Signed April 14, 1939.

Note: The Secretary of State has inquired of the Attorney General as to the powers given inspectors under Chapter 259 and says "Foreign state motor carriers may not always have the same respect for the tag or official notice. Especially if their trips to Minnesota are irregular or occasional, it would be much more difficult to follow such cases or discover continued violation or evasion of the law. For that reason there may be instances where it would be advisable to take the offender to the motor vehicle department in the Capitol or the office of some deputy registrar and demand immediate compliance with registration requirements. In such cases has our inspector authority to stop the driver of the vehicle and conduct him to the registrar's office? With what force and effect can an inspector of ours make such a demand?" To these questions the Attorney General has replied: "Inspectors bound by the Secretary of State under the provisions of Laws 1939, Chapter 259, have only the same powers of arrest which all private citizens have who come upon the commission of a misdemeanor. In our opinion your inspector has no authority to stop the driver of a vehicle and conduct him to the registration office."

CHAPTER 260--SF 1297

Bridgeman - Beltrami, Koochiching, Lake of the Woods Counties.

KOOCHICHING  
COUNTY MAY  
RECEIVE  
STATE AID

Koochiching County, which comes under the head of a distressed county because its tax rate is more than 110 mills, may receive, under this Act, supplemental old age assistance funds from the State, to help pay its 1938 old age assistance payments.

Signed April 14, 1939.

CHAPTER 261--SF 1377

Wahlstrand - Kandiyohi, Swift Counties.

Authorizes the City of Willmar, by a majority vote of the Council, to use money in the treasury, to vote taxes or issue bonds not to exceed \$30,000 for lake improvement. The Council is given the right to determine denominations, interest and maturity of any bonds issued.

WILLMAR  
MAY SPEND  
FOR LAKE  
IMPROVEMENT

Signed April 14, 1939.

CHAPTER 262--HF 1537

Powers - Norman, Mahnomen Counties.

Legalizes bond issue not exceeding \$50,000 made by an independent school district to construct a new auditorium-gymnasium and school rooms and to equip them.

LEGALIZES  
SCHOOL  
BOND ISSUE

Signed April 14, 1939.

CHAPTER 263--SF 26

Devold - Hennepin County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 9447, subdivision 16, relating to exemption of wages from attachment and garnishment. The amendment exempts a person coming into private employment off of relief from garnishment of wages for a period of six months; he may take advantage of such exemption only once in three years.

6-MONTHS  
EXEMPTION  
FROM  
GARNISHMENT

Signed April 15, 1939.

CHAPTER 264--SF 371

Dahle - St. Louis County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2176-30, relating to repurchase of land after forfeiture to the State. Adds to the law a proviso that a quitclaim deed delivered to a purchaser of State land, with all taxes paid up, shall be an assignment, conveyance and release of all claims of state, county or other taxing districts for all accrued taxes

QUITCLAIM  
DEED BECOMES  
AN ASSIGNMENT  
AND A RELEASE

at the time payment is made. When the State accepts the purchase money and issues the deed it shall be conclusive evidence that the land was forfeited to the State.

Signed April 15, 1939.

Note: The purpose of this bill is to secure to the purchaser from the State all right, title and interest of the State, County or other taxing districts even though legal proceedings for absolute forfeiture might have been defective.

#### CHAPTER 265--SF 562

Lightner - Ramsey County.

**BALL PLAYERS  
EXCLUDED FROM  
COMPENSATION  
ACT**

Amends Laws 1937, Chapter 64, Section 1, relating to workmen's compensation. The amendment excludes professional baseball players whose contracts with the ball club calls for compensation equal to or greater than that provided in the Workmen's Compensation Act. Both the ball club and players must file a written consent with the Industrial Commission, signed by both parties, not to be bound by the Compensation Act.

Signed April 15, 1939.

#### CHAPTER 266--SF 706

Cashman - Steele, Waseca Counties.

**CHANGES  
PROCEDURE  
OF DESTROYING  
DISEASED TREES**

Amends Mason's Minnesota Statutes 1927, Section 6145-2, relating to diseased trees, shrubs or plants. The amendment changes the procedure of destroying or treating trees, shrubs or plants which are hosts to organisms or insects which would create disease. Prior to this amendment such trees, shrubs or plants could be destroyed only after approval of a committee of plant experts and after an appraisal. Now the State Inspector of Nurseries may order destruction or treatment within 10 days after notice, and no damages shall be paid the owner on the ground that the plants or trees thus affected are public nuisances. If the owner does not destroy as ordered, the Inspector may have them destroyed and charge the expense to the owner, which may become a lien against the land or may be collected in Court.

Signed April 15, 1939.

CHAPTER 267--SF 707

Cashman - Steele, Waseca Counties.

Provides \$2700 minimum annual amount of clerk hire allowed in the Waseca County Auditor's office.

Signed April 15, 1939.

COUNTY AUDITOR  
CLERK HIRE  
IN WASECA CO.

CHAPTER 268--SF 714

Miller, A.H. - Hennepin County.

Provides that town supervisors in rural Hennepin County shall not receive more than \$200 salary annually plus mileage, and fixes the per diem of township supervisors at not to exceed \$4.50.

Signed April 15, 1939.

FIXES  
SUPERVISORS'  
COMPENSATION

CHAPTER 269--SF 875

Dahle - St. Louis County.

Amends Mason's Minnesota Statutes 1927, Section 5640, relating to open season for wild animals. The amendment takes from the Governor and gives to the Commissioner of Conservation the authority to order additional closed seasons for the protection of wild animals. Provides that 30 days advance notice must be given. No open season for the taking of protected wild animals shall be declared except by legislative enactment.

Signed April 15, 1939.

CONSERVATION  
COMMISSIONER  
TO ORDER  
CLOSED SEASONS

CHAPTER 270--SF 921

Loftsgaarden - Ramsey County.

Amends Laws 1935, Chapter 72, Section 29, subsection 4, subdivisions (d) and (e) as amended by Laws 1937, Chapter 435, Section 8, and Section 29 subsection 5, as amended by Laws 1937, Chapter 435, Section 8; and Sections 103, 115, as amended by Laws 1937, Chapter 435, Section 13, 118, 119, 143, 164, and subsection 15, 174 and 183, relating to practice and procedure in probate courts, descent and distribution, wills

PROBATE COURT  
PROCEDURE  
AMENDED

administration guardianship and commitments. The important amendment to this law brings grand-nephews and grand-nieces into lawful descent. It provides also that no claim to an estate may be allowed which was barred by the statute of limitations during the decedent's lifetime; deals with distribution of the estate with regard to contracts and judgments and payment of inheritance taxes on them; compensation of attorney; attorney's liens; restoration of an insane or inebriate person; execution of court order to apprehend a patient; authority of the court to hire two doctors or persons to assist in determination of the mental capacity of a patient.

Signed April 15, 1939.

CHAPTER 271--SF 960

Herreid - Itasca, Cass Counties.

**PERMITS  
PRIMARY  
ELECTION** Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 317-1, permitting a primary election for city offices either after a four-fifths vote of the council or by vote of the people at a special election in certain cities.

Signed April 15, 1939.

CHAPTER 272--SF 962

Miller, A.H. - Hennepin County.

**ADJUSTS  
OSSEO  
SALARIES** Amends Mason's Minnesota Statutes 1927, Section 1163-1, as amended by Laws 1931, Chapters 47 and 362, and by Laws 1935, Chapter 36 and 158, relating to salaries of village officers. Affects the Village of Osseo.

Signed April 15, 1939.

CHAPTER 273--SF 995

Miller, A.H. - Hennepin County.

**WINONA  
PROBATE COURT  
SALARY** Amends Session Laws 1937, Chapter 54, Section 2. Fixes the salary of Judge of Probate Court in Winona County at \$3600 per year.

Signed April 15, 1939.

CHAPTER 274--SF 1034

Herreid - Itasca, Cass Counties.

Amends Laws 1933, Chapter 166, Sections 6, 11 and 13, relating to salaries in Cass County. Amendment changes the method of payment of the sheriff from a salary and fee basis to an annual salary of \$1500; increases annual salary of County Attorney to \$1500, and clerk hire to \$720; increases annual salary of Commissioners to \$600. This Act effective January 1, 1939.

Signed April 15, 1939.

CHANGES  
SALARY LIST  
IN CASS CO.

CHAPTER 275--SF 1201

Weber - Murray, Pipestone, Lincoln Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3996-2, subdivision 9, to include cooperative rural electric companies among cooperatives whose securities do not have to be registered with the State.

Signed April 15, 1939.

RURAL ELECTRIC  
CO-OPS. EXEMPT  
IN REGISTRATION  
PROCEDURE

CHAPTER 276--SF 1205

Dahle - St. Louis County.  
Ribenack (St. Louis), Carr (St. Louis).

Reconveys to a charitable corporation in Duluth land which was forfeited to the State for taxes without knowledge of the corporation which acquired it in 1929, and failed to apply for tax exemption and did not pay taxes on it.

Signed April 15, 1939.

CORRECTS  
FAILURE TO  
APPLY FOR  
TAX EXEMPTION

CHAPTER 277--SF 1233

Sletvold - Becker, Hubbard Counties.  
Carley (Wabasha), Welch (Wright).

Amends Mason's Minnesota Statutes 1927, Section 2554, subdivision 6, relating to authority of Commissioner of Highways. Adds a provision defining emergency as "the doing of such work on highways of the State of Minnesota as is necessary for immediate action in order to main-

DEFINES  
"EMERGENCY"  
IN HIGHWAY  
CONSTRUCTION

tain existing highways in a passable condition." The amendment provides that no emergency shall be declared to exist except on the written authority of the Commissioner or his deputy.

Signed April 15, 1939.

Note: This Act is the outgrowth of the work of the Interim Committee investigating State departments which received evidence that so-called emergency contracts were let by the Highway Department when no emergency existed.

#### CHAPTER 278--SF 1300

Bridgeman - Beltrami, Lake of the Woods, Koochiching Counties.

INCREASES  
RELIEF  
EXPENDITURES

Amends Laws 1931, Chapter 102, Section 4, by increasing the amount that may be spent annually for poor relief in Koochiching County to \$35,000.

Signed April 15, 1939.

Note: Koochiching County is operating under an expenditure control law which prohibited an expenditure of more than \$30,000 for poor relief. It was found necessary to increase that amount \$5,000.

#### CHAPTER 279--SF 1325

Bridgeman - Beltrami, Lake of the Woods, Koochiching Counties.

AUTHORIZES  
SALE OF  
SWAMP LAND

Authorizes the Commissioner of Conservation to sell during 1939 certain land in Koochiching County as swamp land even though it is on a meandered stream.

Signed April 15, 1939.

Note: Present law prohibits the sale of State land on meandered lakes or streams. This was to permit the sale of forty acres on a meandered stream in that county.

#### CHAPTER 280--SF 1380

Orr - Ramsey County.

Increases salaries of Ramsey County Clerk of Probate Court to \$4100 and Deputy Clerk to \$3500.

Signed April 15, 1939.

INCREASES  
PROBATE COURT  
SALARIES

CHAPTER 281--SF 1405

Sell - Nobles, Rock Counties.  
 Seifert - Brown, Redwood Counties.

Amends Mason's Minnesota Statutes 1927, Sections 2992-1 to 2992-6 inclusive, and repeals Laws 1931, Chapter 247, relating to junior college departments in independent or special school districts. Provides the manner in which junior college departments shall be established in single or cooperating school districts; discontinuance of the departments; control by the State Board of Education; use of buildings for a junior college; rate of tuition; transportation or payment of board and room.

Signed April 15, 1939.

PROVIDES  
 MANNER OF  
 ESTABLISHING  
 JUNIOR COLLEGE  
 DEPARTMENTS

CHAPTER 282--SF 1454

Neumeier - Washington County.

Amends Laws 1933, Chapter 99, Section 2, which conveyed a piece of land from the State to the Village of Bayport for park purposes and stipulated that no buildings should ever be erected on it. This Act permits leasing of the land to the CCC and erecting a building without forfeiture of the land to the State.

Signed April 15, 1939.

GIVES RIGHT  
 TO BUILD  
 ON LAND  
 GIVEN BY STATE

CHAPTER 283--HF 1536

Johnson, R.G. - Washington County.  
 For Committee on Taxes.

Provides for repurchase of forfeited tax land. The owner or his heirs occupying a piece of land as a homestead that has been forfeited to the State for taxes, may apply before November 1, 1939, to the County Auditor to repurchase it by paying delinquent taxes and assessments without penalties or costs, but with interest at 4% from the time they became delinquent including the time land was in possession of the State. Action must be taken within 30 days of the time an appraisal is made. Any other person who has an interest in the land, including the owner if he is not living on it, may repurchase the land in the same manner except application must be made

RULES SET UP  
 FOR REPURCHASE  
 OF FORFEITED  
 TAX LAND

to the County Board which shall hold a hearing before giving consent. The applicant must state reasons why he did not pay the taxes when due. The Board will determine the terms of payment, whether cash or by installment. Applicant has 30 days in which to repurchase. Special assessments for 1939 must be paid in full as part of the repurchase price. Down payment of one-fifth of repurchase price required; balance in 10 equal annual installments. Interest at 4% on balance unpaid each year. First installment due December 31 of the year following the year the repurchase was made, and on December 31 of each succeeding year. Sale of land is subject to any lease on it. Purchaser receives a receipt from the County Auditor at the time of repurchase and a quitclaim deed from the State when payments are completed. Land reverts to State in event of default.

Signed April 15, 1939.

CHAPTER 284--SF 599

Dougherty - Martin, Watonwan Counties.  
Sell (Nobles, Rock), Larson, N.J. (Norman, Mahnomen).

**REGULATES  
USED CAR  
BUSINESS**

Regulates the business of selling used motor vehicles brought into the State. Provides that all used motor vehicles brought into the State for resale must be registered with the Registrar of Motor Vehicles and the tax paid the same as on any other vehicle which is registered in another state. Seller must furnish a surety bond equal to the full amount of the sale price of each car, not to exceed \$1000, and pay a fee of \$5 with each bond to protect the purchaser against false title, liens or a false value of the car.

Signed April 17, 1939.

CHAPTER 285--SF 671

Miller, A.H. - Hennepin County.  
Wahlstrand (Kandiyohi), Solstad (Polk).

**PROVIDES  
CHANGE IN  
FORM OF  
RECEIPT  
FOR GRAIN**

Amends Mason's Minnesota Statutes 1927, Sections 5019 and 5022, authorizing the issuance of non-negotiable receipts for storing grain. The amendment provides that the owner of the grain stored may have put on the warehouse receipt that delivery

may be made to himself or any other specified person and may have printed on it the words "non-negotiable." A special bin receipt may also be termed non-negotiable and the delivery of the identical grain shall be a sufficient satisfaction of such receipt.

Signed April 17, 1939.

CHAPTER 286--SF 754

Bridgeman - Beltrami, Lake of the Woods, Koochiching Counties.

Increases the salary of Probate Judge in Lake of the Woods County to \$1080 per year, plus fees.

SALARY  
INCREASE

Signed April 17, 1939.

CHAPTER 287--SF 800

Kelly - St. Louis County.

Empowers St. Louis County Town Board to build a sewage disposal plant and to issue bonds therefor. Bonds to run for not more than 30 years at not to exceed 5% interest, payable semi-annually.

BOND ISSUE  
FOR SEWAGE  
DISPOSAL

Signed April 17, 1939.

CHAPTER 288--SF 912

Anderson - Hennepin County.  
For Hennepin County Delegation.

Amends Mason's Minnesota Statutes 1927, Section 1442-15, as amended by Laws 1933, Chapter 328, Section 5, as amended by Special Session Laws 1935-36, Chapter 20, and by Laws 1937, Chapter 171, relating to the payment of retirement allowances to employees in Minneapolis. This amendment raises the limit of salary an elected official in the exempt class may have received from \$2400 to \$3000 per year in order to entitle him to retire under the retirement rules.

ADJUSTS  
SALARY TO  
RETIREMENT  
RULES

Signed April 17, 1939.

CHAPTER 289--SF 1059

Stiening - Clay, Wilkin Counties.

**FIXES  
REPORTERS'  
SALARIES**

Provides that pay of court reporters in any judicial district consisting of at least 10 counties shall be \$3000 per year.

Signed April 17, 1939.

CHAPTER 290--SF 1129

Friberg - Roseau, Kittson, Marshall Counties

**INCREASES  
TAX LEVY**

Allows Marshall County to increase its tax levy for the general revenue fund from 8 to 10 mills.

Signed April 17, 1939.

CHAPTER 291--SF 1133

Carley - Wabasha County.

**INSPECTION  
OF PETROLEUM  
PRODUCTS**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3787-5, relating to an inspection of petroleum products before they have been unloaded, stored, offered for sale or used. The amendment provides that petroleum products that come into the State by water or by pipeline shall not be subject to inspection until they are taken away from the storage tanks to locations where they are to be sold or until they are in the tanks from where they are to be sold.

Signed April 17, 1939.

CHAPTER 292--SF 1145

Wolfe - Hennepin County.

**DESCRIBES  
MANNER  
OF AMENDING  
CHARTERS**

Amends Mason's Minnesota Statutes 1927, Section 1286, relating to amendments to home rule charters. The amendment describes the particular manner in which petitions for amendments to the charter shall be drawn up and circulated, referring specially to a summary of the amendment to be attached to the petition and names of the committee circulating it; duties of city clerk in the certification of the petition as valid or invalid, etc.

Signed April 17, 1939.

CHAPTER 293--SF 1171

Neumeier - Washington County.

Fixes salary of County Auditor in Washington County at \$3800 per year effective January 1, 1939.

FIXES  
SALARY

Signed April 17, 1939.

CHAPTER 294--SF 1172

Finstad - Cottonwood, Jackson Counties.

Permits the organizing of a second County Agricultural Association in Jackson County, to succeed the present association in all legal and official appropriations and to hold not more than two fairs before the original association is dissolved.

PERMITS  
SECOND  
COUNTY FAIR  
ASSOCIATION

Signed April 17, 1939.

CHAPTER 295--SF 1239

Gardner - Todd, Wadena Counties.

Validates sale of State owned tax forfeited lands whose classifications as agricultural or non-agricultural was not approved by the Commissioner of Conservation before the sales were made. The Act is effective 60 days after its passage.

VALIDATES  
LAND SALES

Signed April 17, 1939.

CHAPTER 296--SF 1258

Richardson - Olmsted County.

Repeals Laws 1935, Chapter 191, relating to the salary and clerk hire of Probate Judge in Olmsted County. Leaves the salary of the Judge at \$3000 and allows the Clerk \$1320 per year. Provides \$180 a year for additional clerk hire.

PROBATE  
COURT  
SALARIES

Signed April 17, 1939.

CHAPTER 297--SF 1302

Siegel - Ramsey County.

INCREASES  
CLERK'S PAY  
IN RAMSEY

Amends Laws 1937, Chapter 157, relating to salaries of deputies in the office of Clerk of District Court in Ramsey County. Increases the salary of one deputy clerk \$100 per year and designates a deputy clerk as assignment clerk.

Signed April 17, 1939.

CHAPTER 298--SF 1330

Lommen - St. Louis County.

PERMITS  
LEVY ABOVE  
MILL LIMIT

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1225-24 $\frac{1}{2}$  f, relating to payment of bonds and interest. This amendment permits a tax levy for payment of interest on village bonds in cases of millage limitations.

Signed April 17, 1939.

CHAPTER 299--SF 1455

Gardner - Wadena, Todd Counties.

AUTHORIZES  
SALE OF LAND

Allows a village to sell part of its property for a municipal airport.

Signed April 17, 1939.

CHAPTER 300--SF 1070

Lommen - St. Louis County.

VALUATION  
CLASSIFICATION  
DECREASED

Amends Extra Session Laws 1935-36, Chapter 89, fixing the salaries of president and trustees in certain sizes of villages. This Act amends subsection 2 changing the assessed valuation of certain class villages from \$4,500,000 to \$3,000,000 to make the law applicable in cases where valuations have decreased.

Signed April 18, 1939.

CHAPTER 301--SF 1431

Feidt - Hennepin County.

Authorizes the Commissioner of Banks to appoint the Federal Deposit Insurance Corporation to act as receiver or liquidator of any bank whose deposits are insured to any extent by the Corporation; clothes the Corporation with legal authority to act as receiver.

FDI GIVEN  
POWER TO ACT  
AS RECEIVER

Signed April 18, 1939.

CHAPTER 302--SF 1432

Feidt - Hennepin County.

Provides that the directors of a bank or trust company shall fix a definite date for payment in cash, between 15 and 30 days after an assessment on the stockholders has been imposed, to make up an impairment of capital. If a stockholder fails to pay the assessment within 30 days of its due date, the directors may, upon ten days notice, sell his stock at public or private sale. The purchaser becomes liable for and must pay in cash the delinquent assessment for which reason the stock was sold.

MAY SELL  
BANK STOCK  
FOR DELINQUENT  
ASSESSMENT

Signed April 18, 1939.

CHAPTER 303--HF 117

Hartle - Steele County.

Kiefer (Winona), Zwach, at large (Brown, Redwood), Jebb (Meeker), Peterson, P.J.E. (Martin).

Levies a tax of 10 cents per member of cooperative electric heat, light and power companies operating in rural areas, i.e., areas outside of corporate limits of cities, villages or boroughs. The tax is in lieu of all personal property taxes, state, county or local, upon distribution lines and attachments to them; tax payable on or before March first of the next succeeding year, to the Tax Commission, which is to retain 5% of the proceeds for expense of administration and distribute the balance on or before July first to the Treasurers of the respective counties in proportion to the number of members of such associations in the several counties as of December 31.

LEVIES TAX  
ON MEMBERS  
OF RURAL  
POWER ASSNS.

The money goes one-half to the general revenue fund of the county, and one-half to the general school fund of the county.

Signed April 18, 1939.

CHAPTER 304--SF 705

Kelly - St. Louis County.

**RELATES  
TO POLICE  
COMPENSATION  
FUND**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1264-11, relating to police compensation funds in villages of more than 5,000 population and assessed valuation of more than \$8,000,000. Changes the monthly payment by police officers into the retirement fund from 1 to 2 per cent of monthly salary; raises the village tax levy for support of the fund from 1/10 to 1/5 of a mill, but the total amount of the sum raised by taxation remains at \$6,000 per year. No change is made in the limit of \$50,000 to be maintained.

Signed April 20, 1939.

CHAPTER 305--SF 808

Mullin - Hennepin County.

**MAY REFUSE  
LICENSES TO  
DETECTIVE  
AGENCIES**

Amends Mason's Minnesota Statutes 1927, Section 5880, relating to licenses for private detective agencies. Gives the Governor discretionary power of granting or refusing applications of private detective agencies.

Signed April 20, 1939.

Note: Throughout the session the matter of issuing licenses to the Burns and Pinkerton detective agencies plagued the legislators. The issue reached its peak on Feb. 14 when Rep. Wm. Bennett of Minneapolis introduced the following resolution:

"WHEREAS, the Federal Senatorial Investigating Committee's report on their investigation of civil liberties, has shown that certain so-called national detective agencies doing business in the State of Minnesota, namely, The Pinkerton Agency, the Burns Agency, and several lesser agencies, have been guilty of intimidating our citizens, and of conspiring with others to make ineffective constitutional guarantees and the rights of our fellow citizens under many Federal and State laws,

NOW, THEREFORE, BE IT RESOLVED, That this House go on record as recommending to our Governor that he refuse to grant licenses to such agencies that have been found guilty of such aforesaid activities or to such agencies as may hereafter contemplate such activities."

On notice to debate, the resolution was laid over one day, and on Feb. 15 it came before the House, resulting in several record votes that showed an overwhelming sympathy with the resolution. On final passage the resolution was adopted 95 to 19.

On Feb. 17 a formal hearing was held in the Governor's office at which it was charged that the Burns and Pinkerton agencies were guilty of labor espionage, strike-breaking and sabotaging of organized labor.

A general denial was entered and the argument made that under the law the Governor had no power to refuse a license (or even hold a hearing) and that his discretionary power was confined to revoking licenses for cause.

That there was merit to the argument was made evident when, 10 days later, Senator Mullin of Minneapolis introduced a bill amending the Act dealing with the matter of granting licenses and conferring on the Governor specific power to deny applications in his discretion. The bill went through the Senate April 1 by a vote of 44 to 0, and through the House on April 15 by a vote of 78 to 0.

However, before it reached the House the applications of the Burns and Pinkerton agencies were formally turned down by the Governor under date of April 4. At the same time, and at subsequent times, applications for licenses were issued to Marshall Hensen, Minneapolis; Ira L. Haaven of Crookston; the Carlton Detective Agency in Minneapolis, and the Gorman Detective Agency in St. Paul.

#### CHAPTER 306--SF 844

Julkowski - Hennepin County.

Amends Mason's Minnesota Statutes 1927, Section 4327, subsection (9), relating to occupational diseases of firemen under the Workmen's Compensation Law. Adds the following occupational diseases caused by fire fighting: myocarditis, coronary sclerosis, pneumonia or its effects.

DISEASES  
CAUSED BY  
FIRE FIGHTING

Signed April 20, 1939.

CHAPTER 307--SF 939

Swenson - Nicollet, Sibley Counties.  
 Wahlstrand (Kandiyohi, Swift), Cashman (Steele, Waseca).

**REDUCES  
NUMBER  
OF FREE  
SEED TESTS**

Amends Mason's Minnesota Statutes 1927, Section 3957-2, 3957-3, relating to distribution of seeds by the Department of Agriculture. This amendment decreases the number of tests a person may have made free from ten to five, and fixes a complete schedule of fees for germination tests. New sections provide that there shall be no seeds of creeping jennie in agricultural seeds, and makes it unlawful to sell screenings that have not been ground fine enough to destroy or devitalize all weed seeds.

Signed April 20, 1939.

CHAPTER 308--SF 1134

Carley - Wabasha County.

**GASOLINE  
"IN TRANSIT"  
WHEN IN  
STORAGE TANKS**

Amends Mason's Minnesota Statutes 1927, Section 2720-81, relating to the taxation of gasoline. Provides that gasoline shall not be taxed while in transit to a place at rest within the State. A new provision is added that gasoline shall not be taxed when brought into the State by river barge or pipe line and delivered to a storage tank until it has been loaded into tank cars, barges or tank trucks for distribution to the place of direct sale.

Signed April 20, 1939.

Note: By this Act, an unauthorized ruling of the Oil Inspection Division that gasoline in storage tanks is "in transit" and therefore not taxable, is made of legal effect.

CHAPTER 309--SF 1114

Solstad - Polk County.  
 For Committee on Rural Credits.

**CONSERVATOR  
AUTHORIZED  
TO SELL  
STATE FARMS**

Repeals 1933 Supplement to Mason's Minnesota Statutes 1927, Section 6033, Subdivision (a) (3), and Section 6047, and writes a new Act in its place giving authority to the Conservator of Rural Credits to engage brokers or agents to sell State-owned farms at a commission of 4%.

## MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 309

## ROLL CALL

AYE	NAY	NOT-VOTING
73	25	

ON SF 1114 - Empowering Rural Credits Conservator

DATE

April 17

19 39

to dispose of state's farm lands.

The question being taken on the Passage of the Bill,  
And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

**Those who voted in the affirmative were:**

**Those who voted in the negative were:**

NAME	A	N	N.V.	NAME	A	N	N.V.	NAME	A	N	N.V.
ALLEN				HAGEN, E.			*	MYRE			
ANDERSON, C. G.	*			HAGEN, G.			*	NELSON, C. J.			*
ANDERSON, G. E.	*			HAGLAND			*	NELSON, W. N.			*
ANGSTMAN				HALSTED			*	NONNEMACHER			
ANTILA	*			HANSEN			*	OBERG			*
BARRETT	*			HARRISON			*	ODENBORG			*
BECKWITH				HART			*	O'MALLEY			*
BENNETT				HARTKOPF				ONAN			
BERLIN	*			HARTLE				ORAAS			*
BOEHLKE	*			HAYFORD				OTTINGER			*
BONDHUS	*			HEADLEY			*	PAIGE			*
BOZE	*			HELLING			*	PALMER			*
BROPHEY	*			HERING				PESHEK			*
BURDICK	*			HERSETH			*	PETERSON, G. C.			*
BURNAP	*			HILL			*	PETERSON, H. L.			*
BUTLER	*			HILLIER			*	PETERSON, P. B.			*
CAMPBELL				HILTON			*	PETERSON, P. J. E.			
CHAMPLIN	*			HOMPE			*	POWERS			*
CHILGREN				HOWARD			*	PRIFREL			
CONSTABLE	*			HUHTALA				ROTH			*
COVERT	*			IMDIEKE			*	RYKKEN			*
CUMMINGS	*			IVERSON			*	SAWYER			*
DAMMANN	*			JEBB				SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.				SCHNEIDER, W.			*
DAY				JOHNSON, J. A.			*	SCHULZ			
DIXON	*			JOHNSON, R. G.			*	SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK	*			KEMPFER			*	STANCHFIELD			*
DORWEILER	*			KIEFER			*	STOCKWELL			*
DREXLER	*			LEE				SWENNES			*
DUCKSTAD	*			LENERTZ				TEIGEN			*
DUEMKE	*			LITCHKE			*	TERWILLIGER			*
DUNN	*			LORENTZ			*	THOMPSON			*
EICHHORN	*			LOWE			deceased	TRISCH			
EKLUND	*			MacKINNON				VANCE			*
EKMAN	*			MANN			*	VIGELICH			
EMOND	*			MARTINSON			*	WANICK			*
ENSTROM	*			McNULTY			*	WEIDENDORF			
ERICKSON				MELBY				WELCH			*
EVENSON	*			MEMMER			*	WIDSTRAND			*
FINSTUEN	*			MERRILL			*	YOUNG			*
GALE				MILLER			*	ZWACH			*
GIBBONS	*			MOBERG			*	MR. SPEAKER			*
GLEASON	*			MORTINSON			*				

# MINNESOTA STATE SENATE

## CHAPTER 309 ROLL CALL

AYE	NAY
36	8

ON SF 1114—Empowering Rural Credits DATE April 5 19 39

Conservator to dispose of state's farm lands.

Final passage.

NAME	A N	NAME	A N
ADAMS	*	MILLER, F. J.	*
ALMEN		MULLIN	
ANDERSON	*	MURPHY	*
BERG		NELSEN	
BERGLUND	*	NEUMEIER	*
BRIDGEMAN	*	NEWTON	*
CARLEY	*	NOVAK	*
CARR	*	OLIVER	
CASHMAN	*	ORR	*
DAHLE	*	PEDERSON	*
DEVOLD		RIBENACK	
DIETZ		RICHARDSON	
DOUGHERTY		ROCKNE	*
FEIDT	*	ROEPKE	
FINSTAD	*	SEIFERT	*
FRIBERG	*	SELL	
GAGE	*	SIEGEL	
GALVIN	*	SIMONSON	*
GARDNER	*	SLETVOLD	*
HAHN	*	SOLSTAD	*
HERREID		STARKS	*
IMM	*	STIENING	*
JOHNSON		SULLIVAN	
JULKOWSKI	*	SWENSON	*
KELLY	*	TUNGSETH	
KINGSLEY	*	WAHLSTRAND	*
LARSON, H. A.	*	WEBER	
LARSON, N. J.	*	WELCH	*
LEDIN	*	WELLE	*
LIGHTNER		WING	
LOFTSGAARDEN	*	WINKJER	
LOMMEN	*	WOLFE	*
MASEK		WRIGHT	
MILLER, A. H.			

The Act requires a down payment of at least 40%. No commission to be paid unless a sale is made.

Signed April 20, 1939.

Note: This Act is an outgrowth of agitation heard throughout the session for legislation that would start the State unloading farm land acquired through foreclosure. Another bill, much wordier and probably broader and which, according to its sponsors, would have quickly disposed of all State-owned farms at the market value to private capital known to be interested was unable to find an author in either the House or Senate.

### CHAPTER 310--SF 1282

Miller, F.J. - Crow Wing, Morrison Counties.  
For Committee on Taxes.

