

upon such installment and all subsequent installments at the same rate, each of which, together with such interest, shall be collected with the annual taxes upon such land, together with like penalties and interest in case of default, all of which shall be collected with and enforced as the annual taxes and credited to the proper city fund. Any parcel assessed may be discharged from the assessment at any time after the receipt of the assessment by the county auditor by paying all installments that have gone into the hands of the county treasurer as aforesaid, with accrued interest, penalties and costs, as above provided, and by paying all subsequent installments; or any parcel assessed may be discharged from the assessment by presenting certificates or bonds sold against such assessments as herein provided sufficient in amount to cover all installments due on such parcel and accrued interest, penalties and costs, and all installments yet to accrue, by surrendering such certificates or bonds to the county treasurer for cancellation or having endorsed thereon such installments, interest, penalties and costs. Said assessment shall be a lien on the land from the time of the making thereof as against the owner and every person in any way interested in the land. The owner of the land and any person interested therein may defend against such assessment at the time of application for judgment in the regular proceedings for the enforcement of delinquent taxes, but such assessment shall not be deemed invalid because of any irregularity, provided the notices have been published substantially as required, and no defense shall be allowed except upon the ground that the cost of the improvement is substantially less than the amount of the assessment, and then only to the extent of the difference between the assessment and the actual cost. Assessments made under this act shall be called special street and parkway assessments of the city of.....and numbered consecutively. Whenever an assessment is certified as aforesaid by the city clerk to the county auditor, a duplicate thereof shall be sent to the city comptroller, and all such assessments shall be sufficiently identified by the name and number as aforesaid."

Approved April 27, 1929.

CHAPTER 420—S. F. No. 452

An act to amend Sections 1, 2, 5 and 6 of Chapter 239, General Laws, 1925, entitled, "an act to amend Chapter 127, General Laws, 1915, and acts amendatory thereof, relating to the practice of optometry"; to provide for the enforcement thereof; and to regulate the fitting, sale or disposition or the taking, receiving or soliciting

of any order for the fitting, sale or disposition of spectacles, eye glasses or lenses for the correction of vision.

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

Section 1. State board of optometry.—Terms.—That Section 1, Chapter 239, General Laws 1925, be and the same hereby is amended so as to read as follows :

“Sec. 1. The state board of optometry shall consist of five qualified optometrists appointed by the governor, each for a term of three years, or such part thereof as will provide for the expiration of the terms of two members January 1st, 1930; *two members January 1st, 1931, and one member January 1st, 1932*, and until their successors qualify. Vacancies in such boards shall be filled by like appointments for unexpired terms.

Sec. 2. Powers of Board.—That Section 2, Chapter 239, General Laws 1925, be and the same hereby is amended so as to read as follows :

“Sec. 2. Said board of optometry shall *have the power to make any rules and regulations and to do any and all things*, not inconsistent with law, *which it may deem necessary or expedient for the effective enforcement of this act or for the full and efficient performance of its duties thereunder.*”

Sec. 3. Who are optometrists.—That Section 5, Chapter 239, General Laws 1925, be and the same hereby is amended so as to read as follows :

“Sec. 5. Any person shall be deemed to be practicing optometry within the meaning of this act who shall display a sign, such as an eye, a pair of eyes, a pair of glasses or spectacles, or who shall in any way advertise himself as an optometrist, or who shall employ any means for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof, or have in his possession testing appliances for the purpose of the measurement of the powers of vision, or diagnose any optical deficiency or deformity, visual or muscular anomaly of the human eye, or prescribe lenses, prisms or ocular exercises for the correction or the relief of same, or who holds himself out as being able to do so. It shall be unlawful for any person who is not licensed as an optometrist in this state to fit, sell or dispose of or to take, receive or solicit any order for the fitting, sale or disposition of any spectacles, eye glasses, or

lenses for the correction of vision in any place within this state other than an established place