Provides that where land bid in for the State for delinquent taxes between 1933 and 1935, and not assigned to actual purchasers, the Commissioners of the County in which the land lies may instruct the County Auditor to file it as delinquent for 1938 through the Clerk of the District Court and as though the tax for 1938 were the first delinquent taxes. Judgment is to be entered and proceedings taken with reference to them as though the 1938 delinquent taxes were the first.

Signed April 20, 1939.

Note: In other words, according to the Tax Commission, all taxes prior to and including 1938 taxes shall be consolidated into one judgment and the five year redemption period provided in Mason's Minnesota Statutes 1927, Section 2139-2, shall commence to run and forfeit in 1945.

CONSOLIDATES  
1938 AND PRIOR  
TAXES INTO  
ONE JUDGMENT

### CHAPTER 311--SF 1283

Miller, F.J. - Crow Wing, Morrison Counties.  
For Committee on Taxes.

Amends Mason's Minnesota Statutes 1927, Section 2123, relating to opening and vacating of tax judgments. The section is amended by striking out the portion empowering the Court to open a tax judgment any time before the period of redemption expires and to allow any defense to be interposed that might have been interposed before entry of judgment.

AMENDS  
COURT POWER  
IN TAX  
JUDGMENTS

Signed April 20, 1939.

CHAPTER 312--SF 1284

Miller, F.J. - Crow Wing, Morrison Counties.  
For Committee on Taxes.

**FORFEITURE  
IN ERROR**

Land that has been forfeited to the State for taxes, and, after the period of redemption has expired, the title has passed to the State and the land was then found to be exempt from taxes, under laws of the United States, or owned by the State of Minnesota or some department or subdivision thereof at the time of the supposed forfeiture, or the notice of forfeiture was defective, may be considered not forfeited by the Tax Commission. If the forfeiture certificate is canceled, taxes accruing against the land since the date of forfeiture shall be assessed.

Signed April 20, 1939.

CHAPTER 313--SF 1383

Ledin - Anoka, Isanti Counties.  
Larson, N.J. (Norman, Mahnomen), Gage (Renville).

**HIGHWAY  
COMMISSIONER  
TO ACT AS  
"GO BETWEEN"**

Amends Mason's Minnesota Statutes 1927, Section 2554-20. Gives the Commissioner of Highways authority to act, when requested by the United States Government or agency thereof, as a "go between" for counties and townships and the Federal officials in supervising the expenditure of funds in connection with highway projects. Clarifies the old law.

Signed April 20, 1939.

CHAPTER 314--SF 1390

Ledin - Anoka, Isanti Counties.  
Larson, N.J. (Norman, Mahnomen), Gage (Renville).

**BRIDGES,  
CULVERTS  
ORDERED  
WIDENED**

Amends Mason's Minnesota Statutes, 1927, Section 2545, by providing that hereafter the width of bridges and culverts and approaches must be 20 feet (the law now requires 16 feet). The amendment further provides that if the bridge is 3 feet above the bank of a stream or gully, the width must be 24 feet. (The present law requires only 18 feet).

Signed April 20, 1939.

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 315

AYE	NAY	NOT-VOTING
60	63	

ON SF 1393 - Homestead Old Age Lien Bill

DATE April 13

1939

On motion to exempt homesteads with an assessed valuation of less than \$500.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY				HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN				HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA				ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VIKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY				WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 315

## ROLL CALL

AYE	NAY	NOT-VOTING
73	55	

ON SF 1393 - Homestead Old Age Lien Bill

DATE April 13

1939

### Final Passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.		*		MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.	*		
ANGSTMAN	*			HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN		*		OBERG	*		
BARRETT	*			HARRISON		*		ODENBORG	*		
BECKWITH	*			HART		*		O'MALLEY	*		
BENNETT	*			HARTKOPF		*		ONAN	*		
BERLIN	*			HARTLE		*		ORAAS	*		
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING		*		PALMER	*		
BROPHY	*			HERING		*		PESHEK	*		
BURDICK	*			HERSETH		*		PETERSON, G. C.	*		
BURNAP	*			HILL		*		PETERSON, H. L.	*		
BUTLER	*			HILLIER		*		PETERSON, P. B.	*		
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE		*		POWERS	*		
CHILGREN	*			HOWARD		*		PRIFREL	*		
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.		*		SCHULZ	*		
DIXON	*			JOHNSON, R. G.		*		SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.		*		SLEN	*		
DOMINICK	*			KEMPFER		*		STANCHFIELD	*		
DORWEILER	*			KIEFER		*		STOCKWELL	*		
DREXLER	*			LEE		*		SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHHORN	*			LOWE		deceased		TRISCH	*		
EKLUND	*			MacKINNON		*		VANCE	*		
EKMAN	*			MANN		*		VUKELICH	*		
EMOND	*			MARTINSON		*		WANICK	*		
ENSTROM	*			McNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND	*		
FINSTUEN	*			MERRILL		*		YOUNG	*		
GALE	*			MILLER		*		ZWACH	*		
GIBBONS	*			MOBERG		*		MR. SPEAKER	*		
GLEASON	*			MORTINSON		*					

# MINNESOTA STATE SENATE

## CHAPTER 315 ROLL CALL

AYE	NAY
35	25

ON SF 1393 - Homestead Old Age DATE April 6 19 39

Lien Bill Final Passage

NAME	A N	NAME	A N
ADAMS	*	MILLER, F. J.	
ALMEN	*	MULLIN	*
ANDERSON	*	MURPHY	*
BERG	*	NELSEN	*
BERGLUND	*	NEUMEIER	*
BRIDGEMAN	*	NEWTON	*
CARLEY	*	NOVAK	*
CARR	*	OLIVER	*
CASHMAN	*	ORR	*
DAHLE	*	PEDERSON	*
DEVOLD	*	RIBENACK	*
DIETZ	*	RICHARDSON	*
DOUGHERTY	*	ROCKNE	*
FEIDT	*	ROEPKE	*
FINSTAD	*	SEIFERT	*
FRIBERG	*	SELL	*
GAGE	*	SIEGEL	*
GALVIN	*	SIMONSON	*
GARDNER	*	SLETVOLD	
HAHN	*	SOLSTAD	*
HERREID	*	STARKS	*
IMM	*	STIENING	*
JOHNSON	*	SULLIVAN	*
JULKOWSKI	*	SWENSON	*
KELLY	*	TUNGSETH	
KINGSLEY	*	WAHLSTRAND	*
LARSON, H. A.	*	WEBER	
LARSON, N. J.	*	WELCH	*
LEDIN	*	WELLE	*
LIGHTNER	*	WING	*
LOFTSGAARDEN	*	WINKJER	*
LOMMEN	*	WOLFE	
MASEK	*	WRIGHT	
MILLER, A. H.			

# MINNESOTA STATE SENATE

## CHAPTER 315 ROLL CALL

AYE	NAY
36	17

ON SF 1393-Homestead Old Age Lien DATE April 15 1939

Re-passage

NAME	A N	NAME	A N
ADAMS		MILLER, F. J.	*
ALMEN	*	MULLIN	*
ANDERSON	*	MURPHY	*
BERG	*	NELSEN	*
BERGLUND	*	NEUMEIER	*
BRIDGEMAN	*	NEWTON	*
CARLEY	*	NOVAK	*
CARR	*	OLIVER	*
CASHMAN	*	ORR	*
DAHLE	*	PEDERSON	*
DEVOLD	*	RIBENACK	*
DIETZ	*	RICHARDSON	*
DOUGHERTY	*	ROCKNE	
FEIDT	*	ROEPKE	*
FINSTAD		SEIFERT	*
FRIBERG	*	SELL	*
GAGE	*	SIEGEL	
GALVIN	*	SIMONSON	*
GARDNER	*	SLETVOLD	*
HAHN	*	SOLSTAD	*
HERREID	*	STARKS	*
IMM	*	STIENING	
JOHNSON		SULLIVAN	*
JULKOWSKI	*	SWENSON	*
KELLY		TUNGSETH	
KINGSLEY	*	WAHLSTRAND	*
LARSON, H. A.	*	WEBER	
LARSON, N. J.	*	WELCH	*
LEDIN	*	WELLE	*
LIGHTNER		WING	
LOFTSGAARDEN	*	WINKJER	
LOMMEN	*	WOLFE	
MASEK	*	WRIGHT	*
MILLER, A. H.			

## CHAPTER 315--SF 1393

Stiening - Clay, Wilkin Counties.  
For Committee on Public Welfare.

## OLD AGE LIEN LAW.

Amends the 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 3199-18 and 3199-26.

After January 1, 1940, owner of real estate situated outside the State which can be sold to provide for his or her support, not eligible for old age assistance.

Recipient must give State of Minnesota, through the county agency, a lien on all his or her property within the State.

Lien is to be for the total amount of assistance paid, including burial expenses.

Lien is to attach to all real property owned by the recipient or subsequently acquired, including joint tenancy interests, and is to remain in effect until satisfied.

Lien takes priority over all other liens except when children can prove they expended money in permanent improvements or in the payment of taxes or incumbrances.

Lien does not take priority over the expense of administration, funeral expenses, expenses of last illness, debt having preference by laws of the United States, and taxes.

Provides for enforcement of liens in the same manner as a mechanics' lien but excepts the enforcement while the homestead is occupied by the surviving spouse or minor children.

Permits county agency to waive lien in whole or in part with permission of state agency when it is necessary for maintenance or support of the recipient, his spouse, minor or incapacitated children.

Permits recovery of property upon payment of lien.

Disqualifies any one who has transferred his property to avoid a lien.

Increases total property limitation from \$3500 to \$5000.

PROPERTY  
OUT OF STATE

PROPERTY  
WITHIN STATE

WHAT  
LIEN  
COVERS

WHEN IT  
TAKES  
PRIORITY

WHEN IT  
DOESN'T  
TAKE  
PRIORITY

ENFORCEMENT  
OF LIEN

WHEN LIEN  
MAY BE  
WAIVED

RECOVERY

DISQUALIFIES

LIMITATION

Signed April 20, 1939.

Note: The Old Age Homestead Pension Lien Law is expected to furnish more political ammunition than any other one passed by the 1939 Legislature. The chief argument in favor of the Act is that under it the property of pensioners will not revert to children or relatives but will become State property (unless the property is recovered) in the building up of the fund out of which to pay pensions to other old people. It is estimated by its sponsors that the law will save the State in the neighborhood of \$1,000,000 a year.

CHAPTER 316--SF 1415

Carley - Wabasha County.

**TOLL BRIDGE  
AT WABASHA  
AUTHORIZED**

Authorizes the City of Wabasha to purchase a toll bridge crossing the Mississippi River at that point. The purchase must first be approved at an election by a three-fifths majority of those voting on the proposition; it may be continued as a toll bridge by the City at rates sufficient for maintenance and retirement of bonds and for interest payments. Such operation is to be authorized by a five-sevenths vote of the Council.

Signed April 20, 1939.

CHAPTER 317--SF 1467

Berglund - Freeborn County.

**FREEBORN  
BOND ISSUE  
FOR BUILDING**

Authorizes a bond issue in Freeborn County amounting to not more than \$20,000 to assist in a WPA project of building a grandstand on the County fairgrounds. The bonds to bear interest not exceeding 2%, maturing serially within six years.

Signed April 20, 1939.

CHAPTER 318\*--HF 241

Thompson - St. Louis County.  
For St. Louis County Delegation.

**SEMI-MONTHLY  
PAYROLL  
SANCTIONED**

Changes the title and text of Chapter 66, Section 1, Laws 1919, pertaining to the method of payment of the staff of the County Highway Engineer. Provision is made for semi-monthly payroll.

Signed April 20, 1939.

\* See note under Chapter 42.

CHAPTER 319--HF 315

Powers - Norman, Mahnomen Counties.  
Hartkopf (Hennepin), Dorweiler (Stevens).

Provides that in all counties where the amount of clerk hire in county offices, including the Judge of Probate, is insufficient, a petition may be presented to the County Auditor requesting additional help. The County Auditor is to refer it to the County Board. If the Board approves unanimously, the increase shall become effective. The Board is to act within 60 days from the time of filing the petition with the Auditor. The decision of the County Board may be appealed to the District Court.

Signed April 20, 1939.

ADDITIONAL  
CLERK HIRE  
BY PETITION

CHAPTER 320\*--HF 508

Enstrom - Roseau County.  
Ekman (Aitkin), Beckwith (Marshall), Powers  
(Mahnomen).

All land within any conservation or reforestation area becoming property of the State by forfeiture of taxes, shall be classified by the County Board of the county within which it lies, as agricultural or non-agricultural, as approved by the Commissioner of Conservation. Agricultural land is to be appraised by the Board and may be sold by the State with the approval of the Conservation Commissioner. Merchantable timber on the land shall be appraised separately, and approved by the Commissioner. The terms of the sale shall be 15% cash down and the balance in not to exceed 20 annual installments with interest at 4% on the unpaid balance. All payments due December 31. Purchaser may pay any number of installments of principal and interest on or before due date. Merchantable timber shall be paid for in full at date of sale. County Auditor is to give purchaser a contract for deed. Land sold goes on tax roll on May 1st following the date of sale. Public sales on third Monday in August each year. Contract will be canceled upon default of any installment, interest payment or delinquent taxes. The land unsold may be leased by the County Auditor. County Board members receive \$3 per day and 5 cents per mile while classifying and appraising land. Minerals and mineral rights are reserved by the State. The purchaser receives a conveyance in fee from the

DISPOSITION  
OF FORFEITED  
LAND IN  
CERTAIN AREAS

State when all payments are made. Non-agricultural land is to be dedicated to conservation purposes.

Signed April 20, 1939.

\* See Chapter 328.

Note: The land referred to in this Act is that which was taken over by the State for reforestation and flood control because in 1931, taxes on 35% or more of its acreage, and 9% of the bonded ditch indebtedness were delinquent; also land which in 1933 had more than 25% of its acreage delinquent, and taxes or ditch assessments on 50% of acreage, and 15% of its bonded ditch indebtedness delinquent.

### CHAPTER 321--HF 567

Mann - Pine County.  
Eklund (St.Louis), Ekman (Aitkin), Gale (Hennepin).

FARM POWER  
LINES TAXED  
AT 5 PER CENT

Amends Mason's Minnesota Statutes 1927, Sections 2012-1 and 2012-2 relating to taxation of personal property of electric light and power companies. The amendment provides that the personal property of electric light and power companies and other individuals and partnerships whose property lies outside the corporate limits of a city of the first class and has a fixed location outside of cities, villages and boroughs, shall be taxed. The second part of the Act carries new matter providing that the distribution lines and attachments shall be assessed at 5 per cent, and taxes levied at the average rate of taxes of all counties in the State, levied for all purposes. This Act does not apply to cooperative plants.

Signed April 20, 1939.

Note: In many places in the State, groups of farmers build their own lines from main transmission lines either as individuals or as partnerships. The Act is amended to add such lines to personal property tax rolls. Under the Act there is a reduction in assessed valuation of electric lines from private companies to farmers receiving electricity direct from power companies. As a result, farmers will be assessed at 5 per cent of the full and true value instead of at the rate of 40 per cent as heretofore.

CHAPTER 322--HF 651

Mortinson - Ramsey County.  
Barrett (Ramsey), Prifrel (Ramsey).

Gives the State Board of Health authority to investigate and make recommendations for the prevention or elimination of occupational diseases, and report to the Industrial Commission. Physicians are ordered to report cases involving occupational diseases to the State Board of Health within five days. Such reports, or reports of the Board of Health, may not be used in a suit for recovery of damages for personal injuries or in a case of Workmen's Compensation.

Signed April 20, 1939.

HEALTH BOARD  
MAY STUDY  
OCCUPATIONAL  
DISEASE CASES

CHAPTER 323--HF 773

Litchke - Itasca County.

Amends Mason's Minnesota Statutes 1927, Section 5609-1, relating to the removal or catching of rough game fish. The amendment strikes out that portion which provided that in removing rough fish when game fish were spawning, the game fish spawn was not to be destroyed.

GAME FISH  
AMENDMENT

Signed April 20, 1939.

Note: Authorities on this subject contend that Chapter 323 is a good law for the reason that heretofore fishermen have been handicapped in netting rough fish by the provision in the law which prohibited them from destroying game fish spawn while in the act. With this restriction removed, these same authorities are of the opinion that the carp and its spawn can be thoroughly cleaned out even though at the expense of some game fish and its spawn. The argument is made in support of the law that when the carp move in they destroy the game fish and game fish spawn anyway.

CHAPTER 324--HF 1017

Thompson - St. Louis County.  
Anderson, C.G. (Cook, Lake), Antila (St. Louis)

Provides that any town, where the value of property on which a gross earnings tax is paid by railroads direct to the State, is equal to or greater than the taxable value of all real and personal property, may receive back from the

TAX RELIEF  
UP TO \$4500  
ENACTED

State an amount equal to one-third of the current rate for town purposes on the exempt property. Not more than \$1500 allowed in one year. The aggregate amount payable by the State to all such towns may not exceed \$4500 in one year. The Act appropriates \$4500 for each of the fiscal years ending June 30, 1940 and 1941. The Act is made effective for ten years after April 22, 1939.

Signed April 20, 1939.

CHAPTER 325--HF 1044

Hagen, G. - Polk County.  
Duckstad - Polk County.

**LAW LIBRARY  
IN CROOKSTON**

Establishes a law library in Crookston to be managed by a Board of three appointed by the judges of the County and supported by litigants' fees.

Signed April 20, 1939.

\* See note under Chapter 96.

CHAPTER 326--HF 1067

Iverson - Grant County.

**SEPARATION  
OF LAND**

Permits owner of land in the Village of Ashby to request the County Board to issue an order detaching his land from the Village. The County Board is to issue a notice of hearing which shall be served upon the President or Recorder of the Village at least 20 days in advance. The County Board may issue an order detaching the land from the Village and adding it to the township. Order may be appealed to the District Court within 30 days. Detached land is not relieved from liability for its share of Village indebtedness existing at the time of separation.

Signed April 20, 1939.

CHAPTER 327--HF 1238

MacKinnon - Hennepin County.

**WATER LEVEL  
AMENDMENT**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 6602-57, and adds new provisions to the 1938 Supplement, Chapter 42. Section 1 relates to an application to the Commissioner of Conservation for permission to use

any waters of the State or build, reconstruct, remove or abandon any dam, reservoir or waterways obstruction. The amendment provides that a published notice of the application shall state the levels sought to be established, any control structures requiring modification, change or construction, and a proposed plan of operation. A section is added providing rules for conducting the hearing and by which the Commissioner shall make his orders. Section 2 is added providing that all applications, orders, proof of publication or service, and notices shall be filed by the Commissioner and kept open for public inspection. Section 3 is added empowering the Commissioner to subpoena witnesses and records. Section 4 is added requiring the Commissioner to furnish a stenographer to take testimony and supply transcription upon a request for a reasonable charge. Section 5 is added authorizing the Commissioner to require owners to cap artesian wells not in continuous use.

Signed April 20, 1939.

Note: A section was in the bill as introduced making it possible to appeal to the Supreme Court from the Commissioner's orders. This was not included in the law as passed. The original "Water Control Law," Laws 1937, Chapter 468, contains Section 12 which provides for appeal to both the District and Supreme Courts. HF 1238 attempted to repeal Section 12 and insert a new provision omitting appeal to the District Court and permitting appeal to the Supreme Court.

#### CHAPTER 328\*--HF 1239

Wanwick - St. Louis County.  
For Committee on Reforestation.

Amends 1938 Supplement, Mason's Minnesota Statutes 1927, Sections 2139-15, 2139-16, 2139-18, 2139-21, 2139-22, 2139-23, 5620-13 $\frac{1}{2}$  (b), and 5620-13 $\frac{1}{2}$  (d) relating to classification and sale of land forfeited to the State for taxes.

All land outside of conservation or reforestation areas, becoming property of the State by forfeiture of taxes, shall be classified by the County Board in which it lies, as conservation or non-conservation, with the idea of making it productive and tax paying. Classification of land inside an organized town, or incorporated municipality shall be approved by the Town Board or Council; it may be sold to any organized or incorporated

RESTORING  
STATE-OWNED  
LAND TO  
PRODUCTIVITY

political subdivision. County Board may devote Conservation land to Conservation uses; Commissioner of Conservation may cooperate in its development but the land remains under control of the County; the Board retains control of sale; sale of timber, leasing of hay, stumpage or land shall be conducted by the County Auditor. Non-conservation land may be sold, except that kept for development; appraised by Board; timber to be appraised separately, and approved by Commissioner.

Terms of sale are not changed by the amendment, except that the County Auditor is to give the purchaser a certificate which shall be canceled upon failure to keep up the payments or taxes; upon recommendation of the Board, and under certain circumstances, the Tax Commission may extend the time not more than one year. No timber shall be removed until an amount equal to the appraised value of all timber standing on the land at the time of purchase has been paid. Published notice in official newspaper to be given before sale. Sale of hay, stumpage and timber products may be made for cash. Non-conservation land may be leased for not more than one year. Until the land is sold, the Board may authorize the Auditor to repair and improve or demolish buildings. Net proceeds of sale or rental of land, or from sale of any products shall be apportioned to the taxing districts interested.

Compensation shall be paid to County Board members of \$3 per day and mileage, but not in an amount that will make their total compensation for all duties more than \$1200 per year.

Land used as a game reserve or hunting ground may be sold in same manner. Purchase of such land may be made prior to one week before the date of sale by a person who is a bona fide Federal entryman or patentee of the land or by the former owner.

Signed April 20, 1939.

\* See Chapter 320.

Note: The Attorney General has been asked an opinion as to default made in the installment payments of land sold before the present Act became effective, and where cancellation has been made by the County Auditor. His opinion, dated May 24, is that "this case is governed, not by the law as it now stands since the 1939 amendment, but by the law in force at the time of sale, which was the Laws 1935, Chapter 386. All sales of tax forfeited land under the provisions of Chapter 386 which have been made subsequent to April 20, 1939, effective date of the amendatory Act, Laws 1939, Chapter 328, are subject to the

provisions of that chapter, under which the method of cancellation of sales is not the same as before.... In our opinion, lands upon which the original sale has been cancelled can only be resold or leased in the same manner and under the same rules as other lands forfeited to the State for taxes are sold or leased. In other words, the County Auditor will follow the same procedure in the sale or lease of such lands as he would have followed if there had been no intervening sale which had been canceled."

In an opinion relating to the necessity for including descriptions and appraised values of the parcels of land in the notices of sale or lease of tax forfeited lands or the sale of hay, stumppage or timber, the Attorney General said: "We interpret Section 2139-16, as amended by Laws 1939, Chapter 328, as follows: The list of lands to be filed with the County Auditor by the County Board, after classification and appraisal, must in all cases contain the descriptions and appraised values of the several parcels affected; 2 - The descriptions and appraised values... should be included in the published notice of sale, provided, that those items may be omitted if the County Board so determines. ...the same rules should apply with respect to leasing lands or sale of timber or hay stumppage.... moreover, inclusion of the descriptions and appraised values in the published notice would be clearly in compliance with the express provisions of the law, whereas the omission would open the door for possible court attack on the sale or lease by some interested taxpayer."

#### CHAPTER 329--HF 1240

Berlin - St. Louis County.

Authorizes the Village Council of Hibbing to appropriate not more than \$2500 in a year, to be known as the Village President's Contingent Fund, from which may be paid sums to cover emergency criminal investigations or to relieve public distress. Such expenditures must be within the limits of the Village tax levies.

Signed April 20, 1939.

CONTINGENT  
FUND SET UP  
FOR CRIME  
INQUIRIES

#### CHAPTER 330--HF 1278

Dominick - Morrison County.

Amends Mason's Minnesota Statutes 1927, Section 6157 (b) relating to the appointment of weed inspectors. The law provides that a town chairman may appoint any person as assistant weed

LIMITS PAY  
FOR WEED  
INSPECTION

inspector. The amendment adds a provision that if the chairman appoints any of the other township supervisors, their pay shall be limited to between 25 and 50 cents per hour.

Signed April 20, 1939.

CHAPTER 331--HF 1363

Hart - Carlton County.  
For Committee on Education.

INTERIM  
COMMITTEE  
TO STUDY  
EDUCATION

Authorizes an Interim Committee to investigate problems of education in Minnesota and to make recommendations to the 1941 Legislature; the Committee to consist of three House members, three Senators and one member appointed by the Governor. The Committee to study all phases of educational needs of the citizens - types, institutions, tax, finance, vocational and adult. The Committee is to study the status of young people over 16 and to codify laws. Appropriates not to exceed \$15,000.

Signed April 20, 1939.

Note: Pursuant to Chapter 331, the Senate Committee on Committees appointed the following members to the Interim Committee on Education: Senators Almen, Swenson and Lightner. The Speaker of the House made the following appointments: Representatives Hart, Dammann and Memmer. At the time of going to press the Governor had not made his appointment.

CHAPTER 332--HF 1368

Helling - Watonwan County.

COUNTY  
SOCIETY  
TO GET  
OLD PAPERS

Directs the State Auditor to give to the Watonwan County Historical Society, papers stored in his office pertaining to the reward for the capture of the Younger Brothers.

Signed April 20, 1939.

Note: The papers referred to consist of canceled warrants and vouchers showing the division of the reward paid for the capture of the Younger Brothers, and includes also newspaper clippings and the Governor's order authorizing payment of the reward.

CHAPTER 333--HF 1389

Young - Hennepin County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5311-2 and repeals 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 5311-3 and 5311-4, and adding new provisions, relating to the establishment of a revolving fund to be used for investigating telephone companies, and requiring telephone companies to pay into the fund. Section 1 is amended to state specifically that the law applies to an investigation of a telephone company for rate making purposes, initiated by the Railroad and Warehouse Commission upon its own motion. It is further amended to provide that the telephone company shall pay a portion "as is reasonably attributable" of the expense of the Commission and employees and a reasonable share of court costs in any valuation or investigation, provided it has had an opportunity to be heard first; bill for the costs as determined by the Commission shall be rendered the telephone company; payment due within 30 days; 6 per cent interest charged on overdue payments. The total amount which may be charged in 1939 shall not exceed one per cent, and in subsequent years not more than one-half of one per cent of the company's gross operating revenues that come from business within the State included within the investigation, valuation or revaluation in the last preceding calendar year. Appropriates \$25,000 for the Minnesota Telephone Investigation Fund for use of the Commission and the Attorney General. Telephone companies in Cities of the First and Second Class are the only ones affected by this Act.

Signed April 20, 1939.

APPROPRIATES  
\$25,000 FOR  
TELEPHONE  
STUDIES

CHAPTER 334--HF 1396

Evenson - Renville County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927. Section 6840-116, relating to the extension of time in payments of ditch liens. The amendment adds the years 1940, 1941, 1942 and 1943.

Signed April 20, 1939.

DITCH LIEN  
PAYMENTS  
EXTENDED

CHAPTER 335--HF 1408

Myre - Freeborn County.

1-MILL LEVY  
TO IMPROVE  
LAKES

Authorizes the Board of Commissioners in Freeborn County to levy a tax of not more than one mill annually for the improvement and maintenance of any meandered or artificial lake in the County.

Signed April 20, 1939.

CHAPTER 336--HF 1437

Erickson - Benton, Sherburne Counties.  
Hart - Carlton County.

MAKES UP  
RETIREMENT  
FUND DEFICIT

Authorizes the sale of certificates of indebtedness by the State Auditor to secure \$45,000 for 1939 and \$75,000 for 1940, which amounts are necessary to make up the deficiency in the Teachers' Retirement Fund.

Signed April 20, 1939.

CHAPTER 337--HF 1511

Dixon - Todd County.

COUNTY  
BOARD  
PAY FIXED

Fixes the compensation of each member of the Todd County Board at \$600 per year, plus \$3.00 per day for committee work, and mileage of five cents.

Signed April 20, 1939.

CHAPTER 338--HF 1542

Johnson, R.G. - Washington County.  
For Committee on Taxes.

INHERITANCE  
TAX LAW  
AMENDMENTS

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2292, also Section 2293 as amended by Laws 1931, Chapter 208, and Special Session Laws 1937, Chapter 50; also Mason's Minnesota Statutes 1927, Sections 2294, 2295, 2296, 2303, 2304, 2309 and 2311; and repeals Mason's Minnesota Statutes 1927, Section 2310, and adds new provisions.

Section 1 of this Act is amended in subsection 1, subdivision (c) by imposing a tax in the case of a transfer of property presumably in contemplation of death, and made within two years prior to death.

TRANSFER  
OF PROPERTY

Subsection 4, subdivision (a), relating to the liability to tax by a survivor of joint ownership, is amended by adding a provision stating that when the property has been acquired by gift, etc. by the decedent and spouse as joint tenants prior to April 29, 1935, or at any time, one-half thereof is taxable.

PROPERTY  
ACQUIRED  
BY GIFT

Section 2 (c), covering exemptions, is amended by adding a provision that the homestead of the decedent, or proceeds, if sold and transferred to the spouse or issue, shall be exempt to the extent of \$30,000 of the appraised value.

HOMESTEAD  
EXEMPTION

Section 2 (d) is new matter relating to the transfer of property from a person who died within five years prior to the death of the decedent.

Section 2 (e) is new matter relating to deductions for expenses.

DEDUCTIONS

Section 2 (f) is new matter relating to exemptions allowable on property owned by non-resident.

EXEMPTIONS

Section 2 (g) is new matter relating to the tax on transfers for a non-resident, of real or personal property within the State.

TRANSFER TAX

Subsection 2 of Section 3 of this Act, relating to the determination of the value of future or limited estates, income, interest or annuity depending upon a life, contains new matter relating to the rate of interest to be used in computing the value of such estate.

INTEREST  
RATE

Subsection 1, Section 4 of this Act is amended to provide that the administrator shall pay all taxes before distributing the estate, and he is not to be discharged until the taxes are paid.

TAXES  
TO BE PAID

Subsection 2 of Section 4 is new matter requiring the representative, when filing the inventory, to file also a return under oath of the property value at the death of the decedent.

FILING  
INVENTORY

Section 5 is amended as to the manner of paying the tax to the County or State Treasurer in certain cases.

MANNER OF  
PAYING TAXES

Section 6 relates to the duty of the County Treasurer in examination of securities and is amended by the addition of subsection 2 requiring

EXAMINATION  
OF SECURITIES

him to report within ten days to the Probate Court and Attorney General on property he has examined, and in subsection 3 which prohibits the transfer by a corporation on its books of any shares of stock in the name of the decedent without the written consent of the Attorney General.

The portion in Section 7 relating to the hearing of petitions for letters of administration is stricken, and subsection 2 is added requiring the representative to deliver a copy of the inventory, appraisal, return, petition and will to the Attorney General; subsection 3, relating to objections to the values shown, is added; subsection 4, relating to objections to a hearing, and an order fixing the amount of taxes, is new matter.

**OBJECTIONS** Section 8 repeals Mason's Minnesota Statutes 1927, Section 2310, relating to notice and hearing of objections to the tax ordered.

**COURT REPORT** Section 9 relates to the report the Probate Court shall deliver to the Attorney General and the State Auditor at the time of serving the order determining the tax.

**COLLECTION OF UNPAID TAXES** Section 10 relating to citation to show cause why the tax due is not paid, is amended by subsection 1 which strikes out the requirement that the County Treasurer shall notify the Attorney General; subsection 2 is amended by providing that due and unpaid taxes may be collected by court action by the representative of the estate or by action in the name of the State by the Attorney General or County Attorney.

Signed April 20, 1939.

#### CHAPTER 339--IIF 1518

Allen - Ramsey County.  
For Committee on Appropriations.

**SEMI-STATE ACTIVITIES APPROPRIATION** Appropriates money for semi-state activities such as Soldiers' Home, State, County and District Agricultural Societies (State and County Fairs), stock and poultry breeder associations, etc.:

For fiscal year ending 6/30/40	\$807,200.00
For fiscal year ending 6/30/41	797,200.00
1939 deficiency	4,394.08
<b>TOTAL</b>	<b>\$1,608,794.08</b>

Signed April 20, 1939.

Note: The 1937 Legislature appropriated for the same purposes as follows:

For fiscal year ending 6/30/38	\$ 758,920.00
For fiscal year ending 6/30/39	762,720.00
1937 deficiency	10,098.86
<b>TOTAL</b>	<b>\$ 1,531,738.86</b>

#### CHAPTER 340--HF 1557

Wauwick - St. Louis County.  
For Committee on Reforestation.

Authorizes the Board of Commissioners of any county containing a State or Federal forest, or a State conservation area, to establish a system of zoning of land and buildings within the county. The Board is to make ordinances regulating the use of land for the use of town boards, and is empowered to enforce its orders; districts are to be organized in unincorporated portions of the county; public hearings are required before adoption; gives the right to re-hearing before the Board and the right of appeal to the District Court. Exempt from this Act are hunting and fishing grounds on privately owned property; mines, quarries and gravel pits; dams, flowage areas, transmission lines and substations; harvest of wild crops; the lawful use of land at the time the order becomes effective will not be changed, but if such use is discontinued for more than two years, the land will come under the zoning order. A list of the kinds of uses not conforming to the zoning ordinances will be on file with the Register of Deeds, Auditor and all assessors. Under the Act the Board may take necessary action to abate or stop any threatened violation and any person may compel performance of duty by an official by mandamus proceedings. Violation of the Act or of a county zoning ordinance constitutes a misdemeanor.

COUNTY  
ZONING  
SYSTEM

Signed April 20, 1939.

CHAPTER 341--HF 1573

MacKinnon - Hennepin County.  
For Committee on Judiciary.

ESTABLISHES  
PROCEDURE  
IN FORFEITED  
LAND CASES

Relates to titles and adverse claims to land claimed to have been forfeited to the State for taxes; provides that a County Auditor's certificate of forfeiture shall be evidence of itself that at the date of the certificate absolute title had passed to the State. A person claiming otherwise may take action in District Court within one year after the filing of the certificate unless the certificate was filed before passage of this Act, when the action may be taken within one year of passage. In case of physical disability the right to sue within one year after the removal of the disability is included. Exceptions are:

1. Jurisdictional defects in proceedings;
2. Property was exempt from taxation;
3. Taxes were paid prior to forfeiture;
4. Land was in possession of the owner at and ever since the time of forfeiture.

Signed April 20, 1939.

CHAPTER 342--HF 1592

Johnson, R.G. - Washington County.  
For Committee on Taxes.

TIME LIMIT  
TO APPEAL  
FOR RELIEF

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2139-2, relating to actions attacking the validity of annual delinquent tax sales and the redemption of land sold at such sales. The amendment fixes a time limit of one year from date of tax sale when a person may apply to the Court to have the taxes, penalties, interests and costs remaining unpaid set aside or reduced; empowers the Court on such application to sustain, modify or set aside the judgment whereon the sale was held. This Act effective after November 1, 1939.

Signed April 20, 1939.

CHAPTER 343--HF 1596

Chilgren - Koochiching County.

Provides that the Commissioner of Conservation, upon recommendation of the Attorney General, may settle any claims of the State arising before the passage of this Act, for damages to State land or timber resulting from dams in international boundary waters at International Falls and Kettle Falls, by accepting as a settlement, lands in counties bordering such water. The land conveyed in settlement shall be considered State forest land. The Act does not authorize any such settlement of claims subsequent to its passage.

Signed April 20, 1939.

ENACTS MEANS  
OF SETTLING  
DAMAGE CLAIMS

CHAPTER 344--HF 1619

MacKinnon - Hennepin County.

Validates judgments and decrees entered in District Court prior to February 8, 1921, where proper publication of the summons has been made but where notice of lis pendens (a notice required to be recorded with Register of Deeds, that an action is pending in District Court), has not been recorded. This Act shall not apply to or affect any action now pending in any court, or commenced within 30 days after passage.

Signed April 20, 1939.

REMEDIES  
FAILURE  
TO FILE  
LIS PENDENS

CHAPTER 345--HF 999

Campbell - Hennepin County.  
For Committee on Elections.

A revision of the old law containing new provisions.

New or revised parts:

Extends permanent registration to municipalities of less population than Cities of the First Class.

MINNESOTA  
ELECTION  
LAW

EXTENDS  
REGISTRATION

PRIMARY CHANGED	Time of State primary elections changed to second Tuesday in September, preceding a general election;
JUDGES, CLERKS	Judges and clerks of election in St. Paul, Minneapolis and Duluth will be placed automatically under civil service with effective date of this Act (August 1, 1939) unless the Council, within 60 days of passage of this Act, decides otherwise;
COUNTING BOARD	Relief judges or a counting board may be appointed in any election district except in St. Paul, Minneapolis and Duluth;
HOURS	Fixes hours of voting all over the State at 7 A.M. to 8 P.M.;
VOTING MACHINES	Permits any municipality to use voting machines which may be purchased on a rental-purchase or deferred payment plan;
COUNTING	Permits counting of ballots by names of candidates rather than by one complete ballot at a time;
MARKING BALLOTS	Ballots will be marked on the left side instead of on the right side as in the past;
ENDORsing CONVENTIONS	Permits endorsing conventions by political parties that have constitutions; without a constitution the party must proceed as required by law providing for nominating conventions;
CONSOLIDATED BALLOT	Continues the consolidated ballot in primary elections;  Continues the Minnesota Voting Machine Commission to investigate voting machines offered for sale.

Signed April 21, 1939.

Note: Of the three political parties in Minnesota, the Farmer-Labor party is most inconvenienced by the new election law as it relates to endorsing conventions. The Act provides that the political parties having constitutions may hold conventions for the purpose of endorsing candidates. The Farmer-Labor party does not have a constitution but has been endorsing candidates through its Farmer-Labor Association which does have a constitution. There is nothing in the Act, however, which will prevent the Farmer-Labor party from taking steps to adopt a constitution.

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 345

## ROLL CALL

AYE	NAY	NOT-VOTING
84	15	

ON HF 999 - Revision of the election laws

DATE April 17

1939

Final Re-passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN	*			HAGEN, E.				MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.	*		
ANGSTMAN	*			HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN		*		OBERG	*		
BARRETT				HARRISON		*		ODENBORG			
BECKWITH	*			HART		*		O'MALLEY	*		
BENNETT				HARTKOPF		*		ONAN			
BERLIN	*			HARTLE		*		ORAAS			
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING				PALMER	*		
BROPHEY	*			HERING				PESHEK	*		
BURDICK	*			HERSETH		*		PETERSON, G. C.		*	
BURNAP	*			HILL				PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.			
CAMPBELL	*			HILTON				PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE				POWERS	*		
CHILGREN	*			HOWARD		*		PRIFREL			
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT				IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB				SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.		*		SCHULZ	*		
DIXON	*			JOHNSON, R. G.				SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER		*		STANCHFIELD			
DORWEILER	*			KIEFER				STOCKWELL			
DREXLER	*			LEE		*		SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHORN				LOWE		deceased		TRISCH	*		
EKLUND	*			MacKINNON		*		VANCE	*		
EKMAN	*			MANN		*		VUKELICH	*		
EMOND	*			MARTINSON		*		WANVICK	*		
ENSTROM				McNULTY		*		WEIDENDORF			
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND			
FINSTUEN				MERRILL				YOUNG	*		
GALE				MILLER		*		ZWACH			
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

# MINNESOTA STATE SENATE

## CHAPTER 345 ROLL CALL

AYE	NAY
52	8

ON HF 999 - Revision of election laws. DATE April 13 1939

### Final passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.	*	
ALMEN	*		MULLIN	*	
ANDERSON	*		MURPHY	*	
BERG		*	NELSEN	*	
BERGLUND	*		NEUMEIER	*	
BRIDGEMAN	*		NEWTON	*	
CARLEY	*		NOVAK		*
CARR	*		OLIVER	*	
CASHMAN	*		ORR	*	
DAHLE	*		PEDERSON		*
DEVOLD		*	RIBENACK	*	
DIETZ			RICHARDSON	*	
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FIBERG		*	SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON	*	
GARDNER	*		SLETVOLD		*
HAHN			SOLSTAD		
HERREID	*		STARKS		*
IMM	*		STIENING		
JOHNSON			SULLIVAN		
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN		*	WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		
MILLER, A. H.	*				

CHAPTER 346--HF 1618

Dunn - Otter Tail County.  
For Committee on Rules.

Appropriated \$26,205.45 for payment of the balance due on electric roll call system in the House, purchased upon authority of the 1937 Legislature. Requires a written guarantee by the manufacturers against defects for a period of five years from January 1, 1939.

Signed April 21, 1939.

BALANCE DUE  
ON ROLL CALL  
SYSTEM PAID

CHAPTER 347--HF 303

Duckstad - Polk County.

Relates to the powers and duties of the District Court in relation to cartways (a cartway is a road connecting a farm residence with a public highway). Where a resident has no road over which to reach the public highway without traveling over the land of another, and where such road would begin in one township and end in another, he may petition the District Court for relief. The Court may order an appraisal by three persons appointed by it, and order each township to construct a portion of the cartway within its own limits and pay each one-third of the cost; the remaining one-third to be paid by the petitioner. The owner of the land over which the cartway is laid, may demand a jury trial to secure damages.

Signed April 21, 1939.

PROCEDURE  
IN SECURING  
CARTWAY

CHAPTER 348--HF 310

Antila - St. Louis County.  
Thompson (St. Louis), Eklund (St. Louis).

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5509; permits hunting of migratory waterfowl within two miles of the city limits of Duluth.

Signed April 21, 1939.

PERMITS  
HUNTING  
NEAR  
DULUTH

CHAPTER 349--HF 348

Champlin - Blue Earth County.  
Nelson, C.J. - Blue Earth County.

**EXEMPTS  
CERTAIN  
TRAILERS  
FROM TAX**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2673, and repeals Section 2673-4, relating to motor vehicles exempt from taxation. Adds to list of tax exempt trailers, those with two wheels and a gross weight of load and vehicle not exceeding 3000 pounds, and used by individuals for pleasure and not for hire; each trailer must be registered and carry plates.

Signed April 21, 1939.

CHAPTER 350--HF 464

Powers - Mahnomen, Norman Counties.  
Chilgren (Koochiching), Anderson, C.G. (Cook, Lake).

**4-CENT TAX  
ON GASOLINE  
CONTINUED  
TO 9/1/40**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2720-71. Continues the gasoline tax of four cents per gallon until September 1, 1940, after which it is to revert to three cents.

Signed April 21, 1939.

Note: The 1937 Legislature adopted a 4-cent State gasoline tax, which, after a bitter fight, was limited to July 1, 1939. In his message to the 1939 Legislature, the Governor expressed willingness to continue the 4-cent gas tax for another two years provided the 1-mill road and bridge tax was repealed. On April 17, the House went part way by passing a bill reducing the road and bridge tax to one-half a mill by the close vote of 68 to 55 (see vote records) but the Senate declined to go even that far.

Meanwhile the fight over continuation of the 4-cent gas tax was on between county officials on the one side, favoring its retention, and representatives of the oil industry on the other, in opposition. A persistent and militant lobby was maintained for and against from the start of the session to closing time.

Both sides claimed to be satisfied with the final outcome which limited the tax to September 1, 1940. This date was fixed to take in the 1940 summer tourist trade, leaving the next move up to the 1941 Legislature.

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 350

AYE	NAY	NOT-VOTING
85	33	

ON HF 464 - extending 4¢ gasoline tax to July 1, 1941

DATE March 22, 1939

19

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN				HAGEN, E.	*			MYRE			
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.			*
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.			*
ANGSTMAN				HALSTED	*			NONNEMACHER			*
ANTILA	*			HANSEN	*			OBERG			*
BARRETT	*			HARRISON		*		ODENBORG			*
BECKWITH	*			HART	*			O'MALLEY			*
BENNETT	*			HARTKOPF	*			ONAN			*
BERLIN	*			HARTLE	*			ORAAS			*
BOEHLKE	*			HAYFORD	*			OTTINGER			*
BONDHUS	*			HEADLEY	*			PAIGE			*
BOZE	*			HELLING	*			PALMER			*
BROPHEY	*			HERING		*		PESHEK			*
BURDICK	*			HERSETH	*			PETERSON, G. C.			*
BURNAP	*			HILL		*		PETERSON, H. L.			*
BUTLER	*			HILLIER	*			PETERSON, P. B.			*
CAMPBELL	*			HILTON				PETERSON, P. J. E.			*
CHAMPLIN	*			HOMPE		*		POWERS			*
CHILGREN	*			HOWARD		*		PRIFREL			
CONSTABLE	*			HUHTALA				ROTH			*
COVERT	*			IMDIÉKE	*			RYKKEN			*
CUMMINGS				IVERSON	*			SAWYER			*
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.			
DAY	*			JOHNSON, J. A.	*			SCHULZ			*
DIXON	*			JOHNSON, R. G.		*		SCHWANKE			*
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK	*			KEMPFER	*			STANCHFIELD			*
DORWEILER	*			KIEFER	*			STOCKWELL			*
DREXLER	*			LEE	*			SWENNES			*
DUCKSTAD	*			LENERTZ	*			TEIGEN			*
DUEMKE	*			LITCHKE	*			TERWILLIGER			*
DUNN	*			LORENTZ	*			THOMPSON			*
EICHIHORN	*			LOWE		(deceased)		TRISCH			*
EKLUND	*			MacKINNON		*		VANCE			*
EKMAN	*			MANN		*		VUKELICH			*
EMOND	*			MARTINSON	*			WANICK			*
ENSTROM	*			McNULTY		*		WEIDENDORF			*
ERICKSON	*			MELBY		*		WELCH			*
EVENSON	*			MEMMER		*		WIDSTRAND			*
FINSTUEN	*			MERRILL	*			YOUNG			*
GALE	*			MILLER	*			ZWACH			
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## CHAPTER 350 ROLL CALL

AYE	NAY
45	12

ON HF 464-Retain 4¢ Gasoline Tax DATE April 18 1939

Re-Passage, with date to end tax set at Sept. 1, 1940

NAME	A	N	NAME	A	N
ADAMS			MILLER, F. J.	*	
ALMEN	*		MULLIN		*
ANDERSON		*	MURPHY	*	
BERG	*		NELSEN	*	
BERGLUND	*		NEUMEIER	*	
BRIDGEMAN	*		NEWTON	*	
CARLEY		*	NOVAK		*
CARR	*		OLIVER	*	
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON	*	
DEVOLD		*	RIBENACK	*	
DIETZ	*		RICHARDSON	*	
DOUGHERTY	*		ROCKNE	*	
FEIDT		*	ROEPKE	*	
FINSTAD	*		SEIFERT	*	
FIBERG	*		SELL	*	
GAGE	*		SIEGEL		
GALVIN			SIMONSON		
GARDNER	*		SLETVOLD		
HAHN	*		SOLSTAD	*	
HERREID	*		STARKS	*	
IMM	*		STIENING	*	
JOHNSON	*		SULLIVAN		
JULKOWSKI		*	SWENSON	*	
KELLY	*		TUNGSETH	*	
KINGSLEY		*	WAHLSTRAND	*	
LARSON, H. A.	*		WEBER	*	
LARSON, N. J.	*		WELCH	*	
LEDIN	*		WELLE	*	
LIGHTNER		*	WING	*	
LOFTSGAARDEN		*	WINKJER		
LOMMEN			WOLFE		
MASEK			WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 350

## ROLL CALL

AYE	NAY	NOT-VOTING
72	17	

ON HF 464 - 4¢ Gasoline Tax

DATE April 18

1939

Re-passage as amended to return to 3¢ tax on Sept. 1, 1940.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.		*		MYRE		*	
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.		*	
ANDERSON, G. E.				HAGLAND		*		NELSON, W. N.		*	
ANGSTMAN				HALSTED		*		NONNEMACHER			
ANTILA	*			HANSEN		*		OBERG		*	
BARRETT		*		HARRISON		*		ODENBORG		*	
BECKWITH	*			HART		*		O'MALLEY		*	
BENNETT				HARTKOPF		*		ONAN		*	
BERLIN				HARTLE		*		ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER		*	
BONDHUS	*			HEADLEY		*		PAIGE			
BOZE	*			HELLING		*		PALMER		*	
BROPHEY				HERING				PESHEK		*	
BURDICK	*			HERSETH		*		PETERSON, G. C.		*	
BURNAP	*			HILL				PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.		*	
CAMPBELL		*		HILTON		*		PETERSON, P. J. E.		*	
CHAMPLIN				HOMPE				POWERS		*	
CHILGREN				HOWARD		*		PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH			
COVERT	*			IMDIEKE		*		RYKKEN		*	
CUMMINGS	*			IVERSON				SAWYER		*	
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.		*	
DAUN				JOHNSON, E.		*		SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.		*		SCHULZ			
DIXON	*			JOHNSON, R. G.				SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER				STANCHFIELD		*	
DORWEILER				KIEFER		*		STOCKWELL			
DREXLER	*			LEE		*		SWENNES		*	
DUCKSTAD	*			LENERTZ		*		TEIGEN		*	
DUEMKE				LITCHKE				TERWILLIGER		*	
DUNN				LORENTZ		*		THOMPSON		*	
EICHHORN	*			LOWE		deceased		TRISCH		*	
EKLUND	*			MacKINNON				VANCE			
EKMAN	*			MANN		*		VUKELICH		*	
EMOND				MARTINSON		*		WANICK			
ENSTROM				McNULTY		*		WEIDENDORF		*	
ERICKSON				MELBY		*		WELCH			
EVENSON				MEMMER				WIDSTRAND			
FINSTUEN				MERRILL				YOUNG		*	
GALE	*			MILLER		*		ZWACH		*	
GIBBONS	*			MOBERG		*		MR. SPEAKER		*	
GLEASON				MORTINSON		*					

CHAPTER 351--HF 474

Litchke - Itasca County.

Amends Mason's Minnesota Statutes 1927, Section 5502, relating to the placing of game in cold storage. Amendment permits game birds, in addition to wild animals, to be kept in cold storage in other than commercial cold storage warehouses; all wild animals or game birds so placed shall be tagged to show the name of owner, number of license, and held subject to inspection by the Director of Game and Fish or agents.

Signed April 21, 1939.

RELATES  
TO GAME IN  
COLD STORAGE

CHAPTER 352--HF 482

Wanwick - St. Louis County.

Amends Mason's Minnesota Statutes 1927, Section 6394-10, relating to the sale of State timber. Transfers certain authority from the State Auditor to the Director of Forestry. Designates the green standing timber that may be sold; limits the amount of sale to \$250 to any one person; only one sale at a time to one person; strikes out the provision prohibiting more than one sale from one tract in any one year. Purchaser shall pay the full appraisal price in advance before a permit to cut the timber is issued. If purchaser is unable to cut and remove the timber within one year, the Director may extend the time once, and for one year only.

Signed April 21, 1939.

STATE TIMBER  
SALES LAW  
CHANGED

CHAPTER 353--HF 489

Martinson - Big Stone County.

The 1938 Supplement to Mason's Minnesota Statutes 1927, Section 6291, allowing a purchaser of tax forfeited lands, who bought prior to January 1, 1934, but who lost his rights in the land because he failed to pay the amount due, is amended to allow him up to December 30, 1941, to pay delinquent interest; the provision of paying the costs incurred is removed and the interest

EXTENDS TIME  
TO REDEEM  
RIGHTS ON  
LAND DEALS

payable and the interest due is reduced from 12 to 4 per cent. This Act does not apply to State lands sold after January 1, 1934.

Signed April 21, 1939.

CHAPTER 354--HF 526

Litchke - Itasca County.

**CARRYING  
GAME, FISH  
AS BAGGAGE  
PERMITTED**

Amends the 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5505, Subdivisions 2 and 4, and Mason's Minnesota Statutes 1927, Section 5506, relating to the transportation and exportation of fish and game. Section 5505, Subdivision (2) provides that a person may carry as baggage on a common carrier (railroad or bus) any game or fish legally in his possession. The amendment makes that section apply to points within the State. Subdivision (4) provides that any non-resident may ship or transport, or carry as baggage, consigned to himself, to any point within or without the State, any game or fish legally in his possession. The limit contained in the old law of not to exceed 25 game birds and one deer remains.

Signed April 21, 1939.

CHAPTER 355--HF 599

Merrill - Faribault County.  
Campbell (Hennepin), Eichhorn (Murray), Hansen, Mrs., (Lincoln), Dammann (McLeod).

**ROYALTY TAX  
INCREASED  
FOR 2 YEARS**

Amends Mason's Minnesota Statutes 1927, Section 2392-1, as amended by Laws 1937, Special Session, Chapter 84, relating to taxation of royalties on iron ore. Increases the tax from 8 to 9 per cent for the years 1939 and 1940 and fixes it at 8 per cent thereafter. Applies to all royalties received after December 31, 1938, and prior to January 1, 1941.

Signed April 21, 1939.

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 355

AYE	NAY	NOT-VOTING
65	47	

ON HF 599 - Iron Ore Royalty Tax Increase      DATE April 14 1939

On motion to reduce proposed tax rate from 10% to 9%

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.				HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN				OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS		*	
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE				HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.		*	
CAMPBELL	*			HILTON				PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN				HOWARD	*			PRIFREL		*	
CONSTABLE	*			HUHTALA				ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER		*	
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ		*	
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER		*		STOCKWELL		*	
DREXLER	*			LEE		*		SWENNES			
DUCKSTAD				LENERTZ		*		TEIGEN		*	
DUEMKE	*			LITCHKE	*			TERWILLIGER		*	
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE		deceased		TRISCH			
EKLUND	*			MacKINNON				VANCE	*		
EKMAN	*			MANN	*			VUKELICH			
EMOND	*			MARTINSON	*			WANYICK	*		
ENSTROM	*			McNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY				WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG		*	
GALE	*			MILLER	*			ZWACH		*	
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON				MORTINSON	*						

CHAPTER 356--HF 600

Merrill - Faribault County.  
 Campbell (Hennepin), Eichhorn (Murray),  
 Hansen, Mrs. (Lincoln), Dammann (McLeod).

Amends Mason's Minnesota Statutes 1927, Section 2373, as amended by Laws 1937, Special Session, Chapter 85, relating to the occupational tax upon the business of mining iron ore. Increases the tax from 8 to 9 per cent for the years 1939 and 1940 and fixes it at 8 per cent thereafter. Applies to all ore mined or produced after December 31, 1938 and before January 1, 1941. A new section is added providing that whenever more than 33-1/3 per cent of the ore mined or produced in any year from any property affected by the occupational tax is low grade ore, the tax shall be  $8\frac{1}{2}$  per cent; whenever 66-2/3 per cent of the ore mined is low grade, the tax drops to 8 per cent. The purpose of this section is to stimulate employment in the low grade fields.

Signed April 21, 1939.

Note: One of the most dramatic battles of the session involved the taxation of iron ore and the imposition of a per capita limit on local government spending on the Iron Range. The efforts of the legislative minority to raise the iron ore tax rate from 8% to 12%; the insistence of Southern Minnesota and the mining industry that a ceiling be put on the cost of government in range towns; the pressure put on by the administration for more revenue from the mining industry, and the defense of the mining industry against higher taxes and the drive for lower expenditures - these conflicting interests, boiled down to their essence, brought about a 2-year increase in both occupational and royalty taxes from 8 to 9 per cent and the appointment of an interim committee to study the whole subject and report to the 1941 Legislature. (See Resolution No. 28.) The per capita limit was dropped by agreement. (See also the Governor's special message dealing with the subject of iron ore taxation.) The first favorable result of the graduated tax on low grade ore operations was announced May 20 when the Mesabi Iron Company made public the fact that Oglebay, Norton & Company of Cleveland, one of the largest corporations engaged in mining transportation and merchandising of iron ore in the Lake Superior District, will lease the Mesabi sinter plant at Babbitt, Minnesota. Special action is to be taken at a meeting of stockholders to be held at Wilmington, Delaware, June 28. In announcing the proposed leasing of the Babbitt plant and resumption of low grade ore operations, officials of the Mesabi Company said the Oglebay, Norton Company is prepared to spend approximately \$6,000,000 on improvements and a general development program. The Mesabi Iron Company properties at Babbitt, Minnesota, have been idle since 1924. In the early 20's the Mesabi Company spent about \$6,400,000

OCCUPATIONAL  
 TAX INCREASE  
 FOR 2 YEARS

in the development of the Babbitt plant, but market conditions and high taxes made it necessary to discontinue operations four years later.

CHAPTER 357--HF 310

Hart - Carlton County.

STATE AID  
PARKWAY

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2564-20. Permits the Board of Commissioners of Carlton County to designate a roadway as a State Aid Parkway.

Signed April 21, 1939.

CHAPTER 358--HF 817

Drexler - Ramsey County.

Nonnemacher - Ramsey County.

FUNDS  
PROVIDED  
RAMSEY  
SHERIFF

Amends Laws 1927, Chapter 316, as amended by Laws 1931, Chapter 313, Section 1. Allows the Sheriff of Ramsey County \$3500 for the year 1940 to purchase an automobile ambulance, firearms and other necessary equipment, and not more than \$5000 per year after 1940 for maintenance and upkeep of automobiles and other equipment.

Signed April 21, 1939.

CHAPTER 359--HF 903

Gale - Hennepin County.

TRAFFIC  
REGULATIONS  
IN RURAL  
HENNEPIN

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2720-158, relating to traffic regulations by local authorities. Permits town officers in Hennepin County to regulate traffic within the limits of their jurisdiction.

Signed April 21, 1939.

CHAPTER 360--HF 937

Constable - Nobles County.

TIME LIMIT  
FOR KEEPING  
WILD GAME  
EXTENDED

Amends Mason's Minnesota Statutes 1927, Section 5534, relating to the keeping of wild animals after the season has closed. The old law prohibited keeping moose or deer after the last day of February. The amendment extends the period in which wild

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 356

## ROLL CALL

AYE	NAY	NOT-VOTING
77	42	

ON HF 600 - Iron Ore Occupational Tax Increase

DATE April 14

1939

On motion to make tax rate of 9% effective for more than two years

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE			
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF				ONAN		*	
BERLIN	*			HARTLE				ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER		*	
BONDHUS	*			HEADLEY	*			PAIGE		*	
BOZE	*			HELLING	*			PALMER		*	
BROPHEY	*			HERING	*			PESHEK		*	
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP				HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS		*	
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA				ROTH		*	
COVERT	*			IMDIEKE	*			RYKKEN		*	
CUMMINGS	*			IVERSON	*			SAWYER		*	
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER	*			STOCKWELL		*	
DREXLER	*			LEE	*			SWENNES		*	
DUCKSTAD				LENERTZ	*			TEIGEN		*	
DUEMKE	*			LITCHKE	*			TERWILLIGER		*	
DUNN	*			LORENTZ	*			THOMPSON		*	
EICHHORN	*			LOWE	deceased			TRISCH		*	
EKLUND	*			MACKINNON	*			VANCE		*	
EKMAN	*			MANN	*			VUKELICH		*	
EMOND	*			MARTINSON	*			WANVICK		*	
ENSTROM	*			MCNULTY	*			WEIDENDORF		*	
ERICKSON	*			MELBY	*			WELCH		*	
EVENSON	*			MEMMER	*			WIDSTRAND		*	
FINSTUEN	*			MERRILL	*			YOUNG		*	
GALE	*			MILLER	*			ZWACH		*	
GIBBONS	*			MOBERG	*			MR. SPEAKER		*	
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 356

## ROLL CALL

AYE	NAY	NOT-VOTING
65	57	

ON HF 600 - Iron Ore Occupational Tax Increase

DATE April 14

1939

On motion to amend by making tax increase 9% instead of 10%

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.				HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE				HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN				HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA				ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.	*			SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH	*		
EKLUND	*			MACKINNON				VANCE	*		
EKMAN	*			MANN	*			VIKELICH	*		
EMOND	*			MARTINSON	*			WANYICK	*		
ENSTROM	*			MCNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 356

## ROLL CALL

AYE	NAY	NOT-VOTING
43	70	

ON HF 600 - Iron Ore Occupational Tax Increase DATE April 14 1939

On motion to amend by raising the rate from 10% to 12%.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE			
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.		*	
ANDERSON, G. E.	*			HAGLAND				NELSON, W. N.		*	
ANGSTMAN	*			HALSTED	*			NONNEMACHER		*	
ANTILA	*			HANSEN		*		OBERG		*	
BARRETT	*			HARRISON		*		ODENBORG		*	
BECKWITH	*			HART		*		O'MALLEY		*	
BENNETT				HARTKOPF		*		ONAN		*	
BERLIN	*			HARTLE				ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER		*	
BONDHUS	*			HEADLEY		*		PAIGE		*	
BOZE	*			HELLING		*		PALMER		*	
BROPHY	*			HERING		*		PESHEK		*	
BURDICK	*			HERSETH		*		PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.		*	
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE		*		POWERS		*	
CHILGREN	*			HOWARD		*		PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH		*	
COVERT	*			IMDIEKE		*		RYKKEN		*	
CUMMINGS	*			IVERSON		*		SAWYER		*	
DAMMANN	*			JEBB				SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.		*		SCHULZ		*	
DIXON	*			JOHNSON, R. G.		*		SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER		*		STANCHFIELD		*	
DORWEILER	*			KIEFER		*		STOCKWELL		*	
DREXLER	*			LEE				SWENNES		*	
DUCKSTAD				LENERTZ		*		TEIGEN		*	
DUEMKE	*			LITCHKE		*		TERWILLIGER		*	
DUNN				LORENTZ		*		THOMPSON		*	
EICHORN				LOWE		deceased		TRISCH		*	
EKLUND	*			MACKINNON				VANCE		*	
EKMAN	*			MANN		*		VUKELICH		*	
EMOND	*			MARTINSON		*		WANYICK		*	
ENSTROM	*			MCNULTY		*		WEIDENDORF		*	
ERICKSON	*			MELBY		*		WELCH		*	
EVENSON	*			MEMMER		*		WIDSTRAND		*	
FINSTUEN	*			MERRILL		*		YOUNG		*	
GALE	*			MILLER		*		ZWACH		*	
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 356

## ROLL CALL

AYE	NAY	NOT-VOTING
104	1	

ON HF 600 - Iron Ore Occupational Tax Increase

DATE April 18

1939

Re-passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN	*			HAGEN, E.	*			MYRE			
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.		*	
ANDERSON, G. E.				HAGLAND		*		NELSON, W. N.		*	
ANGSTMAN				HALSTED	*			NONNEMACHER			
ANTILA	*			HANSEN	*			OBERG		*	
BARRETT	*			HARRISON	*			ODENBORG			
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT				HARTKOPF				ONAN		*	
BERLIN				HARTLE	*			ORAAS		*	
BOEHLKE	*			HAYFORD				OTTINGER		*	
BONDHUS	*			HEADLEY	*			PAIGE		*	
BOZE	*			HELLING	*			PALMER		*	
BROPHEY	*			HERING				PESHEK		*	
BURDICK	*			HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL				PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.		*	
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE				POWERS		*	
CHILGREN				HOWARD	*			PRIFREL		*	
CONSTABLE	*			HUHTALA	*			ROTH		*	
COVERT	*			IMDIEKE	*			RYKKEN		*	
CUMMINGS	*			IVERSON	*			SAWYER		*	
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.		*	
DAY				JOHNSON, J. A.	*			SCHULZ		*	
DIXON	*			JOHNSON, R. G.	*			SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE	*			SWENNES			
DUCKSTAD	*			LENERTZ	*			TEIGEN			
DUEMKE	*			LITCHKE				TERWILLIGER		*	
DUNN	*			LORENTZ	*			THOMPSON		*	
EICHHORN				LOWE		deceased		TRISCH		*	
EKLUND	*			MacKINNON				VANCE		*	
EKMAN	*			MANN	*			VIKELICH		*	
EMOND	*			MARTINSON	*			WANICK		*	
ENSTROM	*			McNULTY	*			WEIDENDORF		*	
ERICKSON				MELBY	*			WELCH		*	
EVENSON	*			MEMMER	*			WIDSTRAND		*	
FINSTUEN				MERRILL	*			YOUNG		*	
GALE	*			MILLER	*			ZWACH		*	
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## CHAPTER 356 ROLL CALL

AYE	NAY
52	10

ON HF 600-Iron Ore Occupational Tax DATE April 17 1939

Motion to limit the increased tax to the years 1939 and 1940.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.	*	
ALMEN	*		MULLIN	*	
ANDERSON	*		MURPHY	*	
BERG	*		NELSEN	*	
BERGLUND	*		NEUMEIER	*	
BRIDGEMAN	*		NEWTON	*	
CARLEY	*		NOVAK		*
CARR	*		OLIVER	*	
CASHMAN			ORR	*	
DAHLE	*		PEDERSON	*	
DEVOLD	*		RIBENACK	*	
DIETZ	*		RICHARDSON	*	
DOUGHERTY	*		ROCKNE	*	
FEIDT	*		ROEPKE	*	
FINSTAD	*		SEIFERT	*	
FRIBERG	*		SELL	*	
GAGE	*		SIEGEL	*	
GALVIN	*		SIMONSON	*	
GARDNER	*		SLETVOLD	*	
HAHN	*		SOLSTAD	*	
HERREID	*		STARKS	*	
IMM			STIENING		
JOHNSON	*		SULLIVAN	*	
JULKOWSKI	*		SWENSON	*	
KELLY	*		TUNGSETH	*	
KINGSLEY	*		WAHLSTRAND	*	
LARSON, H. A.	*		WEBER	*	
LARSON, N. J.	*		WELCH	*	
LEDIN	*		WELLE	*	
LIGHTNER			WING		
LOFTSGAARDEN	*		WINKJER	*	
LOMMEN	*		WOLFE	*	
MASEK	*		WRIGHT	*	
MILLER, A. H.	*				

# MINNESOTA STATE SENATE

## CHAPTER 356 ROLL CALL

AYE	NAY
52	10

ON HF 600-Iron Ore Occupational Tax

DATE April 17

1939

Motion to limit the increased tax to the years 1939 and 1940.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN		*	NEWTON		*
CARLEY	*		NOVAK		*
CARR		*	OLIVER		*
CASHMAN			ORR		*
DAHLE	*		PEDERSON		*
DEVOLD		*	RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG		*	SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER		*	SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM			STIENING		
JOHNSON		*	SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY		*	TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER			WING		
LOFTSGAARDEN	*		WINKJER		*
LOMMEN		*	WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

animals may be kept under a permit, to the last day of April. The part of the old law allowing game birds to be kept until January 19 is stricken.

Signed April 21, 1939.

CHAPTER 361--HF 954

MacKinnon - Hennepin County.  
For Hennepin County Delegation.

Amends the Title of Laws 1919, Chapter 158, as amended by Laws 1927, Chapter 220, applying to Hennepin County, and changes the population classification figure from 330,000 to 400,000. Amends Section 1 to increase the amount allowed for transportation of County Commissioners to \$3000 per year and to pay them for the use of their cars on a monthly basis.

HENNEPIN  
CLASSIFICATION  
CHANGED

Signed April 21, 1939.

CHAPTER 362--HF 974

Allen - Ramsey County.  
Memmer - Ramsey County.

Amends Laws 1923, Chapter 289, Sections 8, 12 and 16, as amended by Laws 1927, Chapter 240, Section 3, and by Laws 1935, Chapter 190. Increases the contingent fund of the Probation Office of Ramsey County from \$1500 to \$2500 per year and allows 5¢ per mile to probation officers for the use of their cars. Transfers to the Judges of the District Court the right to fix salaries of employees of the Probation Office. The Act takes effect January 1, 1940.

RAMSEY  
CONTINGENT  
FUND  
INCREASED

Signed April 21, 1939.

CHAPTER 363--HF 992

Barrett - Ramsey County.  
Schulz (Ramsey), Prifrel (Ramsey), Hering (Winona)  
Gleason (Hennepin).

Establishes a program of voluntary apprenticeship for young people to learn arts and crafts under an apprenticeship council of three persons representing employers, three representing

VOLUNTARY  
APPRENTICE-  
SHIP ACT

employees and two representing the general public and all appointed by the Industrial Commission for terms of three years each. The Council to aid in forming a program of training; to establish, with the approval of the Commission, standards for agreements and to appoint a director subject to confirmation by the Industrial Commission. The Director is to administer the program in cooperation with the Council and Local and State joint apprenticeship committees. He is to approve or terminate any apprenticeship agreement. State and Local boards responsible for vocational education shall supervise the selection and training of teachers. Any person 16 years or older may sign as an apprentice for not less than 4000 hours of reasonably continuous employment and education in related subjects; on probation for not more than 500 hours. Local and State joint apprenticeship committees shall be appointed in any trade by the Council when such trade needs apprentices.

Signed April 20, 1939.

Note: Described by one of its sponsors as "an orderly and systematic approach to the skilled trades." In the Departmental Budget bill the Industrial Commission is given an additional \$4500 a year for 2 years to administer the Act.

#### CHAPTER 364--HF 1062

Allen - Ramsey County.  
For Committee on Appropriations.

**PROVIDES  
FUNDS FOR  
RECEPTION**  
Appropriates \$2500 for use by the Adjutant General in connection with the visit of the Crown Prince and Princess of Norway and of the Crown Prince and Princess of Denmark.

Signed April 21, 1939.

#### CHAPTER 365--HF 1202

Allen - Ramsey County.  
For Committee on Appropriations.

**CONTROL  
BOARD  
BUDGET**  
Appropriates money for the State Board of Control - institutions and prisons.

For fiscal year ending 6/30/40	\$ 5,937,354.83
For fiscal year ending 6/30/41	<u>5,626,625.00</u>
TOTAL	\$ 11,563,979.83

There was no 1939 deficiency.

Signed April 21, 1939.

CHAPTER 366--HF 1275

Sawyer - Cass County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2720-93 and 2720-94 (a), relating to use of gas tax money by counties. Authorizes a county in future to use gasoline tax proceeds to pay interest or principal on county road or bridge bonds, and in any county where 40 per cent or more of the real estate taxes are delinquent, the Board may use at least 50 per cent of the money to pay interest or principal on road and bridge bonds or warrants. The original Act was an emergency measure and the present amendment continues it in force to April 20, 1941.

GAS TAX  
MAY BE USED  
TO RETIRE  
BONDS

Signed April 21, 1939.

CHAPTER 367--HF 1568

Allen - Ramsey County.  
For Committee on Appropriations.

Appropriates \$12,285,000 for public welfare projects:

	Year ending June 30, 1940	Year ending June 30, 1941	PUBLIC WELFARE APPROPRIATION
Blind Aid	\$70,000	\$145,000	
Dependent Children	1,200,000	900,000	
Old Age Assistance*	5,300,000	4,200,000	
Specialized care for children	90,000	90,000	
Soldiers' welfare	25,000	25,000	
Administration of Public Assistance	120,000	120,000	

\* Out of this fund is provided \$10,000 annually to assist counties whose valuation is under one million dollars; \$250,000 annually to pay certain counties' share; \$10,000 annually to pay part of aid to Indians.

Unexpended balances as of June 30, 1939, are re-appropriated. The budgetary control as provided in Chapter 431 (Reorganization Act) shall not apply to any of the above appropriations made available for the fiscal year ending June 30, 1941.

Signed April 21, 1939.

CHAPTER 368--HF 1577

Powers - Norman, Mahnomen Counties.

TERM  
OF OFFICE  
EXTENDED

Amends Extra Session Laws 1937, Chapter 72, Sections 1, 4 and 6, relating to the Municipal Court in the Village of Mahnomen. Increases the term of office of Municipal Judge from two to four years and provides absence from office as one of the reasons for appointing a special judge to serve; fixes compensation on a basis of lawful fees collectible by a Municipal Judge instead of the Justice of the Peace as formerly.

Signed April 21, 1939.

CHAPTER 369--HF 1584MacKinnon - Hennepin County.  
For Committee on Judiciary.LAW  
TO CURB  
SEX CRIMES

Provides that a person with what is called a "psychopathic personality," i.e., one who lacks an average standard of judgment in sexual matters, may be treated under the laws applying to insane persons. The County Attorney shall prepare a petition based on the facts for presentation to the Judge of Probate by the petitioner. The person involved has the right of counsel. Two physicians to be appointed by the Court to assist in the examination. Appeal may be taken to the District Court. Such a condition shall not constitute a defense on a criminal charge, nor is it to relieve such person from trial on a criminal charge unless insanity is found to exist.

Signed April 21, 1939.

Note: The validity of this Act has been attacked and is now before the State Supreme Court on a question of its constitutionality.

CHAPTER 370--HF 1616

Peterson, G.C. - Anoka, Isanti Counties.

VALIDATES  
TAX LIST  
IN ERROR

Validates publication of a delinquent real estate tax list, made prior to passage of this Act, and having a typographical error.

Signed April 21, 1939.

CHAPTER 371--HF 1617

Sawyer - Cass County.

Conveys the armory in Pine River from the National Guard to the Village, with a proviso that it may be used by the National Guard in case of military necessity.

Signed April 21, 1939.

CONVEYS  
PINE RIVER  
ARMORY  
TO VILLAGE

CHAPTER 372--HF 1620

Allen - Ramsey County.  
For Committee on Appropriations.

Authorizes State Board of Investment to buy 1½ per cent bonds and certificates of indebtedness of the State. Issues of counties, municipalities, school districts are not included.

Signed April 21, 1939.

AUTHORIZES  
INVESTMENT  
BOARD TO BUY  
STATE BONDS

CHAPTER 373--HF 1622

Allen - Ramsey County.  
For Committee on Appropriations.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 88. Authorizes the State Treasurer to borrow from other public funds not more than \$9,000,000 in any year to supply deficiencies in the revenue fund.

Signed April 21, 1939.

TREASURER  
AUTHORIZED  
TO BORROW  
\$9,000,000

Note: This is an increase of \$3,000,000 over the amount which the Treasurer was authorized to borrow by the 1937 Legislature.

CHAPTER 374--HF 1621

Allen - Ramsey County.  
For Committee on Appropriations.

Provides for the issuance and sale of certificates of indebtedness to pay revenue fund warrants by the Legislative Emergency Committee (See Reorganization Act, Chapter 431) any time before June 30, 1941; interest and maturity to be determined by the Committee, but not longer

CERTIFICATES  
OF INDEBTEDNESS  
TO PAY  
WARRANTS

than six months; not more than \$9,000,000 to be outstanding at any one time; certificates may be refunded or extended. Allows \$200,000 for biennium ending June 30, 1941, with which to pay interest. State Board of Investment authorized to buy the certificates but not at an interest rate less than 1½ per cent.

Signed April 21, 1939.

CHAPTER 375--HF 1623

Allen - Ramsey County.  
For Committee on Appropriations.

**10-MILL PROPERTY TAX RATE**  
Authorizes a tax levy on all taxable property and general property of not more than 10 mills for each of the fiscal years ending June 30, 1940, and June 30, 1941.

Signed April 21, 1939.

CHAPTER 376--SF 180

Tungseth - Pennington, Red Lake, Clearwater Counties.

**COUNTIES CONTINUE TO GET TAX EQUIVALENT**  
Each school district which contains tax exempt land owned by the State (Rural Credits Department) shall receive from the State as aid, an amount equal to what the land would have produced in taxes of current valuation for the years 1937 and 1938. County Auditors, before June 1, 1939, are to certify the facts to the State Auditor. Appropriates \$40,000 to be used for this purpose in addition to unexpended balance of the 1937 appropriation.

Signed April 21, 1939.

Note: A similar law has been passed each session of the Legislature since 1931.

CHAPTER 377\*--SF 290

Neumeier - Washington County.

**PROHIBITS "SIT-DOWN" STRIKE**  
Makes it a misdemeanor for any person to wilfully trespass upon private property and to remain there after he has been ordered to leave. The

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 277

## ROLL CALL

AYE	NAY	NOT-VOTING
75	17	

ON SF 290 - Outlawing "sit-down" strikes

DATE April 18

1939

Final passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.				NELSON, C. J.			
ANDERSON, G. E.	*			HAGLAND				NELSON, W. N.	*		
ANGSTMAN	*			HALSTED				NONNEMACHER			
ANTILA	*			HANSEN				OBERG	*		
BARRETT				HARRISON	*			ODENBORG			
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY				PAIGE	*		
BOZE	*			HELLING				PALMER	*		
BROPHHEY				HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.			
BURNAP	*			HILL	*			PETERSON, H. L.			
BUTLER	*			HILLIER	*			PETERSON, P. B.		*	
CAMPBELL	*			HILTON				PETERSON, P. J. E.			
CHAMPLIN	*			HOMPE	*			POWERS			
CHILGREN	*			HOWARD	*			PRIFREL			
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB				SCHNEIDER, F. F.	*		
DAUN				JOHNSON, E.				SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ			
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR				JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER	*			STANCHFIELD			
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE				SWENNES	*		
DUCKSTAD				LENERTZ	*			TEIGEN	*		
DEUMKE	*			LITCHKE				TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN				LOWE	deceased			TRISCH	*		
EKLUND				MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM				McNULTY	*			WEIDENDORF			
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER				WIDSTRAND	*		
FINSTUEN				MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON							

# MINNESOTA STATE SENATE

## CHAPTER 377 ROLL CALL

AYE	NAY
44	11

ONSE 290 - Outlawing "sit-down" DATE March 8 1939  
 strikes Final Passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG		*	NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN		*	NEWTON		*
CARLEY	*		NOVAK		*
CARR		*	OLIVER		*
CASHMAN	*		ORR		*
DAHLE			PEDERSON		
DEVOLD			RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FIBERG	*		SELL		*
GAGE			SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN			SOLSTAD		*
HERREID			STARKS		*
IMM	*		STIENING		*
JOHNSON			SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		
LOMMEN	*		WOLFE		
MASEK	*		WRIGHT		*
MILLER, A. H.					

act does not apply in relationship of landlord and tenant, vendor and vendee, or mortgagor and mortgagee.

Signed April 21, 1939.

\* See note under Chapter 440.

### CHAPTER 378--SF 483

Wright - Hennepin County.

Repeals Mason's Minnesota Statutes 1927, Section 8052, and enacts a new definition of "issue", "heirs", "descendants", "offspring", etc.

REDEFINES  
"ISSUE"

Signed April 21, 1939.

### CHAPTER 379--SF 659

Kelly - St. Louis County.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 1933-40, relating to abolition of a Firemen's Civil Service Commission. The law now provides that abolition may be accomplished only by a vote of the people if submission of the question is petitioned by 25 per cent of those voting at the last general municipal election. The amendment excludes any commission that has been in continuous operation for eight years or more.

COMMISSIONS  
THAT CANNOT  
BE VOTED  
OUT

Signed April 21, 1939.

### CHAPTER 380--SF 689

Herreid - Itasca, Cass Counties.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5574, relating to the open and closed seasons for angling or spearing rough fish and allowing no limit to possession. The amendment provides that not more than fifty bullheads may be in possession, taken by angling or spearing at any given time; possession limit does not apply to bullheads caught by hook in Lake Traverse. A new section is added to permit licensed fishing for bullheads in lakes or rivers in Itasca County by means of fyke or hoop nets,

LIMIT  
PLACED ON  
ROUGH FISH

except between June 15 and August 15. Violation is a gross misdemeanor with loss of license for a year if convicted.

Signed April 21, 1939.

CHAPTER 381--SF 695

Dahle - St. Louis County.

OPEN SEASON  
9/16 to 3/1  
FOR HARE AND  
RABBITS

Provides an open season between September 16 and March 1, both inclusive, for the taking of hare and rabbits; permits their destruction on private land by owner. Violation is a misdemeanor.

Signed April 21, 1939.

CHAPTER 382--SF 697

Imm - Blue Earth County.  
Cashman (Steele, Waseca), Bridgeman (Koochiching, Beltrami, Lake of the Woods).

LAND EXCHANGE  
COMMISSION  
CREATED

Repeals 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 4031-10 $\frac{1}{2}$  and 4031-10 $\frac{1}{2}$ (a) to (L) inclusive, which provided for the exchange of State lands in conservation zones for lands owned by private citizens. By this Act is created a Land Exchange Commission composed of the Governor, State Auditor and Attorney General.

In order to consolidate holdings of land owned by the State, the Commission may, by unanimous agreement, exchange State lands, including those held in trust, for land of equal value and kind owned by the United States Government or by private citizens or corporations. Land acquired shall be subject to the same trusts as were lands exchanged.

The State reserves mineral and water power rights.

The intention of this Act is to increase the State's holdings of timber and water frontage for public uses.

Sections 3, 5 and 7 describe the method of conducting the exchange. Hearings shall be public; notices given; lists of lands posted in the office of auditor of county having such lands.

Appropriates \$15,000 to carry out the provisions of the Act.

Signed April 21, 1939.

Note: Puts into effect the permission voted by the people in November 1938, to amend Article 8 of the State's Constitution providing for the sale of State trust lands. This amendment, first submitted in 1930, has been voted on at each subsequent State election, only to be defeated until 1938. It permits an exchange of State trust lands of equal value which have previously been held at a minimum price in the Constitution.

#### CHAPTER 383--SF 798

Sullivan - Stearns, Benton Counties.

Amends Mason's Minnesota Statutes 1927, Section 10824, relating to sentences to the State Reformatory. The amendment removes the maximum age limit (30 years) and excepts the crime of murder in the first or second degrees. Strikes out the provision relating to a prisoner being released after serving a term reduced by law while he was confined.

REFORMATORY  
TERMS  
AMENDED

Signed April 21, 1939.

#### CHAPTER 384--SF 834

Weber - Murray, Lincoln, Pipestone Counties.

Repeals Mason's Minnesota Statutes 1927, Section 6872, relating to repair of township ditches. This Act confers upon a Town Board the same powers to repair a township ditch as a County Board has in repairing a County ditch.

TOWN BOARD  
EMPOWERED  
TO REPAIR  
DITCHES

Signed April 21, 1939.

#### CHAPTER 385--SF 847

Cashman - Steele, Waseca Counties.  
Imm (Blue Earth), Bridgeman (Beltrami, Koochiching, Lake of the Woods).

Provides that the University shall cooperate with the Federal Department of Agriculture in furnishing, at cost, forest tree planting stock to owners of land for establishing windbreaks,

UNIVERSITY  
WILL COOPERATE  
WITH FEDERAL  
GOVERNMENT

shelterbelts, and farm woodlots, for protection against wind erosion and for water conservation. The Act provides that not less than one thousand trees shall be sold for an individual planting. Minnesota nursery grown trees are to be preferred. The sum of \$2500 for each of the fiscal years ending June 30, 1940 and June 30, 1941 is appropriated to be used with funds received from the Federal Government under the Clark-McNary Act.

Signed April 21, 1939.

CHAPTER 386--SF 933

Loftsgaarden - Ramsey County.

**ESTABLISHES  
RULE OF  
EVIDENCE**

Provides a rule of evidence to be used in conveyance of real estate abutting upon any vacated street, alley or highway.

Signed April 21, 1939.

CHAPTER 387--SF 982

Carley - Wabasha County.

**RESTRICTS  
LAND  
IMPROVEMENT  
FUND**

Amends Mason's Minnesota Statutes 1927, Section 6303, as amended by Laws 1929, Chapter 254, Laws 1931, Chapter 346, and Laws 1935, Chapter 337, relating to investment of State Permanent Trust Funds. The amendment provides that the Internal Improvement Land Trust Fund may not be invested in bonds of any other State. Other funds may continue to be invested in the bonds of other States. The old law provided that all bonds must yield not less than 3 per cent; the amendment changes the rate to 2 per cent for bonds of other States.

Signed April 21, 1939.

CHAPTER 388--SF 1006

Miller, A. H. - Hennepin County.  
Neumeier - Washington County.

**SETS UP  
SCHEDULE  
FOR TAX  
ON BUSSES**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2674, subdivision (a) relating to taxation of motor vehicles. Changes tax on busses and passenger carriers from a 10

per cent valuation to an annual weight use tax. For the first and second years, four times the tax on a "Y" truck of the same gross weight, determined in the same manner as for "Y" trucks; for the third and fourth years, three times the tax on a "Y" truck; for the fifth year two times the tax; sixth year, one and one-half times the tax, and for all years over six, the minimum passenger capacity has been raised from 15 to 25 for the \$350 tax and between a maximum of 25 and a minimum of 5 passengers instead of 15 and 5 for the \$250 tax. This tax does not apply to vehicles for 1939 on which the tax has been paid.

Signed April 21, 1939.

CHAPTER 389--SF 1146

Bridgeman - Koochiching, Beltrami, Lake of the Woods Counties.

Adds a new section to Extra Session Laws 1937, Chapter 55, allowing Beltrami County to take advantage of the statute which excuses any distressed county from reporting to the Old Age Assistance Agency that it levied enough money in 1938 to pay its Old Age Assistance. In other words, it excuses that county from paying its old age assistance because its collections were not sufficient to meet the obligation.

BELTRAMI  
COUNTY  
EXEMPT

Signed April 21, 1939.

CHAPTER 390--SF 1176

Starks - Mower, Dodge Counties.

Finstad - Cottonwood, Jackson Counties.

Clears title to property on which a mortgage was filed prior to 1900, and made a part of the judicial proceedings, by specifying that when the maturity date is not clearly stated, the recital may be disregarded and is not to constitute notice to any subsequent purchaser of the existence of such a mortgage.

EXCEPTIONS  
WHEN RECITAL  
OF MORTGAGE  
IS VALID

Signed April 21, 1939.

CHAPTER 391--SF 1202

Lightner - Ramsey County.  
 Gardner - Wadena, Todd Counties.

**SAVINGS,  
 BUILDING  
 AND LOAN  
 ACT**

**Section**

1. Definitions.
2. Supervision by Department of Banking.
3. Building and Loan Supervisor appointed by Commissioner of Banks.
4. Examination of Associations.
5. Board of Directors must consider matters submitted by Commissioner.
6. Articles of incorporation - contents.
7. State Securities Commission to give authority for right to do business.
8. Application before Securities Commission handled same as for banks.
9. Authorizes the business of savings and building and loan.
10. Change of articles of incorporation and change of business location.
11. Changing location of office.
12. Must commence business within 6 months after authority has been given.
13. Contents of by-laws.
14. Rights, privileges, powers, liabilities and duties of members.
15. Same of directors and officers.
16. Surety bonds required.
17. Methods of accounting; appraisals of real estate; membership records.
18. Audit of books twice yearly.
19. Notice of meetings of members.
20. Capital and types of shares.
21. Method of handling share accounts.
22. Forms for share certificates.
23. Forms of resolutions for bonus plans.
24. Reserve fund to pay losses on investments.
25. Disposition and computation of net earnings.
26. Payment of dividends semi-annually.
27. Withdrawal of unpledged shares.
28. Retirement of unpledged shares of stock.
29. Fiduciaries and their relations to association.
30. Shares purchased by or for a minor.
31. Advertising amount of capital.
32. Procedure in case of share certificate lost or stolen.
33. Prohibition regarding investment certificates, or certificates of indebtedness or guaranteed rate of interest or fixed amount in dividends.
34. Powers granted to associations.
35. Prohibits operations in real estate business.
36. Territory for operation of business.

37. Operation through a third party.
38. Membership or stockholder in Federal Home Loan Bank.
39. Investment in loans insured by FHA.
40. Insurance with Federal Savings and Loan Insurance Corporation.
41. Authority for converting into a Federal Savings and Loan Association.
42. Authority for above Association to convert into Savings, Building and Loan Association.
43. Loans on real estate.
44. Liens on share accounts owned by borrower.
45. Expenses of handling real estate loans.
46. Consolidation with other associations.
47. Liquidation.
48. Commissioner of Banks may borrow money to facilitate liquidation of any Association.
49. Liquidation carried on as in case of insolvent banks.
50. Fees for examination by Banking Department.
51. Repeals former laws relating to Associations.
52. Invalidity of any provision of this Act will not affect any other.

Signed April 21, 1939.

Note: This Act is a complete revision of the old Law regulating Savings, and Building and Loan Associations and contains the best experience in connection with their regulation up to date. The former law grew "piece meal" and the Department of Banks and a committee from the Associations rewrote it in the form passed by the 1939 Legislature. It follows in some degree the standards of the U.S. Savings and Loan League.

#### CHAPTER 392--SF 1389

Ledin - Anoka, Isanti Counties.  
Larson, N.J. (Norman, Mahnomen), Gage (Renville)

Amends Mason's Minnesota Statutes 1927, Section 2547, relating to the width and clearance of bridges over railroads. Amendment increases the width of bridges hereafter built over railroad tracks to 24 feet and the approaches to 28 feet. These measurements may be modified by the Commissioner of Highways.

INCREASES  
WIDTH OF  
BRIDGES OVER  
RAILROADS

Signed April 21, 1939.

CHAPTER 393--SF 1391

Ledin - Anoka, Isanti Counties.  
 Larson, N.J. (Norman, Mahnomen), Gage (Renville).

**ELIMINATES  
PIERS UNDER  
R.R.BRIDGES**

Amends Mason's Minnesota Statutes 1927, Section 2546, relating to any railway bridge built over a public highway and requiring an opening for the highway of at least 28 feet. The amendment applies the law to reconstruction of a bridge as well. Strikes out the portion allowing two 14 foot lanes for highway traffic. In other words, it eliminates piers in the center of a roadway passing under a railway bridge.

Signed April 21, 1939.

CHAPTER 394--SF 1394

Lommen - St. Louis County.

**ATTORNEYS  
MAY TAKE  
LIEN ON  
PROPERTY**

Amends Mason's Minnesota Statutes 1927, Section 5695, subdivision (4), relating to lien by attorneys for their fees. Subdivision (4) allows a lien on money or property in the hands of adverse party to an action from the time the party is given notice of the lien. The amendment adds a provision that the attorney is entitled to a lien on any real or personal property that the client may have an interest in; also for any contributions in money or services made by the attorney to preserve the client's interest in the property or in the increase of its value; on a client living out of the State jurisdiction may be had by service of notice of order to show cause or by mailing a copy, provided the property itself is within the State.

Signed April 21, 1939.

CHAPTER 395--SF 1450

Adams - Otter Tail County.

**OTTER TAIL  
MAY VOTE  
ON LIQUOR  
STORES**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3200-30, relating to liquor licenses in counties dry because they voted against repeal in the election of 1933. The amendment adds a provision allowing any city or village in Otter Tail County having not less than 600 inhabitants, to hold an election on the question of establishing a municipally-owned liquor store. If a majority of all the ballots cast at the election shall be in favor, then the

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 395

## ROLL CALL

AYE	NAY	NOT-VOTING
76	35	

ON SF 1450 - Provides for elections to establish munici-

DATE April 15

19 39

pal liquor stores in villages of not less than 600 inhabitants. - Final Passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND				NELSON, W. N.		*	
ANGSTMAN	*			HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG		*	
BARRETT				HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT				HARTKOPF	*			ONAN		*	
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD				OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE		*	
BOZE	*			HELLING		*		PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK				HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.			
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.			
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA				ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN		*	
CUMMINGS				IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER	*			STANCFIELD	*		
DORWEILER				KIEFER	*			STOCKWELL		*	
DREXLER	*			LEE		*		SWENNES			
DUCKSTAD	*			LENERTZ	*			TEIGEN			
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH	*		
EKLUND	*			MACKINNON		*		VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM				MCNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON				MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL		*		YOUNG			
GALE				MILLER	*			ZWACH			
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## CHAPTER 395 ROLL CALL

AYE	NAY
34	17

ON SF 1450-Provides for elections DATE April 14 1939  
 to establish municipal liquor stores in villages of not less than 600 inhabitants.

Final passage.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN		*	MULLIN		
ANDERSON			MURPHY		
BERG	*		NELSEN		
BERGLUND			NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR			OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD			RIBENACK		*
DIETZ			RICHARDSON		*
DOUGHERTY		*	ROCKNE		*
FEIDT	*		ROEPKE		
FINSTAD		*	SEIFFERT		*
FRIBERG	*		SELL		
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON		*	SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		
LARSON, N. J.	*		WELCH		
LEDIN			WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN			WOLFE		*
MASEK	*		WRIGHT #		
MILLER, A. H.	*				

#The Journal shows Senator Wright voting both "aye" and "nay".

store may be established under the Act regardless of the outcome of any local option election.

Signed April 21, 1939.

Note: Otter Tail County becomes the first to "get out ~~neat~~" from in under" the vote which they cast against repeal of in the special election held September 12, 1933. A number of bills were introduced during the Session in an attempt to get a similar law enacted for particular villages, but this bill was the only one that was successful.

### CHAPTER 396--SF 1461

Rockne - Goodhue County.  
For Committee on Finance.

Permits persons who submitted claims against the State to the Legislature in 1939, alleging damages to their land by flood waters as a result of the building of a bridge by the Highway Department on Highway 218 in Dakota County, to bring an action against the State within six months of the passage of this Act. Authorizes expenditure of necessary money to settle the claims out of the trunk highway fund or funds credited to it from the highway patrol fines.

PERSONS  
CLAIMING  
DAMAGES  
MAY SUE

Signed April 21, 1939.

Note: Twenty-three claims have been filed against the State, totaling approximately \$38,000, covered in Chapter 396.

### CHAPTER 397--SF 1463

Rockne - Goodhue County.  
For Committee on Finance.

Authorizes Commissioner of Highways to pay certain claims for damages to property caused by construction or relocation of highways, and for services and expenses from condemnation proceedings, out of the trunk highway fund.

DAMAGE  
CLAIMS  
ORDERED  
PAID

Signed April 21, 1939.

Note: Eight claims, totaling less than \$2000, are covered in Chapter 397.

CHAPTER 398--SF 14

Miller, F.J. - Morrison, Crow Wing Counties.

**RESIDENCE  
PERIOD  
EXTENDED**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3161, and Mason's Minnesota Statutes 1927, Sections 3161-1 to 3161-5 inclusive, relating to the legal settlement of paupers. The amendment changes the period of residence in one place from one year to two in order to have a settlement. The time in which a person has received old age assistance or aid to dependent children, and the time during the existence of any suit to determine his legal poor settlement, are added to the periods excluded in determining the time of residence. Minors not under guardianship of the State Board of Control as a feeble-minded, delinquent or dependent person, are added to those not settled but who shall have the same settlement as the party with whom he has resided. Adds a provision that a married woman abandoned or deserted by her husband for a period of one year continuously shall have the same right to acquire a new settlement as a single person.

Section 3161-1, relating to settlement of a dispute between political subdivisions as to the place of settlement of the poor within a county by the Justice of the Peace, is repealed, and the settlement of such disputes is referred to the District Court.

A new section provides that the Court shall cause the removal of indigent persons to their place of settlement.

Signed April 22, 1939.

CHAPTER 399--SF 93

Siegel - Ramsey County.

**BOILER  
INSPECTION  
AMENDMENT**

Amends Mason's Minnesota Statutes 1927, Section 5486, relating to the inspection of steam boilers. The amendment strikes out the provision for a fine of between \$10 and \$50 for violation, and adds a provision that the inspector must file a complaint in Court for prosecution.

Signed April 22, 1939.

CHAPTER 400--SF 99

Roepke - Rice County.

Amends Laws 1929, Chapter 355, as amended by Laws 1935, Chapter 304, and Laws 1937, Chapter 30, being the 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2554, Subdivision 18, paragraph (a), relating to the State Highway Patrol. Increases the State Highway Patrol from 100 to 108 during the calendar year 1939 and thereafter not to exceed 116.

HIGHWAY  
PATROL  
INCREASED

Signed April 22, 1939.

Note: The original bill proposed to double the number of the State Highway Patrolmen, but this radical increase obtained little support from a majority of the members. Even on the final passage of the bill in the House there was a considerable opposition to a minimum increase of 8 and a maximum increase of 16.

CHAPTER 401--SF 393

Roepke - Rice County.  
Neumeier - Washington County.

Repeals Laws 1933, Chapter 352, the original Driver's License Law, and enacts a new one.

DRIVER'S  
LICENSE  
LAW

Licenses shall not be issued to -

person under 15;  
person under 18 who has not the approval of parents or guardians;  
person whose license is under suspension;  
person whose license has been revoked, until one year has passed after the last conviction for violation of this Act, or a traffic law, except upon order of the District Court, and, and then only on proof of financial responsibility;  
user of drugs or habitual drunkard;  
previously insane person who has not been legally restored;  
one who has not passed required examination;  
one who has failed to deposit proof of responsibility;  
anyone whom the Commissioner of Highways believes would not be a safe driver;  
person suffering from physical or mental disability;  
person unable to read and understand road signs.

TO WHOM  
LICENSES  
MAY NOT BE  
ISSUED

ROAD MACHINERY NOT EXEMPT	Drivers of road machinery are not exempt from licenses. Instruction permits may be issued, permitting a person to drive for 60 days, but accompanied by a licensed driver or chauffeur.
RESTRICTED LICENSES	Restricted licenses may be issued to restrict certain drivers.
35 CENT FEE - DUPLICATES	All licenses require a fee of 35 cents. The family permit is out. Regular fee required for a duplicate license. Duplicate license must be obtained on change of address or change of name by marriage or otherwise, within 15 days.
WHERE ISSUED	Clerks of Courts issue licenses; retain 10 cents of the 35 cent fee.
5-YEAR RECORD	Record of suspensions, revocations, accidents and convictions is kept for five years.
MAY REQUIRE EXAMINATION	The Commissioner may require an examination of an applicant or driver and may refuse a license or may cancel; may also cancel if deceit is used to obtain license.
COURTS TO TURN OVER RECORDS	District, municipal or justice court shall turn over to the Commissioner the record of any person convicted, pleading guilty or forfeiting bail for violation of any law involving motor vehicles on highways or streets, except parking, and may recommend suspension; Commissioner is authorized to suspend without a hearing. Juvenile offenders under 18 shall have licenses suspended or revoked.
WHEN LICENSES ARE TO BE REVOKED	Licenses shall be revoked upon receiving record of conviction for manslaughter where a motor vehicle is involved; operation of a vehicle while under influence of intoxicating liquor or narcotic drug; for felony in which a motor vehicle is involved; failure to stop and give aid and give name in an accident; giving false information about ownership of a motor vehicle; for conviction, plea of guilty or forfeiture of bail for three charges of reckless driving or illegal speeding in one year; conviction of an offense, unlawful in this State, and received in another; when a person is committed to an institution for inebriates.
WHEN LICENSES ARE TO BE SUSPENDED	Licenses may be suspended for a period of not more than a year for committing an offense for which revocation is mandatory; being involved in an accident in which death or personal or serious property damage is the result; being an habitually reckless driver; being an habitual violator of traffic laws; being incompetent to drive;

permitting a fraudulent use of license; committing an offense in another State which would be cause for suspension in this State.

A person whose license has been suspended may have a hearing within 20 days of his request, in his own county.

A person whose license has been refused, revoked, suspended or canceled may request a hearing in Court and he must be present. If Court upholds the action, the person may not request again for a year. May not operate a car until new license is obtained.

It is unlawful to have a false or altered license; to lend the license; to use as his own a license of another person; to refuse to give up a license when it has been suspended, revoked or canceled; to use false name or information to obtain a license.

Present holders of licenses who have not changed their address need not obtain new licenses.

Signed April 22, 1939.

HEARINGS

REQUESTS  
FOR HEARINGS

UNLAWFUL  
ACTS

PRESENT  
LICENSES

#### CHAPTER 402--SF 414

Finstad - Cottonwood, Jackson Counties.

Prohibits sale of beer between 1 A.M. and 7 A.M. any day except Sunday, and between 2 A.M. and 12 Noon on Sunday. Permits any political subdivision to further limit the hours of sale but not to allow any sale during the hours provided in this Act. Violation is a misdemeanor and cause for revocation or suspension of license. In force from passage.

Signed April 22, 1939.

LIMITS  
HOURS FOR  
SALE OF BEER

#### CHAPTER 403--SF 651

Carley - Wabasha County.  
Sletvold (Becker), Herreid (Itasca)

This amended Act makes the "effect" as important as "for the purpose" of selling below cost to injure competitors; allows for "cost of doing business" or "overhead expense" in selling at a lower price in one part of the State than in

UNFAIR  
TRADE  
PRACTICES  
ACT

EXEMPTIONS	another by one concern; removes, in the definition of wholesaler, those manufacturers or producers and wholesalers engaged in interstate commerce who are subject to the Robinson-Patman Act; takes out creameries, canneries, or other processors of agricultural products because they are considered manufacturers and producers; giving special rebates or collateral contracts which in effect violate this Act is brought within the meaning of this Act.
SPECIAL REBATES	
MEANING OF "COST"	Cost means the "actual" current delivered invoice or replacement cost, whichever is lower, plus the cost of doing business at the location of the seller; the manufacturer's published list price, and discounts then currently in effect, plus the cost of doing business shall be <i>prima facie</i> evidence of cost.
"COST" DEFINED	Cost of doing business or overhead expense is defined as all current costs of doing business and must include such items as salaries and bonuses, rent, depreciation and other fixed expenses. The cost of doing business for the 12 months immediately preceding an alleged violation, or for the immediate period before if in business for a shorter period, shall be <i>prima facie</i> evidence of the cost.
WHAT CONSTITUTES A VIOLATION	Any sale by a retailer at less than ten per cent above the manufacturer's published list price, less his published discounts or, if such lists are not printed, at less than 10 per cent above the <u>actual current delivered invoice or replacement cost, for the purpose or with the effect of injuring</u> competitors shall be <i>prima facie</i> evidence of the violation of this Act; the same applies to a wholesaler selling at less than two per cent. No action shall be taken against a vendor selling at not less than 15% above the cost from a manufacturer.
CONSPIRACY	A person who aids knowingly in sales that violate this Act may be considered a violator.
INJUNCTIONS AND DAMAGES	The part in Section 5 of this Act relating to injunctions and damages is changed slightly from the original law. In addition to the penalties, the courts may prevent and restrict violations. Any person or firm who is threatened with loss or injury by a violation of this Act may bring action for an injunction and for actual damages.
COST SURVEYS INCOMPETENT	Repeals 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3976-44 relating to cost surveys being considered competent evidence.

Penalty for violation and conviction - a fine of \$200 minimum and \$1000 maximum, or jail for not less than three months or more than one year.

PENALTIES

Signed April 22, 1939.

Note: The amended Act, Chapter 403, conforms to suggestions that grew out of the A & P case in Federal Court. Whereas it has heretofore been considered unmoral to sell below cost in order to gain an advantage over a competitor, Chapter 403 makes it illegal to do so. Moreover, the amended Act brings in the wholesaler under its provisions. Two laws were passed in the 1937 Session, both of which were aimed in the same general direction as Chapter 403, Laws 1939. The 1937 laws prohibited the sale of goods at less than 10% over cost, and curbed the discrimination in selling goods in one territory for less than in another. Consumers in the rural sections were not slow to demand changes in the set-up on the ground that prices to them were increasing. The Federal Court found the price fixing section of the 1937 law invalid. Chapter 403 takes that fact into account.

#### CHAPTER 404--SF 673

Stiening - Clay, Wilkin Counties.  
Cashman - Steele, Waseca Counties.

Repeals Mason's Minnesota Statutes 1927, Sections 5461 to 5473 inclusive, relating to bee keeping. Authorizes the State Entomologist to inspect an apiary for bee diseases; to destroy the colony by fire if disease is found; no damages awarded; certificate of inspection issued for current year or remainder; each owner must register his apiary before July 1 each year and pay a fee of from 50 cents to \$10; quarantine for American foulbrook; protection of queen bees reared for sale; regulates construction of hives; shipments into the State must have certificates of inspection; non-observation of State Entomologist's order in regard to sanitary conditions constitutes a misdemeanor. Violation of the act punishable by a fine of not more than \$500 or a sentence of not exceeding one year in the county jail, or both.

NEW LAW  
REGULATES  
APIARIES

Signed April 22, 1939.

CHAPTER 405--SF 709

Stiening - Clay, Wilkin Counties.

INDIAN HEMP  
UNDER  
LICENSE

Prohibits growing of Indian hemp or Indian hemp weed from which marihuana is derived, except for commercial use under license. Indian hemp or Indian hemp weed ordered eradicated by Commissioner of Agriculture within 20 days of notice. If destroyed by Commissioner, cost to be paid by the county or city or village and a lien placed against the land. Growing of hemp for commercial use in making rope and other sisal hemp products, or products made from the linen fibre, are to be approved by the Commissioner. License to grow hemp issued by the Commissioner of Agriculture.

Signed April 22, 1939.

CHAPTER 406--SF 764

Sullivan - Stearns, Benton Counties.  
Adams (Otter Tail), Swenson (Nicollet, Sibley)

STATE  
TESTING MILL  
ORDERED  
SOLD

Repeals Special Session Laws 1919, Chapter 38, and all Acts amendatory or supplemental. Authorizes the Governor, Attorney General and State Auditor, as a Commission, to sell, at public sale, the State Testing Mill in Minneapolis at a value and in a manner to be decided by them.

Signed April 22, 1939.

Note: By this Act one of the most popular political issues of recent years has been removed. Although there were only two votes cast against the bill on the final passage in the Senate, in the House 28 votes were against passage, with 82 voting for it. The division in the House was almost exclusively political. The State Testing Mill was created about 1923 with an approximate investment of \$40,000 including the land at 34th & Hiawatha, Minneapolis. It was built as a direct result of complaints by wheat growers that they were not getting the benefit of prices for high protein wheat. Establishment of the mill eliminated the opportunity for further complaint. The mill has been self-supporting and had many friends among farmers who are now critical of the officials who neglected to fight for a continuation of the mill before the last session of the Legislature. There is now some talk of turning it over to the University where tests may be continued.

CHAPTER 407--SF 789

Stiening - Clay, Wilkin Counties

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 974-17, which empowered the County Welfare Boards to take over the duties and powers of the County Child Welfare Boards. A new provision authorizes the State Board of Control to adopt and enforce regulations concerning the use and publication of lists of those receiving public assistance from county agencies in such form as to comply with the requirements of the Federal Social Security Board. This provision is not to interfere with publication of the annual county financial statement.

Signed April 22, 1939.

REGULATES  
PUBLICATION  
OF RELIEF  
LISTS

CHAPTER 408--SF 821

Carley - Wabasha County

Prohibits blending or mixing of kerosene, distillate, fuel oil or any by-product of crude oil or coal on which a tax has not been paid or which has not been reported to the Chief Oil Inspector, with gasoline which has had a tax paid or has been reported to the Inspector. Violation is a gross misdemeanor.

Signed April 22, 1939.

PROHIBITS  
BLENDING  
WITH UNTAXED  
PRODUCTS

CHAPTER 409--SF 892

Feidt - Hennepin County

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 7714, by adding a new paragraph authorizing a trustee under a will, with the consent of the District Court, to invest the income or principal of a trust fund in life or endowment insurance policies or annuity contracts on the life of any beneficiary of the trust, or on the life of any person in whose life such beneficiary has an insurable interest. The same may be done by the guardian of a ward with the consent of the Probate Court

Signed April 22, 1939.

EXTENDS  
INVESTMENT  
POWERS  
OF TRUSTEE

CHAPTER 410--SF 902

Johnson - Pine, Chisago Counties

**COUNTY  
LICENSING  
OF DOGS**

Repeals 1938 Supplement to Mason's Minnesota Statutes 1927, Section 7297-1 to 7297-37 relating to county licensing of dogs. Authorizes County Boards, except in Ramsey, Hennepin and St. Louis Counties, to license dogs and provide a live stock and poultry indemnity fund for payment of damages done by dogs. County Board may license dogs upon a petition signed by 25 of the live stock and poultry raisers, or by a majority vote of the Board. Every dog more than six months old must be licensed before February 1. Fee may not be less than \$1.00 nor more than \$3.00. License expires each December 31. Kennels may secure special license for \$10. Assessors shall make a list of dog owners. Creates a "Dog License Fund" to pay expenses of county for supplies and claims for damages. Any person may impound an unlicensed dog. Any officer who impounds or kills an unlicensed dog shall receive \$2.00. Violation of the Act is punishable by a fine of not less than \$5.00 nor more than \$50. This Act does not interfere with municipal ordinances now or hereafter in effect.

Signed April 22, 1939.

CHAPTER 411--SF 1088

Anderson - Hennepin County

**INSURABILITY  
DECLARATION**

Amends Mason's Minnesota Statutes 1927, Section 3453 and 3455 relating to fraternal beneficiary associations and admission of members. The amendment adds a provision in Section 3453 that in lieu of medical examinations a declaration of insurability may be accepted on an applicant under 45 years of age, and for benefits not exceeding \$2500, and that such declaration of insurability shall not be required of associations paying only accident, sick or funeral benefits not exceeding \$300. Section 3455 is amended by allowing some other acceptable evidence of insurability besides a medical examination in case of a benefit certificate as to a child.

Signed April 22, 1939.

CHAPTER 412--SF 1261

Gardner - Todd, Wadena Counties

Permits treatment of Indians from outside Minnesota for tuberculosis in Cass Lake Sanatorium up to the limits of Sanatorium facilities.

Signed April 22, 1939.

TREATMENT  
OF OUTSIDE  
INDIANS

CHAPTER 413--SF 1272

Newton - Mille Lacs County

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2720-161. Provides that the Commissioners of Highways may erect and maintain signs at the limits of each city, village or borough bearing the name thereof and its population.

Signed April 22, 1939.

MAY INSTALL  
SIGNS WITH  
TOWN NAMES,  
POPULATION

CHAPTER 414--SF 1296

Feidt - Hennepin County

Permits the owner or owners of an island in Lake Minnetonka, Hennepin County, which is divided among three or more towns or villages, to petition the County Board to take all tracts of land from the three towns or villages and attach them to the one town or village in which the largest tract lies. Petition is to be signed by at least ten owners of land in each of the tracts. The land detached remains liable for any outstanding indebtedness of the town or village at the same rate the remainder of the village is taxed. An appeal from the order of the County Board may be taken to the District Court.

Signed April 22, 1939.

TRACTS  
MAY BE  
JOINED  
INTO ONE

CHAPTER 415--SF 1316

Sletvold - Becker, Hubbard Counties  
Seifert (Brown, Redwood), Ledin (Anoka, Isanti)

Creates Minnesota Claims Commission consisting of the Governor, Attorney General and State Auditor, authorized and empowered to investigate contracts

CLAIMS  
COMMISSION  
CREATED

made with the State prior to this Act by persons or firms for the sale of merchandise, materials or services, and to allow payment for them. Payments are to be made from the funds of the departments for which the goods were purchased, but sums exceeding the amount in their funds may be paid from the general revenue fund, and \$25,000 is appropriated for that purpose. Claims against the Highway Department are to be paid from its fund only. Claims must be filed before July 1, 1940, with the State Auditor. The Act remains in force until December 31, 1940.

Signed April 22, 1939.

Note: This Act was passed to take care of many claims against the State by business concerns who sold goods or materials for which the proper procedure was not taken before the sale. In some cases there was lack of authority by the State, and this Act puts the claims in line for consideration for payment.

#### CHAPTER 416--SF 1374

Lommen - St. Louis County.

**ALIEN  
DEPENDENT  
COMPENSATION  
CLAIMS**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 4284, relating to Workmen's Compensation payments to alien dependents. In the paragraph providing that the Industrial Commission, after the alien dependent has filed a power of attorney, may appoint an attorney in fact, the period of filing such designation is changed from "within 90 days after the death of the alien employee" to "at any time prior to final settlement." A new part is added providing that proceedings to recover compensation for an alien dependent, carried on for at least five years prior to this Act in the name of a petitioner, designated by power of attorney from the alien dependent, may be legally concluded and finally settled by the designated petitioner.

Signed April 22, 1939.

#### CHAPTER 417--SF 1413

Solstad - Polk County.  
For Committee on Rural Credits.

**AUTHORIZES  
CONTRACT  
FOR DEED  
COMPROMISE**

Authorizes the Conservator of Rural Credits to compromise by a satisfactory cash settlement for a contract for deed issued by the State. The Conservator may petition the District Court in

Ramsey County which may hear the petition with or without notice and order the compromise if it is to the best interests of the State. The Court may request the contract purchaser to be present.

Signed April 22, 1939.

CHAPTER 418--SF 1421

Imm - Blue Earth County.  
Cashman (Steele, Waseca), Bridgeman (Beltrami, Koochiching, Lake of the Woods)

Creates an Interim Commission of three members from the House, three from the Senate and the Commissioner of Conservation to present a comprehensive forestry program to the 1941 Legislature. The purpose is to study and investigate forest fire protection, management of State timber, afforestation and reforestation, woodlots, windbreaks and shelterbelts, tax remissions as an inducement for forest practices, state appropriations necessary to carry out a long-time comprehensive and State-wide forestry program. Appropriates \$1,000 to pay the cost.

INTERIM  
COMMISSION  
TO STUDY  
FORESTRY

Signed April 22, 1939.

Note: Senators Imm, Bridgeman and Cashman were appointed members of the Interim Commission on reforestation to represent the Senate; from the House, Representatives Mrs. Kempfer, Wanwick and Mann were chosen.

CHAPTER 419--SF 1460

Rockne - Goodhue County.  
For Finance Committee.

Allows payment of 109 claims of various kinds and amounts against the State.

ALLOWS  
PAYMENT  
OF CLAIMS

Signed April 22, 1939.

Note: Hundreds of claims are introduced at each Session. The last Session was no exception. Damages are claimed for everything from personal injuries to loss of crops through trespassing by bears. The Finance Committee of the Senate and the Appropriations Committee of the House selected the claims of merit and put them into an omnibus bill for payment. The largest claim allowed was for \$58,549.90, an overpayment of Inheritance Tax by the estate of Laura A. Day, Hennepin County.

CHAPTER 420--SF 1462

Rockne - Goodhue County.  
For Finance Committee

**CLAIMANTS  
GIVEN RIGHT  
TO SUE  
STATE**

Authorizes the persons designated in this Act, who have claims against the State for personal injuries or property damage caused on or by reason of the Trunk Highway System, to bring suit in District Court against the State within six months of the passage of this Act. The Act provides that any judgment secured shall be paid from the Trunk Highway Fund or out of funds paid into it from Highway Patrol fines. The Highway Commissioner is authorized to compromise and settle the claims. Twenty-seven claims are listed.

Signed April 22, 1939.

CHAPTER 421--SF 1464

Hahn - Scott, Carver Counties.

**2-MILL  
LEVY FOR  
MUNICIPAL  
BAND**

Authorizes fourth class city in Scott County to levy, by unanimous vote of the Council, an annual tax of not more than 2 mills for a municipal band; not more than \$2,000 permitted for this purpose in a year.

Signed April 22, 1939.

CHAPTER 422--SF 1466

Rockne - Goodhue County.  
For Finance Committee.

**DEPARTMENTAL  
SALARY AND  
EXPENSE  
APPROPRIATIONS**

Appropriates a total of \$9,375,168.45 to pay State Department salaries and supplies for the fiscal years ending June 30, 1940 and 1941, together with 1939 deficiencies. No expenses or salaries of the Liquor Control Commission are to be charged against any of its receipts from passage of this Act. Any unexpended balances on June 30, 1939 in department funds are reappropriated and added to the appropriation for the next biennium. Prohibits employment of publicity men except by Departments of Rural Credits, Highway and Game and Fish divisions.

Signed April 22, 1939.

Note: The total of appropriations from the general revenue fund and borrowing, authorized by the 1939 Legislature, and

Appropriations	\$62,869,156
Borrowing	<u>12,221,000</u>
TOTAL	\$75,090,156

If the appropriations by transfer from department funds the general revenue fund are included, there would be an increase in the total amounting to \$1,357,000, bringing the grand total to \$76,447,156.

The 1937 Legislature made direct appropriations amounting to	\$59,764,307
Borrowing authorized	<u>17,165,000</u>
	76,929,307
Appropriation by transfer	<u>1,614,100</u>
	\$78,543,407

#### CHAPTER 423--SF 961

Miller, F.J. - Crow Wing, Morrison Counties.  
For Committee on Taxes.

Amends Mason's Minnesota Statutes 1927, Section 2206, relating to the right to assess and collect taxes. Fixes a deadline when the monies and credits tax for 1939 and thereafter, for which a return has been filed, can be assessed, i.e., three years after the calendar year in which such taxes could first have been assessed. The deadline is fixed on the right of assessment. The liability of the taxpayer ends at the same time.

Fixes a deadline for 1937 taxes and for prior years as of March 1, 1940, and for 1938 as of March 1, 1941. This time limit applies to the taxpayer who has filed a return or supplemental return, or has been assessed by the Minnesota Tax Commission or the County Auditor.

Provision is made for the taxpayer who, before December 30, 1939, shall file a monies and credits return for the years 1936, 1937 and 1938 and pay the tax with penalties, by forever barring the right to reassess either for the three years or for any year prior to 1936.

Against the taxpayer who files a return before July 1, 1939, there will be no penalties or interest charged. If filed prior to August 1, there will be a 2% penalty; Sept. 1, 4%, Oct. 1, 6%; Nov. 1, 8% and Dec. 30, 10%.

DEADLINE  
FOR INQUIRY  
INTO MONIES  
AND CREDITS

If the County Auditor determines that the tax due is in excess of the amount disclosed, the additional tax with interest and penalties are to be assessed and collected as though the Act had not passed. The taxpayer who files a return before Dec. 30, 1939, or who files supplemental information on demand of the Minnesota Tax Commission with respect to 1938 taxes or prior thereto, is not to be subject to criminal prosecution.

Under the Act no assessments are to be made for any year prior to its passage on shares of stock in foreign or domestic corporations whose property is taxable in Minnesota.

Signed April 22, 1939.

Note: For at least two years taxpayers who have thought their monies and credits taxes paid and out of the way have been aroused over repeated demands of the Minnesota Tax Commission that they file supplemental information presumably for the purpose of disclosing untaxed assets. Information as far back as 1929 was called for, but in most cases taxpayers, on advice of counsel, have made no answer on the theory that when the tax payment was accepted it was in full settlement of the obligation. Chapter 423 offers an inducement to taxpayers to cooperate by fixing a time limit beyond which disclosures need not be made, namely, 1936, and it guarantees against criminal prosecution the taxpayer who was startled into making a supplemental return.

#### CHAPTER 424--SF 698

Dahle - St. Louis County.

FISHING, HUNTING DATES REVISED	Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 5541, Subsections (1) and (2); 5542, Subsections (1) and (3); 5543, 5545, 5551, 5552, 5564, 5565, 5567, 5568, 5570 and 5573; repeals Mason's Minnesota Statutes 1927, Section 5549 as amended and 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 5548, 5553, 5554, 5555, 5571 and 5572 relating to open and closed season for game and fish.
SQUIRRELS	Open season for gray and fox changed to period from October 15 to December 31; the provision that black squirrels may not be taken at any time is stricken.
BEAR	Subsection (2) pertaining to bear is omitted from this Act.

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 423

## ROLL CALL

AYE	NAY	NOT-VOTING
79	19	

ON SF 961 - Outlines right of assessment on moneys and DATE April 10 1939  
credits and extinguishes liability after three years. - Final passage as amended

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.				MYRE			*
ANDERSON, C. G.	*			HAGEN, G.			*	NELSON, C. J.			
ANDERSON, G. E.				HAGLAND				NELSON, W. N.			*
ANGSTMAN	*			HALSTED			*	NONNEMACHER			*
ANTILA	*			HANSEN			*	OBERG			*
BARRETT	*			HARRISON			*	ODENBORG			
BECKWITH	*			HART				O'MALLEY			*
BENNETT	*			HARTKOPF			*	ONAN			
BERLIN				HARTLE				ORAAS			*
BOEHLKE	*			HAYFORD				OTTINGER			*
BONDHUS	*			HEADLEY			*	PAIGE			*
BOZE	*			HELLING			*	PALMER			*
BROPHEY	*			HERING				PESHEK			*
BURDICK	*			HERSETH			*	PETERSON, G. C.			
BURNAP	*			HILL			*	PETERSON, H. L.			*
BUTLER	*			HILLIER			*	PETERSON, P. B.			*
CAMPBELL	*			HILTON				PETERSON, P. J. E.			*
CHAMPLIN	*			HOMPE			*	POWERS			
CHILGREN				HOWARD			*	PRIFREL			*
CONSTABLE	*			HUHTALA			*	ROTH			*
COVERT	*			IMDIEKE			*	RYKKEN			*
CUMMINGS	*			IVERSON			*	SAWYER			*
DAMMANN	*			JEBB				SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.				SCHNEIDER, W.			*
DAY	*			JOHNSON, J. A.			*	SCHULZ			*
DIXON				JOHNSON, R. G.			*	SCHWANKE			*
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK	*			KEMPFER			*	STANCHFIELD			*
DORWEILER	*			KIEFER				STOCKWELL			
DREXLER	*			LEE			*	SWENNES			*
DUCKSTAD	*			LENERTZ			*	TEIGEN			*
DUEMKE	*			LITCHKE			*	TERWILLIGER			*
DUNN				LORENTZ			*	THOMPSON			*
EICHHORN				LOWE		deceased		TRISCH			*
EKLUND	*			MacKINNON		*		VANCE			
EKMAN	*			MANN		*		VUKELICH			*
EMOND	*			MARTINSON		*		WANICK			*
ENSTROM	*			McNULTY		*		WEIDENDORF			*
ERICKSON	*			MELBY		*		WELCH			*
EVENSON	*			MEMMER		*		WIDSTRAND			*
FINSTUEN	*			MERRILL		*		YOUNG			
GALE	*			MILLER				ZWACH			
GIBBONS				MOBERG		*		MR. SPEAKER			
GLEASON				MORTINSON							

Open season for mink changed to the period from November 1 to January 31; except that the actual occupant of land being damaged by mink may take or kill in any manner at any time; if mink is killed at any time other than open season by occupant, the entire carcass, including hide, must be turned over to warden within 24 hours of killing.

MINK

Open season changed to period from October 20 to March 1; may be killed by occupant of land as in case of mink.

SKUNK

The law permitting the Commissioner to license persons, or permit occupant of land being injured, to take beaver in localities where they become too numerous is stricken, except that the occupant may take them in the same manner as provided for mink or skunk. Beaver may be taken in such counties as the Commissioner may designate for a period of 15 days between April 20 and May 20, inclusive; license fee, \$2.50; Commissioner shall specify the number that may be taken but no more than ten may be taken in any one season under such license. Licensee must report within 10 days after close of the season instead of 15 days as before; cost of tag \$1.00; violation, fine and imprisonment remain as before.

BEAVER

Taken out of this Act. (See Chapter 381 for open season.)

HARE,  
RABBITS

May be taken and possessed in such counties, in such numbers and during such times not exceeding 23 days between September 16 and November 30, both inclusive, and in any year in any county as the Commissioner may prescribe; partridges or ruffed grouse and Chinese ringneck or English pheasants, the same as quail. Prairie chicken (pinnated grouse), white breasted grouse (sharptailed), Hungarian partridge or chukar partridge may be taken under the same provision as quail, etc., except the period may not be longer than 15 days, but between the same dates. Any change in the rules for taking such birds must be published on or before September 1 next preceding the season.

QUAIL

Not more than 5 prairie chicken (pinnated grouse), white breasted (sharptailed) grouse may be taken in one day; not more than 10 prairie chicken or sharptailed grouse in the aggregate of both kinds in possession at any one time.

Designated in this Act as large mouthed and small mouthed black bass; the season remains

BASS

DIVIDING  
LINE CHANGED

the same, but the zone dividing line is changed to follow a line commencing at the west boundary of the State, east along Trunk Highway 28 to a point where it intersects No. 52 at or near Sauk Center, east along No. 52 to where it intersects No. 95 at or near St. Cloud, east along No. 95 to a point where it intersects No. 8, then east to the State boundary.

## LAKE TROUT

Salmon is called land locked salmon in this Act; the open season is changed to period from December 1 to September 15, inclusive, except on Lake Superior where they may be taken by angling and possessed between December 1 and October 1, inclusive.

PIKE  
MUSKELLUNGE

Saugers or sand pike are included under this provision; also muskellunge; the season is changed to period from May 15 to February 15, inclusive; there may be no executive order or order by Commissioner of Conservation to change the closing date; two muskellunge permitted in one day. Sand pike and muskellunge are included in the fish that may not be bought or sold.

## CRAPPIES

Designated as black and white crappies; season is changed to period from May 29 to February 15, inclusive, in the southern zone, and from June 21 to February 15, inclusive in the northern zone; there may be no executive order or order by the Commissioner of Conservation to change the closing dates.

SUNFISH,  
ROCK BASS

Season for sunfish, rock bass, etc., changed to period from December 31 in the southern zone, and from June 21 to December 31 in the northern zone.

GAME  
BIRDS

A section is added allowing migratory game birds to be taken and possessed any time between September 16 and December 15, inclusive, provided it is not prohibited by Federal laws; daily bag limits and possession bag limits shall not exceed the limits provided by Federal Law.

ACTS  
REPEALED

This Act repeals Mason's Minnesota Statutes 1927, Section 5549, relating to mourning doves, prairie chicken, grouse, upland plover and woodcock; 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5548 pertaining to same; 5553 relating to waterfowl and the Federal law; 5554 relating to hours for taking migratory birds; 5555 relating to limit on number of waterfowl; 5571 relating to sand pike and 5572 relating to muskellunge.

The substance of these sections was placed in other sections of this Act; the State regulations for hunting migratory game birds and waterfowl are repealed, since the Federal law now regulates that.

Signed April 22, 1939.

CHAPTER 425--HF 211

Johnson, J.A. at large - Fillmore, Houston Counties.

Amends 1933 Supplement to Mason's Minnesota Statutes 1927, Section 1918-65. Extends the time limit of the Municipalities Emergency Act of 1935 to December 31, 1941 for municipalities to take advantage of Federal public works projects.

EMERGENCY  
ACT LIMIT  
EXTENDED

Signed April 22, 1939.

CHAPTER 426--HF 345

Champlin - Blue Earth County.  
Nelson, C.J. - Blue Earth County.

Amends Mason's Minnesota Statutes 1927, Section 2712, as amended by Laws 1929, Chapter 433, as amended by Laws 1931, Chapter 196, as amended by Laws 1935, Chapter 327, relating to licenses for chauffeurs. The term "chauffeur" is defined; Secretary of State may revoke a license for cause, or upon conviction by a Court of violation of the Traffic Law, or upon conviction in another State or Canada; six causes for revocation by a Court are added; procedure in case of revocation; limited license may be issued to a chauffeur if his livelihood depends on being so employed. Violation is a misdemeanor.

REGULATES  
CHAUFFEURS

Signed April 22, 1939.

CHAPTER 427--HF 462

Wanwick - St. Louis County.

Amends Mason's Minnesota Statutes 1927, Section 4031-26 and Section 4031-27, as amended by Laws 1929, Chapter 349 and by Laws 1931, Chapter 266, relating to protection by railroads against forest fires.

RAILROAD  
PRECAUTIONS  
AGAINST  
FIRES

Section 1. This amendment provides that each railroad patrolman must have a speeder or other conveyance and carry a shovel (No. 2) and pump.

Section 2. Subsection 1 - This amendment provides that if the Director of Forestry suspects a certain locomotive caused a fire, he can order the railway company to send him a written report, copied from the regular inspection book, of the fire protective apparatus on the locomotive made next after the fire occurred. Also provides that the manhole on a spark arrester shall be removed and replaced before the engine makes another trip.

Section 2, Paragraph (d) - Attachment of flare.

Paragraph (m) - Permits use of "Cyclone Spark Arrester" and "Anderson Spark Eliminator."

Section 2, Subsection 3, Paragraph (b) - Requires that a company employee from the roundhouse accompany the inspector if requested.

Subsection 12 - Approval by Director every two years beginning May 1, 1939, of forms, records, placards and notices to be printed by the company.

Signed April 22, 1939.

CHAPTER 428--HF 547

Miller - LeSueur County.  
For Committee on State and County Fairs.

FUNDS  
TO FURNISH  
4-H CLUB  
BUILDING

Appropriates \$20,000 to the State Agricultural Society for furnishing the 4-H Club building located on the Minnesota State Fair Grounds.

Signed April 22, 1939.

CHAPTER 429--HF 791

Nonnemacher - Ramsey County.

"ON SALE"  
HOURS  
EXTENDED

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 3200-28, relating to the hours of sale of liquor in Cities of the First Class. Permits "on sale" until two hours after midnight Saturday, and until one hour after midnight Monday, Tuesday, Wednesday, Thursday and Friday. Under the old law "on sale" liquor dealers were required to close at midnight.

Signed April 22, 1939.

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 429

## ROLL CALL

AYE	NAY	NOT-VOTING
67	50	

ON HF 791 - Establishes uniform closing hours for

DATE April 18

1939

beer parlors and liquor stores.

Final passage as amended

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT		*		HARRISON	*			ODENBORG			
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHILKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*	*		HEADLEY				PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY				HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER		*		HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY		*		JOHNSON, J. A.	*			SCHULZ			
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE	*			SWENNES			
DUCKSTAD	*			LENERTZ	*			TEIGEN			
DUEMKE	*			LITCHKE				TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN				LOWE	deceased			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VIKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

CHAPTER 430--HF 989

Powers - Mahnomen, Norman Counties.  
Covert (Rice), Odenborg (Traverse).

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 2720-151, 2720-170, 2720-173, 2720-176, Subsections (a) and (b), 2720-177, 2720-178, 2720-186, Subsection (b), 2720-191, 2720-200 Subsection (b), 2720-203, 2720-215, 2720-218 Subsection (b), 2720-219, 2720-220, 2720-230 (a), 2720-233, 2720-240, 2720-249 Subsection (a), 2720-255 subsection (3), 2720-258, 2720-260, 2720-262, 2720-264 Subsection (a), 2720-270, 2720-274 Subsection (d), 2720-281, 2720-284, 2720-285 and 2720-291. Chapter 430 makes the following changes:

Section 1. New subsection No. 46 defining Custom Service Vehicles and No. 47 defining Motor Vehicle Dealers.

Section 2. Specifically requires a driver involved in an accident causing injury, death or property damage to stop; adds a provision requiring him to take the injured person to a doctor or hospital.

Section 3. Driver in an accident required to report immediately to local police or sheriff; send a written report to Commissioner within 24 hours; officers shall send written report to Commissioner within 24 hours of completing an investigation; coroner shall report death of any party in automobile accident to Department within five days; person in charge of repair shop or garage must report to Commissioner any vehicle struck by bullet; information in an accident report is confidential and may not be used in any civil or criminal case rising out of the accident.

Section 4. Relates to driving or operating a vehicle by an habitual user of drugs or any person under influence of liquor. Adds new part providing that penalty for first conviction is jail for not less than 10 nor more than 90 days, or a fine of from \$10 to \$100; second conviction is jail for from 30 to 90 days or fine of from \$25 to \$100. Upon first conviction, Commissioner shall revoke license upon recommendation of the Court; upon second conviction, Commissioner shall revoke license; any person whose license has been revoked, suspended, refused or canceled, may appeal to District Court.

Section 5. Careless driving.

MOTOR  
TRAFFIC  
LAW

FIRST AID  
REQUIRED

REPORTS  
OF ACCIDENTS

PENALTIES

SPEEDS	Section 6. Speed shall be not greater than is reasonable considering the hazards existing, with special care to prevent colliding; lawful speeds, where no special hazard exists, are 30 miles in municipality, 50 miles in other locations during the day and 45 miles at night; defines daytime and nighttime; safe speed limit may be designated by signs on the highway and on streets; charge of violation shall specify speed alleged to have been going and the speed limit for the location.
DRIVING RULES	Section 7. Driving on left side of highway - limitations.  Section 8. Turning around on highway.
	Section 9. Rules for street cars or trackless trolleys when approached by fire, police or ambulance vehicles.
SCHOOL PATROL	Section 10. Driving through a line of school children or past a school patrol member showing his signal, is unlawful.  Section 11. "Thru" highways designated by erection of stop signs.  Section 12. Unattended vehicle on a traffic way.
	Section 13. Adds new provision prohibiting stopping or parking when ordered to proceed by a traffic officer.
	Section 14. Adds new provision requiring parallel parking unless otherwise permitted by Commissioner.
SCHOOL BUS	Section 15. Requires a complete stop behind a school bus taking on or discharging children.  Section 16. The word "move" in conjunction with "drive" in relation to a person driving a car not fully equipped, is stricken.
BICYCLES	Section 17. A bicycle must carry an <u>approved</u> reflector.  Section 18. Permits use of "fog" lights.
	Section 19. In paragraph requiring brakes on trailers, semi-trailers or other heavy vehicles being pulled, exception is made for "custom service" vehicles.
MUFFLERS	Section 20. Mufflers and carbon monoxide.
WINDSHIELD	Section 21. Prohibits driving with windshield covered with steam or frost.

Section 22. Bumpers and rear reflectors.	BUMPERS
Section 23. Excepts farm tractors from carrying flares; extends period required for flare to show to 12 hours.	FLARES
Section 24. Allows a farm tractor a nine foot width; allows a load of forest products to be 100 inches. (See Chapter 23, Page 9.)	WIDTHS
Section 25. Specifically exempts hauling of telegraph, telephone, electric light or power poles or piling from 40 foot length limitation.	
Section 26. Eliminates provision requiring a trailer or semi-trailer being attached to the tractor by chains or cable.	TRAILERS
Section 27. Before a person may be heard by a Court for violation of this Act, or an ordinance, his driver's record shall be obtained from the Commissioner.	
Section 28. Eliminates reference to driving while under influence of liquor or drugs. See Section 4, this Act.	
Section 29. Eliminates the period of five days a person arrested has had in which to appear before local magistrate; the officer sets the time.	
Section 30. Civil actions and negligence.	

Signed April 22, 1939.

CHAPTER 431--HF 1270

MacKinnon - Hennepin County.  
 Hall (Stearns), Johnson, R.G. (Washington),  
 Brophey (Hennepin), Dunn (Otter Tail).

REORGANIZATION ACT.

CREATES DEPARTMENTS OF ADMINISTRATION, PUBLIC EXAMINER, SOCIAL SECURITY AND TAXATION.

Abolishes Commission of Administration and Finance; State Printing Commission; Comptroller Budget Commissioner, Commissioner of Purchases, and State Expert Printer and transfers their rights, powers and duties to the Department of Administration.

Abolishes Tax Commission; Chief Oil Inspector; License Inspectors in Department of Agriculture and transfers their rights, powers and duties as

REORGANIZES STATE DEPARTMENTS

DEP'T OF ADMINISTRATION

DEP'T OF TAXATION

well as those of the Attorney General relating to collection of inheritance and gift taxes, to Department of Taxation.

**SOCIAL  
WELFARE**

Abolishes Board of Control and transfers its powers and duties to Director of Public Institutions and Director of Social Welfare.

**TRANSFER  
OF POWERS  
AND DUTIES**

Transfers powers and duties of the Governor over care of Capitol and grounds and of the State Printer to Commissioner of Administration; of former Public Examiner held by the Comptroller and of the Board of Audit to the Public Examiner; of the Board of Control, part to Director of Social Welfare and part to Director of Public Institutions; of State Soldiers' Welfare Fund, the Disabled Veterans' Camp; Veterans' Rest Camp and Educational Aid to Deceased Veterans' Children to the Adjutant General; of Executive Council relating to direct poor relief, including war veterans, to the Director of Social Security; of Unemployment Compensation, free employment agencies, Federal-State labor bureaus from Industrial Commission to Director of Employment and Security; administration of State institutions from Board of Control to Director of Public Institutions.

**RESTRICTED  
EXEMPTIONS**

Exempt from this Act are the State Agricultural Society (State Fair) except for submitting a budget, construction of buildings and examination of accounts by Public Examiner; University Regents and all those under them; professional and regulatory examining and licensing boards, except for examination of their accounts by the Public Examiner.

**ADMINISTRATOR**

The Commissioner of Administration is also Budget Director and Purchasing Agent. Appointed by the Governor. Term two years. May be removed by Governor for cause. Salary \$6,000.

**POWERS  
AND DUTIES**

Among his powers and duties are: Regulate all purchasing; plan building construction; contract for highway construction; prepare biennial budget; allot funds to State departments according to the budget; control printing; regulate travel and expenses of State employees and make and amend regulations concerning anything that comes within his powers; his rules shall have the force and effect of law; transfer employees from one department to another.

**PURCHASING  
BUDGET  
RULES**

Included in this Act are: Rules for State purchasing; preparation of the budget; regulation for allotting budgeted funds to departments; provision that unless specifically appropriated all balances at close of fiscal year shall be returned to general revenue fund.

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 431

## ROLL CALL

AYE	NAY	NOT-VOTING
33	83	

ON HF 1270 - State Reorganization DATE March 27 1939

A motion to amend by providing that no employee shall be discharged prior to the effective date of a civil service act except after notice and a hearing before the Governor.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS				HEADLEY	*			PAIGE	*		
BOZE	*			HELLING				PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL				PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.			
CHAMPLIN	*			HOMPE	*			POWERS			
CHILGREN				HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON				SAWYER	*		
DAMMANN	*			JEBB				SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W. #			
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER				STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD				LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER			
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY				WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# The Permanent Journal shows W. Schneider voting "aye" and "nay".

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 431

## ROLL CALL

AYE	NAY	NOT-VOTING
92	26	

ON HF 1270 - State Reorganization

DATE April 17

1939

Re-passage as amended

The question being taken on the Passage of the Bill.

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.		*	
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY			
BENNETT	*			HARTKOPF	*			ONAN			
BERLIN	*			HARTLE	*			ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS				HEADLEY		*		PAIGE	*		
BOZE	*			HELLING		*		PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK				HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.		*	
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.		*	
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.	*			SCHULZ		*	
DIXON	*			JOHNSON, R. G.	*			SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.		*		SLEN		*	
DOMINICK				KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER		*		STOCKWELL		*	
DREXLER	*			LEE		*		SWENNES		*	
DUCKSTAD	*			LENERTZ		*		TEIGEN		*	
DUEMKE	*			LITCHKE		*		TERWILLIGER		*	
DUNN	*			LORENTZ		*		THOMPSON		*	
EICHHORN	*			LOWE		deceased		TRISCH			
EKLUND	*			MACKINNON		*		VANCE		*	
EKMAN	*			MANN		*		YUKELICH		*	
EMOND	*			MARTINSON		*		WANVICK		*	
ENSTROM				MCNULTY		*		WEIDENDORF		*	
ERICKSON	*			MELBY		*		WELCH		*	
EVENSON	*			MEMMER		*		WIDSTRAND		*	
FINSTUEN	*			MERRILL		*		YOUNG		*	
GALE	*			MILLER		*		ZWACH			
GIBBONS	*			MOBERG		*		MR. SPEAKER		*	
GLEASON	*			MORTINSON		*					

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
53	9

ON HF 1270 - Reorganization of DATE April 15 1939

State Departments Final passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.	*	
ALMEN	*		MULLIN	*	
ANDERSON	*		MURPHY	*	
BERG			NELSEN	*	
BERGLUND	*		NEUMEIER	*	
BRIDGEMAN		*	NEWTON	*	
CARLEY		*	NOVAK		*
CARR	*		OLIVER	*	
CASHMAN	*		ORR	*	
DAHLE	*		PEDERSON		*
DEVOLD			RIBENACK		
DIETZ	*		RICHARDSON	*	
DOUGHERTY	*		ROCKNE	*	
FEIDT	*		ROEPKE	*	
FINSTAD	*		SEIFERT	*	
FRIBERG		*	SELL	*	
GAGE	*		SIEGEL	*	
GALVIN	*		SIMONSON	*	
GARDNER	*		SLETVOLD	*	
HAHN	*		SOLSTAD	*	
HERREID	*		STARKS	*	
IMM	*		STIENING	*	
JOHNSON	*		SULLIVAN	*	
JULKOWSKI	*		SWENSON	*	
KELLY			TUNGSETH	*	
KINGSLEY	*		WAHLSTRAND	*	
LARSON, H. A.	*		WEBER	*	
LARSON, N. J.	*		WELCH	*	
LEDIN			WELLE	*	
LIGHTNER	*		WING	*	
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE	*	
MASEK	*		WRIGHT	*	
MILLER, A. H.	*				

Beginning July 1, 1939, five per cent of the gross receipts from fishing and hunting licenses, automobile license fees and gasoline tax is to be set aside as a General Administration Fund to be used for administration.

ADMINISTRATION FUND

A Legislative Emergency Committee is created, made up of the Governor, Chairman of the Senate Committee on Taxes; Chairman of the Senate Committee on Finance; Chairman of the House Committee on Taxes; and the Chairman of the House Committee on Appropriations. May approve by 4/5 vote or reject transfers of more than \$5,000 to departments from a general contingent appropriation; shall approve or modify the first salary and wage schedules prepared as provided by law, and when approved they shall become effective at a date determined by the Commissioner and continue until changed by law.

EMERGENCY COMMITTEE

The State Auditor, the Commissioner of Administration and the Public Examiner to establish an accounting system for all departments and supervise its operation.

ACCOUNTING SYSTEM

The office of Public Examiner is created. Appointed by the Governor. Six year term. \$5000 per year. Examines all records of State departments and supervises the accounting systems; watches for feasance by officials or employees; gathers information from local governmental units regarding finances; examines accounting and budgeting of local units.

PUBLIC EXAMINER

The Department of Taxation is created under a Commissioner of Taxation. Appointed by the Governor. Six year term. \$6000 per year. May be removed by the Governor for cause. Takes over the duties of Tax Commission, Oil Inspector, License Inspectors and Attorney General regarding inheritance and gift taxes. He supervises tax collections; orders reductions, refunds or increases of tax assessments.

COMMISSIONER OF TAXATION

A Board of Tax Appeals is created. An independent agency. Not subject to control of Commissioner of Taxation. Three members, not public office holders, nor in a business inconsistent with duties and not an official in any political organization or a political campaign. Appointed by the Governor. Not more than two from same political party. Six year terms. Removed by Governor only for cause. \$25 a day but not more than \$2500 in one year.

BOARD OF TAX APPEALS

The Board reviews and redetermines orders or decisions of the Commissioner of Taxation when appealed to. The Board's decisions upon an

REVIEWS ORDERS

appeal are final unless reviewed by the Supreme Court. This Board becomes effective July 1, 1939.

DEP'T.OF  
SOCIAL  
SECURITY

A Department of Social Security is created. Three divisions - Public Institutions, Social Welfare, and employment and Security, each with a Director appointed by the Governor. Four year term. \$5000 per year. Takes the place of Board of Control. Director of Social Welfare administers and supervises relief, old age assistance, dependent children assistance, blind and crippled assistance; child welfare; mental hygiene of persons outside institutions; (has no authority over State institutions and patients); handicapped persons. Co-operates with Federal Social Security agencies.

DIRECTOR  
OF PUBLIC  
INSTITUTIONS

Director of Public Institutions manages the State Institutions - Prisons, Reformatory, Training School, Feeble Minded and Deaf Schools, Asylums, etc. He has all the powers of the former Board of Control.

SOCIAL  
SECURITY  
BOARD

The Directors of the Divisions of Department of Social Security constitute the Social Security Board. It co-ordinates the functions, activities, budgets and all expenditures of the several divisions.

BOARD OF  
PAROLE

State Board of Parole passes under control of Director of Social Welfare.

EFFECTIVE  
DATE

The Act is effective after passage, but no changes shall take place until after the heads of departments are appointed.

Signed April 22, 1939.

#### CHAPTER 432--HF 1369

Johnson, J.A. - Fillmore, Houston Counties.  
Gleason (Hennepin), Oberg (Chisago).

EMPLOYEES  
RETIREMENT  
FUND

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 254-1, 254-4, 254-9, 254-10, 254-11 and 254-19 relating to State Employees Retirement Fund.

MAXIMUM  
PENSION

The amendment removes from participation in the plan, elective State officials; lowers the maximum pension to \$100 per month and provides a graduated scale of monthly payments into the fund by employees. Appropriates \$50,000 for each of two years ending June 30, 1940 and 1941 for the State to aid the fund.

The time for option to take a deferred annuity expires January 1, 1940.

Monthly contributions by employees are increased by providing that persons in the employ of the State on July 1, 1929 shall pay, beginning July 1, 1939, according to their age on July 1, 1929 and employees entering service since July 1, 1929 shall pay beginning July 1, 1939, according to their age when they became members of the Association, on a schedule that provides  $3\frac{1}{2}$  per cent for those under 30; 4 per cent for those 30 and under 40;  $4\frac{1}{2}$  per cent for those 40 and under 45; 5 per cent for those 45 and under 50;  $5\frac{1}{2}$  per cent for those 50 and under 55; those 55 and over, 6 per cent.

The State shall pay in, each year, an amount equal to one-half of the annuities paid during the year. For this purpose \$50,000 per year for two years was appropriated.

After July 1, 1939, no member may make payments in lieu of salary deductions for periods in which no salary or wages are received.

A member for not less than ten years, upon leaving the State's employ, except for death or retirement, may take a proportional deferred annuity beginning the date he would have been eligible to receive the annuity if his State service had not terminated.

Any member who has, prior to July 1, 1939, kept up his membership by making payments in place of salary deductions, shall have three months from that date in which to choose a refundment or a deferred annuity.

If the total annuities during any month become greater than salary deductions and contributions by the State, the amount of annuities shall be proportionately reduced. State may contribute up to fifty per cent of annuities paid in a month. The back payments of annuities shall be made up proportionately in the first month that the salary and State contributions exceed the annuities paid - the longest overdue will be paid first.

Signed April 22, 1939.

Note: A special committee from the Senate and House was appointed during the 1939 session to investigate and report on the Employees Retirement Fund. From the Senate were Senators Lightner, Neumeier and Swenson; from the House, Representatives J. A. Johnson, Gleason and Oberg. This Act is the result of their effort.

SCHEDULE  
OF PAYMENTS

STATE  
PAYMENTS

NO LIEU  
PAYMENTS

UPON  
LEAVING

OPTIONS

ANNUITIES

The Committee reported on March 23 and recommended the passage of this Law because they felt it was unjust to compel any employee to contribute to a fund which was actuarilly unsound; ultimately the State would have to contribute a large sum to pay back the amount of contributions made from salary deductions; it was the moral obligation of the State to take care of the present persons on pension who have been complying with the law, and if the fund were not made solvent, would lose their contributions as well as future pensions. They felt that the point had been reached where annuities and refundments would equal or in all probability exceed the amount of salary deductions. In January, 1939, because the refundments and annuities due exceeded the amount of salary deductions, the refundments were paid in full, but the pension recipients received only 16.3 per cent of what was due them; in February they received only 75.8 per cent. The condition was laid to the fact that prior to January 1, 1939, the number of State employees increased and after that date a large number were removed from payrolls; these persons withdrawing their refundments, made a large hole in the retirement fund.

#### CHAPTER 433--HF 1426

Peshek - Scott County  
 Miller - Le Sueur County

**AMENDS  
 "COMMON  
 CARRIER"  
 DEFINITION**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 5015-20, subdivision (g). Excludes from the definition of "common carrier" and "contract carrier" those who haul fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries, during the harvesting, canning, or packing season.

Signed April 22, 1939

#### CHAPTER 434--HF 1460

Huhtala - St. Louis County  
 Vukelich - St. Louis County

**FIREMEN'S  
 RETIREMENT  
 SPECIAL  
 FUND**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 3728-1 and 3728-2 and amending Laws 1935, Chapter 153, relating to firemen's pensions.

Authorizes the Fire Department Relief Association in a city of the third class in St. Louis County whose special fund has reached \$65,000 to pay

excess retirement pensions but not to exceed a basic pension of \$75 per month except that an additional amount of \$3.00 per month for each year of active duty over 20 years of service before retirement, may be paid; but the total amount of pension shall not be more than \$96 per month. The special fund shall receive extra funds from a deduction from the payroll for every member equal to two per cent of the basic pension; from a one tenth mill tax levy if the fund falls below \$65,000. Garnishments, judgments or executions shall not be made against a member's pension or his accumulated payments.

Signed April 22, 1939.

CHAPTER 435--HF 1524

Allen - Ramsey County.  
For Committee on Appropriations.

Provides that so-called "dedicated receipts" of the State of Minnesota, such as license fees, tags, permits, inspections, examinations, etc., credited to various funds or institutions, are hereafter to be paid into the State Treasury and credited to the general revenue fund. Under the Act the Legislature will appropriate specific amounts for the various institutions that have heretofore been financed principally from fees.

DIVERTS  
"DEDICATED  
RECEIPTS"

Signed April 22, 1939.

Note: The institutions affected by Chapter 435 are miscellaneous in character and are exclusive of the more important ones such as highways, game and fish, etc. The Highway Department revenue cannot legally be handled in any other way than by the present method which is set up in the constitution. A bill was introduced which would have diverted Game and Fish Department funds into the general revenue fund, but strong opposition developed on the ground that unless the funds so diverted were earmarked for the department, the department stood in danger of being pinched for money.

CHAPTER 436--HF 1561

Bondhus - Cottonwood County.  
For Committee on Relief.

Appropriates \$8,750,000 for the biennium period ending June 30, 1941, of which amount \$4,000,000 is to be available for all forms of public relief

RELIEF  
APPROPRIATION

and assistance for the fiscal year ending June 30, 1940, and \$1,500,000 to be immediately available for the sponsor's contribution to emergency work projects. Authorizes and empowers the Legislative Emergency Committee, created by the Reorganization Act, to expend out of the amount appropriated for sponsor's contribution, such sums which in the Committee's judgment may be necessary for safety inspection work required by law for the protection of employees engaged upon State and Federal projects. Allocates \$7500 to be expended by the Legislative Emergency Committee for fire sufferers in the Cherry-Iron district of St. Louis County. Allocates \$100,000 a year for administration of the Act. "Public Relief Purposes" to be financed under this Act are described as direct relief, farm relief, work relief, Veterans relief and unemployment relief. The Act provides that before a person is entitled to its benefits he must have been a resident of the county, township, or municipality in which public relief is administered and where his application is filed, for a period of two years. The Act is in force after July 1, 1939.

Signed April 22, 1939

CHAPTER 437--HF 1567

Allen - Ramsey County  
For Committee on Appropriations

**EDUCATION  
APPROPRIATION  
BILL**

Appropriates \$27,100,333.96 for State education including the University, State Teacher Colleges, School Aid, Department of Education, and County Agricultural Agents and Cooperative Extension Work, for the biennium ending June 30, 1941. Under this Act, the University is prohibited from building any dormitories during the biennium; (plans for the new Student Union building may continue); the University may conduct a school for law enforcement to which any political subdivision may send a law enforcement officer and pay his expenses; authorizes Board of Education to divide the State into high school areas for the control of transportation of non-resident high school pupils. Reappropriates balances on hand June 30, 1939 to the 1940-41 funds; the above amount includes 1939 deficiencies.

Signed April 22, 1939

CHAPTER 438--HF 1613

Johnson, R.G. - Washington County.  
For Committee on Taxes.

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 2394-57, relating to the distribution of income tax collections allocated to the special fund known as the "Income Tax School Fund," and adding a new section. The amendment provides that the school census, which is made mandatory in Laws 1939, Chapter 189, is to be used as the basis for computing the amount due each school. The new section provides that all monies collected up to and including December 31, 1937, irrespective of the years for which such taxes were assessed, shall be distributed on the basis of the old law. The new provision further provides that all monies collected on and after January 1, 1938, irrespective of the years for which the taxes were assessed, shall be distributed on the basis of the new law.

Signed April 22, 1939.

INCOME TAX  
DISTRIBUTION  
ON BASIS OF  
1939 CENSUS

CHAPTER 439--HF 164

MacKinnon - Hennepin County.  
Nonnemacher - Ramsey County.

Amends Mason's Minnesota Statutes 1927, Section 9513, relating to arbitration and award. The amendment provides that in addition to civil actions, any labor dispute as defined in Laws 1939, Chapter 440 - the State Labor Relations Act - may be submitted for arbitration.

Signed April 22, 1939.

INCLUDES  
LABOR  
DISPUTES

CHAPTER 440--HF 352

Vance - Beltrami County.  
Myre (Freeborn), Hartle (Steele), Dixon (Todd),  
Nelson, C.J. (Blue Earth)

Subsection (4) of Section 4046, Mason's Minnesota Statutes of 1927 repealed.

Establishes Division of Conciliation in but not of the Department of Labor.

MINNESOTA  
LABOR  
RELATIONS  
ACT

CONCILIATOR	Creates office of Conciliator at \$4500. First term expires March 1, 1945. Powers limited. Cannot forbid strikes or force settlements.
SPECIAL CONCILIATORS	Governor may appoint special conciliators at \$15 a day.
NO POLITICS	Conciliator forbidden to engage in politics.
10-DAY LIMIT IN DISPUTES	Ten days allowed for employees and employers or their agents to reach an agreement in case of dispute.
NOTICE OF STRIKE OR LOCKOUT	If no agreement is reached, notice of strike or lockout in writing is to be served on Conciliator and the other parties to the controversy at least 10 days before the strike or lockout order becomes effective.
CONCILIATOR ACTS	Upon receipt of notice, Conciliator fixes a time and place for a conference. Conciliator to take such steps as he may deem expedient to bring about a settlement.
IF DISPUTE TOUCHES PUBLIC INTEREST	If the dispute occurs in an industry touching the public interest, notice is to be served on the Governor who may then appoint a Commission of three at \$15 per day each and expenses to conduct the hearing.
MUST AWAIT COMMISSION	When a Commission is appointed, no strike or lockout is to be instituted until the report of the Commission shall have been filed or 30 days shall have elapsed after notification of the Governor.
POWER	Commission is to have full power of subpoena.
HEARINGS	Hearings to be held in the county in which the dispute occurs.
WITNESSES	In case of refusal to obey a summons, the District Court may issue an order requiring the appearance of the witness under penalty of being adjudged in contempt.
ARBITRATION	When Conciliator fails, the dispute may be submitted to arbitration.
SELF-ORGANIZATION	Employees have right of self-organization and to bargain collectively through representatives of their own choosing.
COLLECTIVE BARGAINING	Employers have right to associate together for the purpose of collective bargaining.

All labor and employers' organizations with the names of their officers must be filed with the Conciliator.

MUST FILE NAMES

Declares as unlawful for employees:

To call a strike in violation of any valid collective agreement.

To seize or occupy property unlawfully.

To use as a picket a person who is not an employee of the struck plant, unless a majority of the pickets are themselves employees of the plant.

UNLAWFUL FOR EMPLOYEES

To picket a single entrance with more than one person at a plant not on strike.

To interfere with the operation of a vehicle or its operator when neither owner nor operator are parties to the strike.

To attempt to force a person to join or refrain from joining a labor organization or strike activity, to assault or threaten any such person.

Declares as unlawful for employers:

To lockout in violation of any valid collective agreement.

To encourage or discourage membership in any labor organization.

UNLAWFUL FOR EMPLOYERS

To discharge an employee who has given information under the Act.

To spy directly or through agents.

To circulate a blacklist.

Prohibits interference in the use of public roads. PUBLIC ROADS  
Prohibits obstruction of entrances to places of employment.

Unfair labor practices may be enjoined in District Court. The Court cannot issue restraining orders in cases of unlawful acts or threatened unlawful acts as defined in Sections 11 and 12 except upon testimony of witnesses produced by the applicant in open court.

MAY ENJOIN

No one entitled to benefits under the Act until he shall have had recourse in good faith to all means available under the laws of the State.

NO BENEFITS

REPRESENTATIVES	Those selected to bargain collectively must be exclusive representatives of all employees in the unit appropriate for such purpose.
APPROPRIATE BARGAINERS	Conciliator to decide whether employer, craft or plant unit shall be appropriate for the purpose of collective bargaining. Larger unit may be decided upon with consent of all employers involved.
	One or more employees in a craft shall constitute a unit for purposes of collective bargaining.
	Two or more units may bargain through same agent.
	Supervisory employees not to aid in the selection of a bargaining agent.
	Act does not apply to railroad, farm or domestic labor.
APPROPRIATION	Appropriates \$25,000 immediately available and \$15,000 each for the fiscal years ending June 30, 1940 and June 30, 1941.
	Provisions of the Act severable.
	Signed April 22, 1939.
	Note: The Minnesota Labor Relations Act is an outgrowth of the best in five proposals submitted to the 1939 Legislature. The Minnesota Bar Association, the Minnesota State Federation of Labor, and the Congress on Industrial Organization were the groups outside the Legislature that drew and offered bills on the subject.
	HF 352 was drawn by five House members and came to be identified as the Vance-Myre bill. Although it was the bill that became Chapter 440, the Act was actually a compilation of the best suggestions of all bills, including the fifth and last sponsored by Senators Galvin, Oliver and Welch - SF 1399.
	As originally introduced, the Bar Association bill was said to lean too strongly on the side of the employer.
	The Labor Federation and CIO bills were believed to go too far in the opposite direction.
	The Vance-Myre bill was as objectionable to labor in its original form as the CIO bill was to the employers. Nevertheless, the Vance-Myre bill was reported out of the House Labor Committee with a recommendation to pass. It then bounced in and out of the Appropriations Committee and to the Civil Administration Committee where a sub-committee was appointed to file down its teeth. About the time the House sub-committee was ready to report, the Senate bill, with the approval of the administration, was introduced in the upper body and rushed over to the House where its

MINNESOTA HOUSE OF REPRESENTATIVES

AYE	NAY	NOT-VOTING
44	81	

ON HF 352 - State Labor Relations -

DATE March 31

1939

A motion to strike out certain sections unfavorable to labor.

**The question being taken on the Passage of the Bill.**

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

**Those who voted in the affirmative were:**

**Those who voted in the negative were:**

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN	*			HAGEN, E.	*			MYRE			*
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.			*
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG			*
BARRETT	*			HARRISON	*			ODENBORG			*
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN			*
BERLIN				HARTLE	*			ORAAS			
BOEHLKE	*			HAYFORD	*			OTTINGER			*
BONDHUS	*			HEADLEY	*			PAIGE			*
BOZE	*			HELLING				PALMER			*
BROPHEY	*			HERING	*			PESHEK			*
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.			*
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.			*
CHAMPLIN	*			HOMPE	*			POWERS			*
CHILGREN	*			HOWARD	*			PRIFREL			*
CONSTABLE	*			HUHTALA	*			ROTH			*
COVERT	*			IMDIEKE	*			RYKKEN			*
CUMMINGS	*			IVERSON	*			SAWYER			*
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.			*
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			*
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES			*
DUCKSTAD	*			LENERTZ	*			TEIGEN			*
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH			*
EKLUND	*			MacKINNON	*			VANCE			*
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANVICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG			*
GALE	*			MILLER	*			ZWACH			*
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 440

AYE	NAY	NOT-VOTING
43	84	

ON HF 352 - state labor relations bill - to amend  
 motion for special order by changing  
 date from March 30 to April 6. A move by the opposition to delay.

DATE March 28

1939

The question being taken on the Passage of the Bill,  
 And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD				OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*	*		JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.	*			SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	(deceased)			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 440

AYE	NAY	NOT-VOTING
95	32	

ON HF 352 - state labor relations bill - to make  
the bill a special order for March 30.

DATE March 28

1939

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V.	NAME	A	N	N.V.	NAME	A	N	N.V.
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.	*		
ANGSTMAN	*			HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.		*		SCHULZ	*		
DIXON	*			JOHNSON, R. G.		*		SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.		*		SLEN	*		
DOMINICK	*			KEMPFER		*		STANCHFIELD	*		
DORWEILER	*			KIEFER		*		STOCKWELL	*		
DREXLER	*			LEE		*		SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHHORN	*			LOWE		(deceased)		TRISCH	*		
EKLUND	*			MacKINNON		*		VANCE	*		
EKMAN	*			MANN		*		VUKELICH	*		
EMOND	*			MARTINSON		*		WANICK	*		
ENSTROM	*			McNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND	*		
FINSTUEN	*			MERRILL		*		YOUNG	*		
GALE	*			MILLER		*		ZWACH	*		
GIBBONS	*			MOBERG		*		MR. SPEAKER	*		
GLEASON	*			MORTINSON		*					

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 440

## ROLL CALL

AYE	NAY	NOT-VOTING
85	37	

ON HF 352 - State Labor Relations

DATE April 17

1939

Final Re-passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK				HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB				SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VIKELICH	*		
EMOND	*			MARTINSON	*			WANYICK	*		
ENSTROM				McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 440

AYE	NAY	NOT-VOTING
86	37	

ON HF 352 - state labor relations bill --

DATE March 31, 1939

19

Final passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.			
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS			
CHILGREN	*			HOWARD	*			PRIFREL			
CONSTABLE	*			HUHTALA	*			ROTH			
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ			
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.	*			SLEN			
DOMINICK	*			KEMPFER	*			STANCHFIELD			
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	(deceased)			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## CHAPTER 440 ROLL CALL

AYE	NAY
47	19

ON HF 352-State Labor Relations DATE April 14 1939

Passage as amended

NAME	A N	NAME	A N
ADAMS	*	MILLER, F. J.	*
ALMEN	*	MULLIN	*
ANDERSON	*	MURPHY	*
BERG	*	NELSEN	*
BERGLUND	*	NEUMEIER	*
BRIDGEMAN	*	NEWTON	*
CARLEY	*	NOVAK	*
CARR	*	OLIVER	*
CASHMAN	*	ORR	*
DAHLE	*	PEDERSON	*
DEVOLD	*	RIBENACK	*
DIETZ	*	RICHARDSON	*
DOUGHERTY	*	ROCKNE	*
FEIDT	*	ROEPKE	*
FINSTAD	*	SEIFFERT	*
FRIBERG	*	SELL	*
GAGE	*	SIEGEL	*
GALVIN	*	SIMONSON	*
GARDNER	*	SLETVOLD	*
HAHN	*	SOLSTAD	*
HERREID	*	STARKS	*
IMM	*	STIENING	*
JOHNSON	*	SULLIVAN	*
JULKOWSKI	*	SWENSON	*
KELLY	*	TUNGSETH	*
KINGSLEY	*	WAHLSTRAND	*
LARSON, H. A.	*	WEBER	*
LARSON, N. J.	*	WELCH	*
LEDIN	*	WELLE	*
LIGHTNER	*	WING	*
LOFTSGAARDEN	*	WINKJER	*
LOMMEN	*	WOLFE	*
MASEK	*	WRIGHT	*
MILLER, A. H.	*		

# MINNESOTA STATE SENATE

## CHAPTER 440 ROLL CALL

AYE	NAY
52	6

ON HF 352 - State Labor Relations DATE April 18

1939

Re-passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN		*	NEWTON		*
CARLEY	*		NOVAK		*
CARR		*	OLIVER		*
CASHMAN	*		ORR		*
DAHILE	*		PEDERSON		*
DEVOLD		*	RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT			ROEPKE		
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		
GALVIN	*		SIMONSON		*
GARDNER			SLETVOLD		*
HAHN	*		SOLSTAD		
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON			SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY			TUNGSETH		
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		
LOMMEN		*	WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

substance was substituted for HF 352 which by them was stripped down to its enacting clause.

Debate on HF 352 furnished some of the most exciting hours of the session.

Country members fought for a provision against illegal interference with the movement of farm products to market, and got it.

Employer representatives insisted on the prohibition of the "sit down" strike, and got it. To make doubly sure of this protection, SF 290 was enacted into Chapter 377 (which see) defining wilful trespass and declaring it to be a misdemeanor.

Labor itself was not satisfied with the Act and fought valiantly but vainly to sidetrack it.

When the bill was finally passed and laid on the Governor's desk for approval, subsection (e) of Section 11, was found to eliminate all pickets at plants not on strike. The House and Senate journals were used as authority for incorporating "more than one person at a single entrance", and that is the way the law read when the Governor signed it.

#### CHAPTER 441--HF 601

Brophy - Hennepin County.  
For Committee on Civil Administration.

Creates a Civil Service department administered by a Board of three members, serving terms of six years. Paid on per diem basis. Appointed by Governor. Removable by Governor for cause.

CIVIL  
SERVICE  
ACT

The Department is under the control of a Director. Appointed by the Board from three highest after a competitive examination, conducted by three examiners appointed by the Board, one of whom shall not be a resident of the State.\* May be removed by the Board after written charges and public hearing. Makes all rules for examinations, eligible lists, ratings, appointments, promotions, etc., subject to approval by the Board.

DIRECTOR -  
HOW  
APPOINTED

Two classes of employment - classified and unclassified. Classified come under Civil Service.

Employees in classified service when this Act became effective (April 22, 1939) who have been State employees for a total of five years or more (not continuous), prior to date the Act became effective, even though on leave of absence; and

WHO IS  
UNDER  
THE ACT

employees in the State Employment Service (not in the Unemployment Compensation department) who have been appointed from examinations by the United States Employment Service and were employed on the effective date, automatically come under this Act, but will be subject to classifications made up by the Director, and to the six months probationary period beginning on the effective date and expiring in October, 1939. Included in this provision are persons employed by joint Federal and State relief agencies.

**NON-COMPETITIVE EXAMINATIONS FOR CERTAIN EMPLOYEES**

Employees with less than five years' service and in State employ on August 1, 1939, will be given a non-competitive examination on the duties of their position, within two years. If they qualify, they will be included in Civil Service; if not they will be removed at the end of three months. Any person refusing to take an examination will be discharged.

**MAY BE DISCHARGED UP TO AUGUST 1, 1939**

Until August 1, 1939, any employee falling within the classified service may be changed in his position, laid off or discharged at the will and pleasure of the one employing him.

**HIGHWAY PATROL**

The State Civil Service department gives the examination for appointment to the Highway Patrol, but the Civil Service system in the Patrol regulates employment within the Patrol, in all respects.

**OTHERS INCLUDED**

Employees already under civil service in the Conservation, Dairy and Food, Unemployment Compensation and Criminal Apprehension departments are included in this Act.

**GROUNDS FOR DISMISSAL**

Employees under the classified service as of August 1, 1939, who are required to take an examination may not be changed in their positions, laid off or discharged until they have been notified of the result, unless they have refused to take the examination.

**APPOINTMENTS**

Between August 1, 1939, and the time when eligible lists are complete, appointments may be made in the classified service without regard to this Act, and the person appointed may take an examination when held. He may hold his position for 60 days after the eligible lists are complete, when the position shall be filled from the eligible lists.

**POSITIONS CLASSIFIED**

Director is required to classify all State positions and draw up salary schedules which was done previously by the Commission of Administration and Finance. (Legislative Emergency Committee, created in the Reorganization Act, shall

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

CHAPTER 441

AYE	NAY	NOT-VOTING
98	29	

ON HF 601 - Civil Service

DATE February 27

19 39

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.				MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.	*		
ANGSTMAN	*			HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG			
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT	*			HARTKOPF		*		ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING	*			PALMER			
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL		*	
CONSTABLE	*			HUHTAI A	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.	*			SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHORN	*			LOWE	*			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 441

## ROLL CALL

AYE	NAY	NOT-VOTING
92	24	

ON AF 601 - Civil Service

DATE April 18 1939

Re-passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN				HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN				OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG			
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS		*	
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH				PETERSON, G. C.		*	
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON				SAWYER			
DAMMANN				JEBB	*			SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE				SWENNES	*		
DUCKSTAD				LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN				LOWE		deceased		TRISCH	*		
EKLUND				MacKINNON	*			VANCE			
EKMAN	*			MANN	*			YUKELICH	*		
EMOND	*			MARTINSON	*			WANICK		*	
ENSTROM	*			McNULTY	*	*		WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## CHAPTER 441 ROLL CALL

AYE	NAY
58	5

ON HF 601 - Civil Service

DATE

March 31

1939

Final passage

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE			SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		
LOMMEN	*	*	WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

approve or modify the salary and wage schedules and make them effective at a certain date, and continue until changed by law). The Legislature specifically retains the right to change salary or wage rates of all positions in an entire grade, uniformly.

Competitive examinations are open to any citizen of the United States who has been a resident of Minnesota for the preceding two years.

The political or religious opinions or affiliations of an applicant shall not be considered.

Every officer or employee and every applicant must take a written oath that he will protect and preserve the property and money of the State and will abide by and uphold and defend the Constitution of the United States and the State, and that he will not take part in any movement to alter or change our form of government.

Every appointee must go through a six month probationary period, at the end of which he may become permanent or be dismissed.

Participation in political conventions and solicitation of political funds or assessments, subscription or contribution are prohibited on the part of employees in classified service.

Preference is granted in all examinations, to veterans who have lived in Minnesota five years immediately preceding their application. Age or physical disability shall not keep him from holding a position unless they make him incompetent.

A disabled veteran is granted an added ten points to credit in his examination rating. If this gives him a passing grade, and he is able to perform the duties efficiently, his name is placed at the head of the eligible list.

Credit of five points is given all other veterans. The name of a veteran goes ahead of a non-veteran when their ratings are the same.

This preference is allowed to widows of deceased veterans and to the spouse of a disabled veteran who is unable to qualify.

The provisions of the Veteran's Preference law are superceded by the Veteran's provisions in this Act, insofar as the Preference law might apply to State Civil Service as provided in this Act. Veterans in State employ within the class-

EXAMINATIONS  
OPEN

POLITICS,  
RELIGION

PATRIOTISM

PROBATION

POLITICS  
PROHIBITED

PREFERENCE  
TO VETERANS

PROVISIONS  
FOR VETERANS

CREDIT  
5 POINTS

VETERANS  
RELATIVES

PERMANENT  
STATUS

ified service when this Act became effective are given permanent classified status as of that date. They shall be protected by this Act and not subject to a probationary period.

**SALARIES  
UNCHANGED**

Salaries and wage schedules in effect on the day before this Act took effect (April 22, 1939), remain unchanged until they are approved as provided in this act.

Violation of the Act is a misdemeanor and conviction means discharge.

Signed April 22, 1939.

\* Note: The Governor has selected the committee of three provided in the Act to examine candidates for the position of Civil Service Commissioner. Professor Lloyd Short of the Political Science Department of the University of Minnesota and director of the Public Administration Training Center, and C. C. Ludwig, secretary of the League of Minnesota Municipalities and president of the American Municipal Association, are the two Minnesota men called for in the Act. The third, who, under the law, must be from outside the State, is David V. Jennings, president of the Civil Service Assembly of the United States and Canada, and chief examiner of the Civil Service Commission of Milwaukee, from which city he hails.

CHAPTER 442--HF 746

MacKinnon - Hennepin County.  
For Committee on Judiciary.

**CREATES  
REVISOR  
OF STATUTES**

Creates the office of Revisor of Statutes to be appointed by the State Supreme Court. Provides a salary of \$5000 a year and the term of office at the pleasure of the Court. Subject to the approval of the Court, the Revisor of Statutes shall employ such assistants, clerks, stenographers, etc. as may be necessary to carry out the duties prescribed in the Act. These duties are to include formulation and preparation of a definite plan for the order, classification, arrangement, printing and binding of the Minnesota Statutes and to prepare bills to be submitted to the Legislature providing for the revision of the Statutes, or any portion thereof, as he shall deem proper, or as he may be instructed by the Supreme Court. He is instructed further to renumber any chapter or section of the Statutes for the purpose of revision and to change and supply reference numbers with any renumbered chapter or section in any

compilation that may be made. Appropriates \$10,000 for each of the fiscal years ending June 30, 1940 and June 30, 1941, for administration of the Act. The Act takes effect July 1, 1939.

Signed April 22, 1939.

CHAPTER 443--HF 1530

Brophy - Hennepin County.  
For Committee on Civil Administration

**UNEMPLOYMENT COMPENSATION ACT.**

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Sections 4337-22 to 4337-28 inclusive and Sections 4337-30, 4337-31, and 4337-32.

Employers contribute 2.7 per cent of wages paid for 1939 and 1940. After December 31, 1940, the percentage is determined according to the employers' contribution and benefits paid.

Contributions are paid into a pooled fund, out of which benefits are paid. An account is kept of each employers' contributions. Employees not required to contribute. For 1941 and subsequent years the percentage of contribution will be determined by the amount of contributions made and benefits charged against employer. The rate of 2.7 per cent being paid at present cannot be reduced until after three calendar years throughout which an individual in his employ could have received benefits if eligible.

If the contributions for all past years exceed the total benefits charged by  $7\frac{1}{2}$  to 10 per cent, the rate shall be 1.8 per cent; 10 to  $12\frac{1}{2}$  per cent the rate shall be 1.3 per cent;  $12\frac{1}{2}$  per cent or three times the total benefits charged for the preceding year,  $9/10$  per cent.

The total assets of the fund must exceed the total benefits paid from the fund within the last preceding calendar year before any employer's rate may be less than 2.7 per cent; and the total assets of the fund must be at least twice the total benefits paid within the preceding year before an employer's rate may be less than 1.8 per cent.

The employer may pay contributions into a guaranteed employment account at the rate of one-half of one per cent of his previous annual payroll, under certain conditions.

**EMPLOYER CONTRIBUTIONS**

**EMPLOYEES NOT REQUIRED TO CONTRIBUTE**

**RATES**

**ASSETS MUST EXCEED BENEFITS PAID**

**GUARANTEED EMPLOYMENT ACCOUNT**

BENEFITS	Benefits are paid for total unemployment at the rate of one-half of full time weekly wage, but not more than \$15 per week nor less than \$6 or three-fourths of the full-time weekly wage, whichever is the lesser.
PARTIAL BENEFITS	Partial benefits are paid in an amount equal to the difference between the weekly benefit amount and five-sixths of the wages for such a week. If it equals less than \$2 per week, it shall not be paid until it does equal that amount or more in the preceding 13 calendar weeks.
MAXIMUM BENEFITS	Maximum total amount of benefits to an eligible individual during a benefit year shall not exceed one-sixth of his total wages earned during his base period or 16 times his weekly benefit amount, whichever is the lesser.
	Two important changes were made in the 1939 Session:
SMALL CITIES EXEMPT	1 - No contribution shall be made after December 31, 1939, by an employer in a city of less than 10,000 population.
OTHER EXEMPTIONS	2 - Exempts employers who have been subject to the Act for 1938 and 1939 and have paid all contributions due prior to January 31, 1940, and who have less than eight employees from contributions for 1940 if no benefit payments have been made for 1939.
	Amendments found in the new Law are as follows:
DEFINITIONS	Section 1.  Subsections: F (1) permits payments for employment outside the State; H (5) relationship of master and servant; H (6) (b) includes Federal agencies under certain conditions; H (6) (c) railroad unemployment compensation insurance act; H (6) (h) exempts student workers; H (6) (j) exempts farmer's cooperative associations dealing exclusively in agricultural and dairy products; H (6) (k) exempts employers in cities of less than 10,000 population; H (6) (l) total, part-total and partial unemployment individuals on regular jobs; H (6) (q) defines "benefit year;" H (6) (r) lowers the number of completed calendar quarters in "base period."

## Section 2. COMPENSATION FUND.

FUND

Subsection D relates to transfer of funds to railroad unemployment insurance account.

## Section 3. CONTRIBUTIONS.

CONTRIBUTIONS

## Subsections:

- B (4) Exempts employers with less than eight employees from 1940 payments;
- C (1) merit rate for 1941 and after;
- C (2) (3) (4) (5) (6) (7) gives method of figuring beneficiary wages and contributions;
- D relates to keeping of separate accounts.

## Section 4. WEEKLY BENEFIT PAYMENTS; WAGE CREDITS; SEASONAL EMPLOYMENT.

CREDITS

## Subsections:

- A. Weekly benefit payments after July 1, 1939;
- B. Method of figuring weekly benefit payments;
- C. Amount an employee is entitled to in benefits and wage credits;
- D. Seasonal employment.

## Section 5. BENEFIT ELIGIBILITY CONDITIONS.

ELIGIBILITY

Changes are found in subsections; A, B, C, D, E, F.

## Section 6. DISQUALIFICATION FOR BENEFITS.

DISQUALIFICATION

## Subsections:

- A. Quitting job;
- B. Discharged for misconduct;
- C. Marriage of female employee against employer rule;
- G. Receiving benefits from another State.

## Section 7. CLAIMS FOR BENEFITS.

CLAIMS

## Subsections:

- B. Decisions by Commission and notices of appeal;
- C. Notice of decisions.

## Section 8. ADMINISTRATION OF THE ACT.

ADMINISTRATION

## Subsections:

- (f) Appointment of state and local advisory councils;
- (1) Cooperation with Federal agencies.

RECIPROCAL

## Section 9. RECIPROCAL BENEFIT ARRANGEMENTS WITH FEDERAL AGENCIES AND OTHER STATES.

## Subsection:

- (b) Payments to employees of Minnesota employers in other States or vice versa.

RECORDS  
CONFIDENTIAL

## Section 10. KEEPING OF RECORDS, AND MAKING THEM CONFIDENTIAL.

EMPLOYMENT  
SERVICE

## Section 11. FREE PUBLIC EMPLOYMENT SERVICE.

## Subsection:

- (c) Agreement with Federal agencies.

## Section 12. PROVISIONS OF THIS ACT ARE SEVERABLE.

Section 13. This Act effective after passage, but benefits started prior to this Act shall not be affected until the year is up.

Signed April 22, 1939.

Note: Since 1936, when unemployment compensation first became a fact in Minnesota, business men in the rural sections have complained bitterly against the tax. Many candidates for the Legislature were elected in 1938 on the promise that they would make every effort to change the law.

On Jan. 11, 1939, the first bill, HF 33, exempting the employer of 7 or less was introduced by Reps. Dixon, Johnson, J.A., and Dorweiler.

On the following day SF 63, exempting employers of 8 or less was introduced by Senators Seifert, Oliver and Murphy.

SF 63 passed the Senate Feb. 28 by a vote of 38 to 27. It went to the House and on March 7, SF 63 was recommended to pass with exemption for employers of 5. On the same day the House, sitting as a Committee of the Whole, recommended the bill as amended for passage. On March 8, it was re-referred to the Committee on Civil Administration and did not make its next appearance until March 29 when the Committee on Civil Administration recommended its indefinite postponement. The same fate befell HF 33 on the same day.

In the interim, two other bills had been in the making at the instance of administration leaders, and on March 29, HF 1530, the merit rating bill, and HF 1531, exempting employers of 5, were introduced at the request of the Governor.

Five days later HF 1530 was passed, but HF 1531 was defeated 62 to 66 after an attempt to restore the figure "8" to the bill had failed by a vote of 62 to 67.

# MINNESOTA STATE SENATE

## CHAPTER 443 ROLL CALL

AYE	NAY
42	24

ON HF 1530 - Unemployment  
Compensation.  
A motion to exempt from tax all employers of 8 or  
less in communities of 10,000 population or less.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY			TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA HOUSE OF REPRESENTATIVES

CHAPTER 443

## ROLL CALL

AYE	NAY	NOT-VOTING
78	14	

ON HF 1530 - Unemployment Compensation

DATE April 18 1939

Final passage as amended

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.			
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.	*		
ANGSTMAN				HALSTED		*		NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG			
BARRETT				HARRISON	*			ODENBORG			
BECKWITH	*			HART	*			O'MALLEY			*
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN				HARTLE				ORAAS			
BOEHLKE				HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY				PAIGE			
BOZE	*			HELLING		*		PALMER	*		
BROPHEY				HERING				PESHEK	*		
BURDICK	*			HERSETH				PETERSON, G. C.	*		
BURNAP	*			HILL		*		PETERSON, H. L.	*		
BUTLER	*			HILLIER				PETERSON, P. B.	*		
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.	*		
CHAMPLIN				HOMPE				POWERS	*		
CHILGREN	*			HOWARD		*		PRIFREL	*		
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT				IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER			
DAMMANN				JEBB				SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.		*		SCHULZ	*		
DIXON	*			JOHNSON, R. G.				SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER		*		STANCHFIELD	*		
DORWEILER				KIEFER				STOCKWELL			
DREXLER	*			LEE				SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE				TERWILLIGER			
DUNN	*			LORENTZ		*		THOMPSON			
EICHHORN	*			LOWE		deceased		TRISCH	*		
EKLUND	*			MACKINNON		*		VANCE	*		
EKMAN	*			MANN		*		VUKELICH			
EMOND	*			MARTINSON		*		WANICK			
ENSTROM	*			MCNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON				MEMMER		*		WIDSTRAND			
FINSTUEN				MERRILL		*		YOUNG			
GALE	*			MILLER		*		ZWACH	*		
GIBBONS				MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON							

# MINNESOTA STATE SENATE

## CHAPTER 443 ROLL CALL

AYE	NAY
39	20

ON HF 1530 - Unemployment  
Compensation  
Final passage

DATE April 15 1939

NAME	A N	NAME	A N
ADAMS		MILLER, F. J.	*
ALMEN		MULLIN	*
ANDERSON	*	MURPHY	*
BERG	*	NELSEN	*
BERGLUND	*	NEUMEIER	*
BRIDGEMAN	*	NEWTON	*
CARLEY	*	NOVAK	*
CARR	*	OLIVER	*
CASHMAN	*	ORR	*
DAHLE	*	PEDERSON	*
DEVOLD	*	RIBENACK	*
DIETZ	*	RICHARDSON	*
DOUGHERTY	*	ROCKNE	*
FEIDT	*	ROEPKE	*
FINSTAD	*	SEIFERT	*
FRIBERG		SELL	*
GAGE	*	SIEGEL	*
GALVIN	*	SIMONSON	
GARDNER	*	SLETVOLD	
HAHN	*	SOLSTAD	*
HERREID	*	STARKS	*
IMM	*	STIENING	*
JOHNSON	*	SULLIVAN	*
JULKOWSKI	*	SWENSON	*
KELLY		TUNGSETH	*
KINGSLEY	*	WAHLSTRAND	*
LARSON, H. A.	*	WEBER	*
LARSON, N. J.	*	WELCH	
LEDIN	*	WELLE	*
LIGHTNER		WING	*
LOFTSGAARDEN	*	WINKJER	*
LOMMEN	*	WOLFE	*
MASEK	*	WRIGHT	*
MILLER, A. H.	*		

When HF 1530 reached the Senate, an amendment to exempt employers in cities of less than 10,000 population was adopted and the bill passed with that provision in it. From that point it went to conference and came out to pass the House and Senate in the closing hours of the session by substantial margins of 78 to 13 and 40 to 22.

### CHAPTER 444--HF 675

Nonnemacher - Ramsey County.

Prohibits the advertising of liquor and 3.2 beer by means of electric signs and billboards. All such signs and billboards ordered removed within 90 days following passage of the Act. Exempts any sign costing in excess of \$1000 and designed to fit a particular location. Violation of the Act constitutes a misdemeanor.

Signed April 22, 1939.

Note: The history of Chapter 444 has its humorous side. Sponsored by the breweries, in its original form it proposed to eliminate neon signs on beer parlors. This form of advertising had become such a burdensome expense that the brewers asked the Legislature to make such advertising unlawful. When HF 675 reached the Senate it was amended to include billboards, and to exempt signs of certain cost and size. In the conference committee the Senate receded from the billboard amendment and the House accepted the amendment exempting signs of certain cost and size. In the last minute rush, the engrossed bill which was laid on the Governor's desk for signature contained both Senate amendments, and in that form the law was signed. Discovery of the section ordering all billboards advertising liquor and 3.2 beer off the highways was not made until the session laws were printed in newspaper form. Immediately the sponsors of the bill and the display advertising companies got busy and found that there was nothing to be done about it except to take it into court on the question of whether the journals of the House and Senate, which, in this case showed what had actually happened, would govern, or whether the journals were impeachable. On this question the case now rests, and probably will continue in that status until the 90-day period expires when an advertiser will be taken into court for violating the Act. Meantime, the State Supreme Court is considering a similar question with reference to Chapter 446 - the so-called income tax law - which, as signed by the Governor, contained wording that the Legislature is

ORDERS  
CERTAIN  
BILLBOARDS  
REMOVED

presumed not to have intended to be included. The Ramsey County District Court refused to throw the law out on the plea that the law as signed was not the law as passed, and that question is now before the State Supreme Court. At the time of this writing the Supreme Court's opinion had not been announced. According to the Attorney General "the holding of the Supreme Court with reference to the validity of Chapter 446 will in all probability determine the situation as to Chapter 444."

### CHAPTER 445--HF 933

Lee - Wright County.

COUNTY  
TO PAY  
FOR CASHING  
CHECKS

Amends 1938 Supplement to Mason's Minnesota Statutes 1927, Section 974-16. In addition to salaries, office, traveling and other expenses of the County Welfare Board, the expense of cashing old age assistance and other Welfare Board checks shall be paid by the County, subject to reimbursement out of State and Federal Funds.

Signed April 22, 1939

### CHAPTER 446\*--HF 1614

Johnson, R. G. - Washington County.  
For Committee on Taxes.

1939  
INCOME  
TAX LAW

Amendments apply to all taxable years after Dec. 31, 1938. The first returns to be affected by the amended Act are calendar year 1939 returns due to be filed on or before March 15, 1940. The 1939 Legislature made the Act effective beginning with a calendar year, thus minimizing the confusion arising from a duplication of net income computations under two laws, and follows the practice of Congress in recent years in the revision of the Federal Income Tax Acts. Section 5 (c) includes building and loan associations within the class of organizations exempt from the income tax. Section 12 (g) makes Federal salaries taxable. Section 12 (1) includes as taxable net income of corporations, income received from obligations of the State of Minnesota. Sections 25 and 26 deal with the question of taxable net income of individuals and corporations whose income is earned from transactions both in and out of the State. Under the 1933 law sales were considered the measure of Minnesota income.

CHAPTER 446

## Decision of the Minnesota State Supreme Court

## ADDENDUM

Ramsey County. Bull, Respondent v. Stafford King, as State Auditor, Appellant. The regularity of the enactment of a statute may be inquired into by examining the legislative journals to ascertain whether there has been compliance with constitutional requirements.

1939  
INCOME  
TAX  
LAW

The bill presented to Governor for approval under Const. Art. 4, Sec. 11, must be the same in substance and legal effect as the bill passed by the Legislature, but immaterial errors will be disregarded.

Where there is a discrepancy between the bill passed by the Legislature and the bill approved by the Governor, construction may be resorted to for the purpose of determining whether or not the latter differs from the former in substance and legal effect.

An erroneous reference included in an amendatory act identifying the statute to be amended, may be eliminated as surplusage and the statute read as corrected, where the legislative intention is clear.

The rule of construction, that an amendatory act providing that the amended act shall read as follows, and then setting forth the amendment, repeals all of the amended act not re-enacted, is no obstacle to the application of the rule that erroneous references in the amendatory act identifying the amended statute may be corrected or eliminated by construction to conform to the legislative intent. Affirmed, Peterson, J.

June 9, 1939.

Where the taxpayer's business is that of manufacturing, there is now available to him what is described as a three-factor formula, namely, properties, payroll and sales. Those who are entitled to the use of this formula have the option to accord to the Minnesota property and payroll elements a lesser emphasis. The amended section sets forth that the sales, property and payroll percentages may be given a 70%, 15% and 15% rating respectively. Section 46 clarifies the administration provisions concerning the assessment of tax together with a revision of the period within which the statute of limitations will run in favor of the taxpayer. Under the 1933 Act the period was 2 years; under the 1937 Act it was 3 years, and under the 1939 Act it is  $3\frac{1}{2}$  years. Formerly the taxpayer and the Commission could waive the running of the statute of limitations. The time within which suit may be brought under the 1939 Act is 4 years from the date of filing the return. Section 47 (c)-1 permits taxpayers to file claims for refunds where they were entitled to a dividend credit against their taxable net income during the taxable years 1933 to 1936 inclusive, but because of the running of the statute of limitations in favor of the State before the Commission determined the amount of such dividend credit, credits were denied the taxpayers. Claims under this provision must be filed by Dec. 31, 1939. Section 50 requires the Commission to prepare a simplified form for individual taxpayers having a gross income of less than \$5000.

Signed April 22, 1939.

\* See Note under Chapter 444.

Note: The 1939 Income Tax Law was passed to simplify and make more effective the administration of the Act. It should be noted that the 1933 Act accorded building and loan associations an exemption from the tax. This was repealed by the 1937 Legislature. Thus building and loan association incomes are taxable for the calendar years of 1937 and 1938, but are currently exempt.

#### CHAPTER 447--SF 280

Siegel - Ramsey County.

A proposed amendment to the State Constitution relating to the adoption of a charter by any village or city, for government as a city. The Constitution provided that the proposed charter

CHARTER  
AMENDMENT  
TO BE  
RE-SUBMITTED

must be published for at least thirty days in three newspapers of general circulation in such city or village. The proposed amendment provides for publication for at least once each week for four successive weeks in a legal newspaper of general circulation.

Signed April 13, 1939.

Note: This bill was initiated by the City of White Bear Lake and Village of North St. Paul in Ramsey County who desire to adopt a charter, but not having three newspapers they would not be able to comply with the Constitution. This proposal was submitted to the electorate in 1937 election but was defeated.

#### RESOLUTIONS ADOPTED

##### NO. 1 - SF 5

Stiening - Wilkin, Clay Counties.

AGRICULTURE Urges Congress to stabilize the price of hard spring wheat so as to guarantee the farmers of Minnesota and other Northwest states their cost of production. Condemns the "unwarranted restriction imposed upon the growing of such wheat during the year 1939."

Signed February 17, 1939.

##### NO. 2 - HF 288

Welch - Hennepin County.

AIR-BASE Memorializes the Federal Civil Aeronautical Authority and Congress to establish an air base in Minnesota.

Signed February 17, 1939.

NO. 3 - HF 63

Eklund - St. Louis County.  
 Thompson (St. Louis), Wanwick (St. Louis),  
 Anderson, C.G. (Lake, Cook), Huhtala (St. Louis).

Urges the President of the United States to resubmit to the Canadian government the treaty for the building of the Great Lakes-St. Lawrence Seaway, and memorializes the United States Senate to immediately ratify the treaty when submitted.

WATERWAY

Signed February 17, 1939.

NO. 4 - HF 289

Cummings - Rock County.  
 Slen (Lac qui Parle), Constable (Nobles).

Fair and equitable freight rates are urged in this resolution which declares that present rates established by the Interstate Commerce Commission are discriminatory against agriculture, industry and the consuming public of the Western Trunk Line Territory. The appeal for relief is addressed to the ICC, the President and Congress.

FREIGHT RATES

Signed February 24, 1939.

No. 5 - HF 322

Merrill - Faribault County.

Early war by the Federal government on grasshopper fights is urged. This resolution asks that poison bait materials and other defense measures be supplied in time to save crops from attack by grasshoppers, crickets, chinch bugs and a new pest called the fringe beetle.

'HOPPER CONTROL

Signed February 24, 1939.

NO. 6 - SF 13

Novak - Ramsey County.

Points out that Minnesota is no longer able to carry the entire burden of furnishing adequate

AID TO DISABLED

aid to needy crippled persons, and asks that the Federal Social Security Act be amended to provide financial assistance.

Signed February 25, 1939.

NO. 7 - HF 130

Zwach - Brown, Redwood Counties.  
Swennes (Redwood), Slen (Lac qui Parle),  
Peterson, P.J.E. (Martin).

**FARM  
LOANS** Calls for continuation of interest rate of  $3\frac{1}{2}\%$  or less on Federal farm loans and of 4% or less on commission loans.

Signed February 28, 1939.

NO. 8 - SF 4

Stiening - Clay, Wilkin Counties.  
Nelsen (McLeod), Dietz (LeSueur).

**BUTTER  
AND  
OLEO** Asks Federal legislation to (1) levy a tax of not less than 5 cents per pound on uncolored oleomargarine; (2) prevent importation of foreign oils and fats; (3) remove enough butter and cheese from public markets so as to absorb present surplus, and (4) stop utilizing cotton, wheat, tobacco and corn land in dairy production.

Signed March 7, 1939.

NO. 9 - SF 6

Stiening - Clay, Wilkin Counties.

**FARM  
PRICES** Urges stabilized prices on farm products in line with price-fixing opportunities given through national legislation to industry. Cost of production plus an amount sufficient to pay taxes, interest, debt service and living expenses is urged on Congress.

Signed March 7, 1939.

NO. 10 - SF 177

Imm - Blue Earth County.  
Cashman (Waseca, Steele), Bridgeman (Beltrami).

A stable and comprehensive program of subsidies to Minnesota farmers for the development and maintenance of farm woodlands and shelterbelts is the subject of this resolution.

Signed March 7, 1939.

FARM  
WOODLOTS

NO. 11 - SF 442

Dahle - St. Louis County.

The Legislature assents to the provisions of the Pittman-Robertson Act for the purpose of making available to the State its proportion of the funds set aside for wild-life restoration projects and for the development of game resources.

Signed March 7, 1939.

WILD  
LIFE

NO. 12 - SF 176

Loftsgaarden - Ramsey County.

Memorializes Congress to propose to the states an amendment to the Constitution of the United States providing for the taxation of securities that are now tax-exempt.

Signed March 9, 1939.

TAX  
EXEMPT  
SECURITIES

NO. 13 - SF 303

Rockne - Goodhue County.  
For Committee on Finances.

Sets forth that during the life of the agricultural Adjustment Act, the citizens of Minnesota paid into the Internal Revenue Department a total sum of \$56,320,154.32, and that although the AAA has since been declared unconstitutional and invalid by the United States Supreme Court, no refund has been made. The resolution points out further that the people of Minnesota have contributed \$500,000,000.00 in income taxes since 1915, in the light of which it is the sense

PROCESSING  
TAX  
REPAYMENT

of the resolution that the citizens of Minnesota are entitled to relief. Congress is therefore urged to appropriate \$25,000,000.00 as part repayment of the money collected in Minnesota under the AAA.

Signed March 24, 1939.

NO. 14 - SF 1160

Larson, N.J. - Norman, Mahnomen Counties.  
Stiening - Clay, Wilkin Counties.

**GOVERNORS' CONFERENCE** Memorializes the Governor to call a conference of Governors of North Central states to consider ways and means of improving economic conditions among farmers.

Signed March 24, 1939.

NO. 15 - SF 1378

Stiening - Clay, Wilkin Counties

**AID TO DEPENDENT CHILDREN** Asks Congress to amend the Social Security Act so that the Federal government may assume one-half of the cost of furnishing aid to dependent children. Takes the position that present provisions that States pay two-thirds of the grants in aid for dependent children, and only one-half of old age and blind assistance is an unfair apportionment.

Signed April 4, 1939

NO. 16 - SF 1001

Kingsley - Hennepin County.  
Almen - Lyon County

**FLAG WEEK** Endorses the plan for the observance of "Flag Week" from June 8 to June 14, and authorizes the Governor to direct the Commissioner of Education and all other State officials to arrange for the proper display of the flag and suitable recognition of the occasion in schools and all public buildings.

Signed April 4, 1939.

NO. 17 - SF 1206

Weber - Murray County  
 Oliver - Big Stone County.

Requests legislation by which Minnesota farmers in drought-stricken areas, who gave notes in 1933-34 for feed shipped in and for which they paid "tenfold" the amount of present prices, may be released from their obligations.

Signed April 10, 1939.

FARM  
 FEED  
 NOTES

NO. 18 - SF 1359

Kingsley - Hennepin County,

Designates the University of Minnesota band to be among the official representatives of the State at the festival honoring King George VI and Queen Elizabeth in Winnipeg.

Signed April 12, 1939.

UNIVERSITY  
 BAND

NO. 19 - HF 765

Anderson, C. G. - Lake, Cook Counties.

Memorializes Legislature and the Governor of Wisconsin to take action providing certain restrictions upon the removal of herring from Lake Superior. The resolution relates that Minnesota has adopted such restrictions to become effective when Wisconsin does likewise.

Signed April 14, 1939.

FISHING

NO. 20 - SF 622

Finstad - Cottonwood, Jackson Counties

Authorizes and requests the Attorney General to investigate and study the question of co-ordinating and consolidating the several agencies within the State dealing with law enforcement and the apprehension of criminals. Asks for a report to the 1941 Legislature.

Signed April 14, 1939.

CRIME

NO. 21 - SF 1273

Nelsen - McLeod County.  
Sullivan (Stearns), Galvin (Winona).

MISSISSIPPI  
RIVER  
PARKWAY

Memorializes Congress to pass legislation (HR 3759) providing for cooperation between Federal and State agencies in making surveys and investigations in connection with the proposed Mississippi River Parkway, extending from the source of the Mississippi River in Lake Itasca in Itasca State Park to the mouth of the Mississippi in the Gulf of Mexico.

Signed April 14, 1939.

NO. 22 - SF 1112

Bridgeman - Beltrami County.

CUT-OVER  
AREA

Urges Federal legislation with a view to rehabilitating the Great Lakes cut-over area consisting of large tracts of land in the northern portions of Michigan, Wisconsin and Minnesota.

Signed April 17, 1939.

NO. 23 - SF 1106

Swenson - Nicollet County.  
Starks (Mower, Dodge), Stiening (Clay, Wilkin).

FRAZIER-  
LEMKE

Enactment of the Frazier-Lemke plan for Federal re-financing of farm mortgages is asked in this resolution. By this plan farmers obtaining Federal loans could repay them over a period of 47 years at an interest rate of  $1\frac{1}{2}\%$  per year, and bearing interest at the rate of  $1\frac{1}{2}\%$  on the unpaid principal.

Signed April 20, 1939.

NO. 24 - SF 1355

Lommen - St. Louis County.  
 Friberg (Roseau), Pederson (Chippewa)

Dedicates the people of Minnesota against any alliances or entanglements abroad and appeals to Federal officials to establish America as a neutral nation in the sight of the world.

ANTI-WAR

Signed April 20, 1939.

NO. 25 - SF 1375

Winkjer - Pope, Douglas Counties.  
 Johnson, C.E. - Pine, Chisago Counties.

Memorializes Congress to enact Senate Joint Resolution No. 65 relating to deficiency judgments against borrowers from Federal land banks, which would protect the farmer in his right to his home and end the system that is "permanently pauperizing him."

DEFICIENCY JUDGMENTS

Signed April 20, 1939.

NO. 26 - HF 888

Herseth - Kittson County.  
 Ottinger - Carver County.

Pleads for relief from existing treaties regulating and controlling the production of sugar by farmers of Minnesota. Condemns the treaty whereby sugar producers of Cuba have been granted 50% of the U. S. sugar market, insular possessions of the U. S. 26% and the farmers of the United States the remaining 24%.

SUGAR MARKET

Signed April 20, 1939.

NO. 27 - HF 1301

Thompson - St. Louis County.  
 Halsted (Crow Wing), Zwach (Brown, Redwood), Iverson (Grant).

Urges Congress to exercise its right and duty under the Constitution to coin, issue, fix and regulate money, and that fiscal policies

MONEY

be adopted by which the government shall finance all useful permanent public improvements by the issue of legal tender currency instead of interest bearing, tax-exempt bonds.

Signed April 20, 1939.

NO. 28 - SF 1457

Weber - Murray, Lincoln, Pipestone Counties.

IRON  
ORE  
TAX  
STUDY

Creates an interim commission to study problems relating to the taxation of the iron ore industry, and the levies and expenditures of local subdivisions. Commission is directed to report to the Legislature prior to the convening of the next regular session. May spend a sum not to exceed \$7,500 from the Legislative Expense Fund to accomplish its purposes.

Signed April 22, 1939.

Note: Representing the Senate on this interim Commission will be Senators Miller, F. J., Dietz, Weber and Neumeier. Appointed from the House are Reps. Johnson, R.G., Powers, Hartle and Daun.

CONTROVERSIAL BILLS  
THAT DID NOT PASS  
AND THEIR RECORD VOTES

SF 63\* - (Seifert, Oliver, Murphy) - The first Senate bill introduced on Unemployment Compensation. Exempted from the tax all employers of less than 8 subsequent to April 1, 1939. This proposal was in line with campaign promises of many rural members. Passage of this bill in the Senate raised a cry that a "rural bloc" had organized to dominate legislation. This charge was made light of by many of the Senators who were supposed to be members of the "bloc." This bill came to a vote on February 28. On motion of Senator Mullin of Minneapolis, to re-refer the bill to the Committee on Labor (Galvin, chairman) the so-called "rural bloc" won its first victory by a vote of 27 to 38. On final passage the bill was passed at the same sitting by a vote of 38 to 27. SF 63 did not reach a vote in the House, where the Committee on Civil Administration buried it until other plans had developed.

HF 1531\* - (Brophey, for Committee on Civil Administration) - While the subject of relieving employers having less than 8 employees from the unemployment compensation tax was being considered in committee, two new bills were in the making in the Committee on Civil Administration. One - HF 1530 - was finally adopted and became Chapter 443, Laws 1939. It provided for a merit system of rating employers having less than 8 employees who had no benefits from the tax during 1939. The other bill - HF 1531 - directly specified that an employer having less than 5 employees was to be exempt. When the bill reached the floor of the House, Rep. Iverson moved to exempt all employers having less than 8 employees. This motion was lost 62 to 67. On final passage the committee bill was lost by a vote of 62 to 66, and a motion to reconsider was lost.

HF 285 - (Slen, Headley, McNulty, Hayford) - Empowered the Railroad and Warehouse Commission to regulate the safety of employees, passengers. Included in it was a provision compelling the railroads to put on what has come to be known as a "full crew," long a pet issue with the railroad brotherhoods. Each session, as this issue has arisen, the railroads have been able to convince the Legislature that safety was not the objective of the bill's sponsors. The House Committee on Transportation (Duckstad, chairman) recommended that HF 285 be returned to its authors. A minority report signed by Slen, Headley and Prifrel recommended the omission of the "full crew" feature, and with that provision removed, to pass the bill. This proposal was defeated 49 to 68. On motion to re-refer it to the Committee, opponents of the bill again were victorious, this time by a vote of 56 to 64. The majority committee report was then adopted 68 to 51.

\* Dealt with the same subject matter.

HF 325 - (Hartkopf, Gale, Lenertz, Palmer) - a bill to require all State institutions to furnish to its inmates or residents only those farm, garden and dairy products raised or produced in Minnesota. The bill was recommended to pass by the House Committee on Markets and Marketing (Hartle, chairman). While awaiting its turn on the House calendar the members were reminded of a bill passed several years ago requiring the use of Minnesota stone on all public buildings. Passage of this bill resulted in reprisals that did not end until the law was repealed. This reminder had no little to do with the defeat of the bill on March 6 by a vote of 54 to 62. It did not reach the Senate.

HF 503 - (Prifrel, Drexler) - A bill to repeal the 1-mill road and bridge fund. This was in line with the Governor's announcement that he would be willing to stand for a continuation of the 4-cent gasoline tax for another two years on condition that the 1-mill road and bridge tax was repealed. This was not agreeable to many rural members who felt the pressure from their county officials demanding that both the 1-mill and the 4-cent tax be respectively continued and passed. Speedy decline of roads was pictured. Although HF 503 was introduced quite early in the session, and a companion bill was handed the Senate, consideration of it was delayed while the members fought the issue of the 4-cent gas tax. It was finally agreed to keep the 4-cent tax in force until September 1, 1940. About that same time HF 503 passed the House amended to reduce the tax to one-half mill for 1939 and 1940. The vote was 68 to 55, taken on April 17, two days before adjournment. The Senate did not find the time to consider it.

HF 393 - (Johnson, R.G., Slen, Myre) - a bill amending Mason's Minnesota Statutes 1927, Section 10711, proposing to give the County Attorney final rebuttal argument in criminal cases. Of the 31 lawyers in the Senate, 22 of them were opposed to the change in court routine, many of them on the ground that the average defendant in criminal cases, and particularly in the rural districts, has enough against him without adding advantages to the prosecution side. Among these were a number of former County Attorneys who, better than any one else, were thought to know the weaknesses of the defendant's position. The bill passed the House 74 to 17. It didn't stir up much excitement in the House, but when it reached the Senate interest grew. The Judiciary Committee (Loftsgaarden, chairman) recommended that the bill be indefinitely postponed. A minority report, signed by Lightner, Welch, Anderson, Miller, A. H. and Larson, H. A. recommended the bill to pass. The minority committee report was turned down 24 to 43. The majority committee report was then adopted.

SF 661 - (Loftsgaarden, for Committee on Judiciary) - Repealed Mason's Minnesota Statutes 1927, Section 210, as amended by Laws 1929, Chapters 201 and 408 as amended by Laws 1937, Chapter 475, which provided that a Judge of the State Supreme or District Court might retire at any time and receive full pay for the remainder of his unfilled term; that if a Judge had reached the age

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
38	27

ON SF 63-Unemployment Compensation DATE February 28 1939  
 Final Passage  
 This started talk of "farm bloc" control. SF 63 exempted em-  
 ployers of 8 or less, but did not get beyond House Committee.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON		*	MURPHY		*
BERG		*	NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN		*	NEWTON		*
CARLEY	*		NOVAK		*
CARR		*	OLIVER		*
CASHMAN	*		ORR		*
DAHLE		*	PEDERSON		*
DEVOLD			RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT		*	ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG		*	SELL		*
GAGE	*		SIEGEL		*
GALVIN		*	SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY		*	TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
27	38

ON SF 63 -Unemployment Compensation DATE February 28 1939

On motion to re-refer to Committee on Labor

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.	*	
ALMEN	*		MULLIN	*	
ANDERSON	*		MURPHY	*	
BERG	*		NELSEN	*	
BERGLUND	*		NEUMEIER	*	
BRIDGEMAN	*		NEWTON	*	
CARLEY	*		NOVAK	*	
CARR	*		OLIVER	*	
CASHMAN	*		ORR	*	
DAHLE	*		PEDERSON	*	
DEVOLD	*		RIBENACK	*	
DIETZ	*		RICHARDSON	*	
DOUGHERTY	*		ROCKNE	*	
FEIDT	*		ROEPKE	*	
FINSTAD	*		SEIFERT	*	
FRIBERG	*		SELL	*	
GAGE	*		SIEGEL	*	
GALVIN	*		SIMONSON	*	
GARDNER	*		SLETVOLD	*	
HAHN	*		SOLSTAD	*	
HERREID	*		STARKS	*	
IMM	*		STIENING	*	
JOHNSON	*		SULLIVAN	*	
JULKOWSKI	*		SWENSON	*	
KELLY	*		TUNGSETH	*	
KINGSLEY	*		WAHLSTRAND	*	
LARSON, H. A.	*		WEBER	*	
LARSON, N. J.	*		WELCH	*	
LEDIN	*		WELLE	*	
LIGHTNER	*		WING	*	
LOFTSGAARDEN	*		WINKJER	*	
LOMMEN	*		WOLFE	*	
MASEK	*		WRIGHT	*	
MILLER, A. H.	*				

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
62	67	

ON HF 1531 - Unemployment Compensation - A motion to      DATE      April 4      1939

exempt from the social security tax employers of 8 instead of 5 - Motion Lost.

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.	*			MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON	*			ODENBORG	*		
BECKWITH	*			HART	*			O'MALLEY	*		
BENNETT	*			HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE	*			ORAAS	*		
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE	*		
BOZE	*			HELLING	*			PALMER	*		
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.	*		
BURNAP	*			HILL	*			PETERSON, H. L.	*		
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE	*			POWERS	*		
CHILGREN	*			HOWARD	*			PRIFREL	*		
CONSTABLE	*			HUHTALA	*			ROTH	*		
COVERT	*			IMDIEKE	*			RYKKEN	*		
CUMMINGS	*			IVERSON	*			SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.	*			SCHULZ	*		
DIXON	*			JOHNSON, R. G.	*			SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER	*			STANCHFIELD	*		
DORWEILER	*			KIEFER	*			STOCKWELL	*		
DREXLER	*			LEE	*			SWENNES	*		
DUCKSTAD	*			LENERTZ	*			TEIGEN	*		
DUEMKE	*			LITCHKE	*			TERWILLIGER	*		
DUNN	*			LORENTZ	*			THOMPSON	*		
EICHHORN	*			LOWE	deceased			TRISCH	*		
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND	*			MARTINSON	*			WANICK	*		
ENSTROM	*			McNULTY	*			WEIDENDORF	*		
ERICKSON	*			MELBY	*			WELCH	*		
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL	*			YOUNG	*		
GALE	*			MILLER	*			ZWACH	*		
GIBBONS	*			MOBERG	*			MR. SPEAKER	*		
GLEASON	*			MORTINSON	*						

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
62	66	

ON HF 1531 - Unemployment Compensation

DATE April 4

1939

### Final Passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN	*			HAGEN, E.		*		MYRE	*		
ANDERSON, C. G.				HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND		*		NELSON, W. N.		*	
ANGSTMAN	*			HALSTED		*		NONNEMACHER		*	
ANTILA	*			HANSEN		*		OBERG	*		
BARRETT	*			HARRISON		*		ODENBORG	*		
BECKWITH	*			HART		*		O'MALLEY		*	
BENNETT	*			HARTKOPF		*		ONAN	*		
BERLIN	*			HARTLE		*		ORAAS	*		
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS	*			HEADLEY		*		PAIGE		*	
BOZE	*			HELLING		*		PALMER	*		
BROPHEY	*	*		HERING		*		PESHEK	*		
BURDICK	*			HERSETH		*		PETERSON, G. C.		*	
BURNAP	*			HILL		*		PETERSON, H. L.		*	
BUTLER	*			HILLIER		*		PETERSON, P. B.		*	
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE		*		POWERS	*		
CHILGREN	*			HOWARD		*		PRIFREL		*	
CONSTABLE	*			HUHTALA		*		ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON		*		SAWYER	*		
DAMMANN	*			JEBB		*		SCHNEIDER, F. F.	*		
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.	*		
DAY	*			JOHNSON, J. A.		*		SCHULZ	*		
DIXON	*			JOHNSON, R. G.		*		SCHWANKE	*		
DOERR	*			JOHNSTON, W. C.				SLEN	*		
DOMINICK	*			KEMPFER		*		STANCHFIELD	*		
DORWEILER	*			KIEFER		*		STOCKWELL	*		
DREXLER	*			LEE		*		SWENNES	*		
DUCKSTAD	*			LENERTZ		*		TEIGEN	*		
DUEMKE	*			LITCHKE		*		TERWILLIGER	*		
DUNN	*			LORENTZ		*		THOMPSON	*		
EICHHORN	*			LOWE		deceased		TRISCH	*		
EKLUND	*			MacKINNON		*		VANCE	*		
EKMAN	*			MANN		*		VUKELICH	*		
EMOND	*			MARTINSON		*		WANICK	*		
ENSTROM	*			McNULTY		*		WEIDENDORF	*		
ERICKSON	*			MELBY		*		WELCH	*		
EVENSON	*			MEMMER		*		WIDSTRAND	*		
FINSTUEN	*			MERRILL		*		YOUNG	*		
GALE	*			MILLER		*		ZWACH	*		
GIBBONS	*			MOBERG		*		MR. SPEAKER	*		
GLEASON	*			MORTINSON		*					

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
54	62	

ON HF 325 - Requiring use of Minnesota grown

DATE

March 6

19 39

products in state institutions

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V.	NAME	A	N	N.V.	NAME	A	N	N.V.
ALLEN	*			HAGEN, E.				MYRE			*
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.			*
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.			*
ANGSTMAN	*			HALSTED	*			NONNEMACHER			*
ANTILA	*			HANSEN	*			OBERG	*		
BARRETT	*			HARRISON		*		ODENBORG		*	
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT	*			HARTKOPF	*			ONAN		*	
BERLIN	*			HARTLE	*			ORAAS			
BOEHLKE	*			HAYFORD	*			OTTINGER		*	
BONDHUS	*			HEADLEY	*			PAIGE		*	
BOZE	*			HELLING		*		PALMER			
BROPHEY	*			HERING		*		PESHEK			*
BURDICK	*			HERSETH		*		PETERSON, G. C.			*
BURNAP	*			HILL		*		PETERSON, H. L.			
BUTLER	*			HILLIER		*		PETERSON, P. B.			*
CAMPBELL	*			HILTON		*		PETERSON, P. J. E.			*
CHAMPLIN	*			HOMPE	*			POWERS			*
CHILGREN	*			HOWARD				PRIFREL			*
CONSTABLE	*			HUHTALA		*		ROTH			*
COVERT	*			IMDIEKE	*			RYKKEN			*
CUMMINGS	*			IVERSON				SAWYER			*
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.			*
DAUN	*			JOHNSON, E.		*		SCHNEIDER, W.			
DAY	*			JOHNSON, J. A.		*		SCHULZ			*
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR	*			JOHNSTON, W. C.				SLEN			*
DOMINICK	*			KEMPFER		*		STANCHFIELD			*
DORWEILER	*			KIEFER				STOCKWELL			*
DREXLER	*			LEE		*		SWENNES			*
DUCKSTAD				LENERTZ		*		TEIGEN			*
DUEMKE	*			LITCHKE		*		TERWILLIGER			*
DÜNN	*			LORENTZ		*		THOMPSON			*
EICHHORN	*			LOWE		*		TRISCH			
EKLUND	*			MacKINNON		*		VANCE			*
EKMAN	*			MANN		*		VUKELICH			*
EMOND	*			MARTINSON		*		WANICK			*
ENSTROM	*			McNULTY				WEIDENDORF			*
ERICKSON	*			MELBY		*		WELCH			
EVENSON	*			MEMMER		*		WIDSTRAND			*
FINSTUEN	*			MERRILL		*		YOUNG			*
GALE	*			MILLER		*		ZWACH			*
GIBBONS	*			MOBERG		*		MR. SPEAKER			
GLEASON	*			MORTINSON		*					

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
24	43

ON HF 393-Giving the state the DATE March 14 1939  
 closing argument in criminal cases.  
 On motion to adopt minority report and recommend bill to pass.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
74	17	

ON HF 393 - Giving the state the closing

DATE March 6

19 39

argument in criminal cases

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N.V	NAME	A	N	N.V	NAME	A	N	N.V
ALLEN				HAGEN, E.				MYRE	*		
ANDERSON, C. G.	*			HAGEN, G.		*		NELSON, C. J.	*		
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.	*		
ANGSTMAN	*			HALSTED		*		NONNEMACHER		*	
ANTILA				HANSEN	*			OBERG	*		
BARRETT				HARRISON	*			ODENBORG			
BECKWITH	*			HART		*		O'MALLEY			
BENNETT				HARTKOPF	*			ONAN	*		
BERLIN	*			HARTLE				ORAAS			
BOEHLKE	*			HAYFORD		*		OTTINGER	*		
BONDHUS				HEADLEY				PAIGE			
BOZE	*			HELLING		*		PALMER			
BROPHEY	*			HERING	*			PESHEK	*		
BURDICK	*			HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL	*			PETERSON, H. L.			
BUTLER	*			HILLIER	*			PETERSON, P. B.	*		
CAMPBELL	*			HILTON				PETERSON, P. J. E.	*		
CHAMPLIN	*			HOMPE		*		POWERS	*		
CHILGREN	*			HOWARD				PRIFREL			
CONSTABLE				HUHTALA				ROTH	*		
COVERT	*			IMDIEKE		*		RYKKEN	*		
CUMMINGS	*			IVERSON				SAWYER	*		
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.	*		
DAUN				JOHNSON, E.	*			SCHNEIDER, W.			
DAY	*			JOHNSON, J. A.	*			SCHULZ			
DIXON	*			JOHNSON, R. G.	*			SCHWANKE			
DOERR				JOHNSTON, W. C.				SLEN			
DOMINICK	*			KEMPFER	*			STANCHFIELD			
DORWEILER	*			KIEFER	*			STOCKWELL			
DREXLER	*			LEE	*			SWENNES		*	
DUCKSTAD				LENERTZ	*			TEIGEN		*	
DUEMKE				LITCHKE	*			TERWILLIGER		*	
DUNN				LORENTZ	*			THOMPSON			
EICHHORN	*			LOWE	*			TRISCH			
EKLUND	*			MacKINNON	*			VANCE	*		
EKMAN	*			MANN	*			VUKELICH	*		
EMOND				MARTINSON				WANICK			
ENSTROM	*			McNULTY				WEIDENDORF			
ERICKSON	*			MELBY	*			WELCH			
EVENSON	*			MEMMER	*			WIDSTRAND	*		
FINSTUEN	*			MERRILL				YOUNG	*		
GALE	*			MILLER				ZWACH	*		
GIBBONS	*			MOBERG		*		MR. SPEAKER	*		
GLEASON	*			MORTINSON							*

# MINNESOTA HOUSE OF REPRESENTATIVES

## ROLL CALL

AYE	NAY	NOT-VOTING
68	56	

ON HF 503 - Repeal of road and bridge mill tax      DATE      April 17      1939

Final Passage

The question being taken on the Passage of the Bill,

And the roll being called, there were yeas \_\_\_\_\_ and nays \_\_\_\_\_, as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

NAME	A	N	N-V	NAME	A	N	N-V	NAME	A	N	N-V
ALLEN				HAGEN, E.	*			MYRE		*	
ANDERSON, C. G.	*			HAGEN, G.	*			NELSON, C. J.		*	
ANDERSON, G. E.	*			HAGLAND	*			NELSON, W. N.		*	
ANGSTMAN	*			HALSTED	*			NONNEMACHER	*		
ANTILA	*			HANSEN	*			OBERG		*	
BARRETT	*			HARRISON	*			ODENBORG		*	
BECKWITH	*			HART	*			O'MALLEY		*	
BENNETT	*			HARTKOPF	*			ONAN		*	
BERLIN	*			HARTLE	*			ORAAS		*	
BOEHLKE	*			HAYFORD	*			OTTINGER	*		
BONDHUS	*			HEADLEY	*			PAIGE		*	
BOZE	*			HELLING	*			PALMER		*	
BROPHEY	*			HERING				PESHEK		*	
BURDICK	*			HERSETH	*			PETERSON, G. C.		*	
BURNAP	*			HILL	*			PETERSON, H. L.		*	
BUTLER	*			HILLIER	*			PETERSON, P. B.		*	
CAMPBELL	*			HILTON	*			PETERSON, P. J. E.	*		
CHAMPLIN				HOMPE	*			POWERS		*	
CHILGREN	*			HOWARD	*			PRIFREL		*	
CONSTABLE	*			HUHTALA	*			ROTH		*	
COVERT	*			IMDIEKE	*			RYKKEN		*	
CUMMINGS	*			IVERSON	*			SAWYER		*	
DAMMANN	*			JEBB	*			SCHNEIDER, F. F.		*	
DAUN	*			JOHNSON, E.	*			SCHNEIDER, W.		*	
DAY	*			JOHNSON, J. A.	*			SCHULZ		*	
DIXON	*			JOHNSON, R. G.	*			SCHWANKE		*	
DOERR	*			JOHNSTON, W. C.				SLEN		*	
DOMINICK	*			KEMPFER	*			STANCHFIELD		*	
DORWEILER	*			KIEFER	*			STOCKWELL		*	
DREXLER	*			LEE	*			SWENNES		*	
DUCKSTAD	*			LENERTZ	*			TEIGEN		*	
DUEMKE	*			LITCHKE	*			TERWILLIGER		*	
DUNN				LORENTZ	*			THOMPSON		*	
EICHHORN	*			LOWE	deceased			TRISCH		*	
EKLUND	*			MacKINNON	*			VANCE		*	
EKMAN	*			MANN	*			VUKELICH		*	
EMOND	*			MARTINSON	*			WANVICK		*	
ENSTROM	*			McNULTY	*			WEIDENDORF		*	
ERICKSON	*			MELBY	*			WELCH		*	
EVENSON	*			MEMMER	*			WIDSTRAND		*	
FINSTUEN	*			MERRILL	*			YOUNG		*	
GALE	*			MILLER	*			ZWACH		*	
GIBBONS	*			MOBERG	*			MR. SPEAKER			
GLEASON	*			MORTINSON	*						

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
34	31

ON SF 661-Retirement of District DATE March 23  
 and Supreme Court Judges. 19 39  
 Motion to adopt minority report and advance bill to calendar.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON			MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
33	34

ONSF 661-Retirement of District DATE March 28 19 39  
 and Supreme Court Judges.  
 Final passage.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY	*		NOVAK		*
CARR	*		OLIVER		*
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG	*		SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		*
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		*
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		*
LARSON, N. J.	*		WELCH		*
LEDIN	*		WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		*
MILLER, A. H.	*				

# MINNESOTA STATE SENATE

## ROLL CALL

AYE	NAY
24	34

ON SF 745 - Housing Authority

DATE

April 4 1939

Motion to adopt minority report and recommend bill to pass.

NAME	A	N	NAME	A	N
ADAMS	*		MILLER, F. J.		*
ALMEN	*		MULLIN		*
ANDERSON	*		MURPHY		*
BERG	*		NELSEN		*
BERGLUND	*		NEUMEIER		*
BRIDGEMAN	*		NEWTON		*
CARLEY			NOVAK		*
CARR	*		OLIVER		
CASHMAN	*		ORR		*
DAHLE	*		PEDERSON		*
DEVOLD	*		RIBENACK		*
DIETZ	*		RICHARDSON		*
DOUGHERTY	*		ROCKNE		*
FEIDT	*		ROEPKE		*
FINSTAD	*		SEIFERT		*
FRIBERG			SELL		*
GAGE	*		SIEGEL		*
GALVIN	*		SIMONSON		*
GARDNER	*		SLETVOLD		*
HAHN	*		SOLSTAD		
HERREID	*		STARKS		*
IMM	*		STIENING		*
JOHNSON	*		SULLIVAN		
JULKOWSKI	*		SWENSON		*
KELLY	*		TUNGSETH		*
KINGSLEY	*		WAHLSTRAND		*
LARSON, H. A.	*		WEBER		
LARSON, N. J.	*		WELCH		
LEDIN			WELLE		*
LIGHTNER	*		WING		*
LOFTSGAARDEN	*		WINKJER		*
LOMMEN	*		WOLFE		*
MASEK	*		WRIGHT		
MILLER, A. H.	*				

of 70 years and had served 25 years, he might retire on half pay for the remainder of his life. SF 661 provided that a Judge of the Supreme or District Court who was 70 years ~~or~~ more, and who had served 10 years or more, or a Supreme Court Judge who had served a total of 15 years on the District and Supreme Court might retire on half pay for life. It provided also that a Judge who had served for such stated periods might retire for disability and receive half pay for life even though not 70 years of age. It did not affect Judges who had retired prior to the Act. The Judiciary Committee of the Senate recommended the bill to pass, but the Committee of the Whole recommended its indefinite postponement. Some rather uncomplimentary things were said of certain members of the bench for whom, it was charged, the bill was especially prepared. Some members of the Senate were emphatic in their opinion that Judges were no more entitled to a bonanza than they were. Senator Loftsgaarden moved that SF 661 be excepted from the report of the Committee of the Whole. This temporarily spared its life. At that point it was laid on the table. A motion to place it on the calendar prevailed 34 to 31, but on final passage the bill was defeated 33 to 34.

#### INTERIM COMMITTEE ON YOUTH

On January 26 Rep. Welch, Minneapolis, moved the appointment of a new standing committee of nine members to be known as the Committee on Youth. The motion, which was in the form of a resolution, was referred to the Rules Committee. On March 8 the Rules Committee reported favorably and recommended the appointment of such a committee by the Speaker. On March 21 Speaker Hall made the following appointments: Emond, chairman; Hering, Nelson, C.J., Schulz, Welch, Angstman, Peterson, H.L., Berlin and Boze. On April 14 the Committee on Youth reported to the House with a recommendation that an Interim Committee of nine be appointed with an appropriation of \$5,000. This was referred to the Rules Committee, which, on April 19, returned the resolution with a recommendation that the size of the committee be reduced to five members, and that the appropriation be cut to \$1,500. In that form the resolution passed and one of the last acts of the Speaker was to appoint an Interim Committee on Youth with the following five members: Emond, Welch, Berlin, Hering and Schulz.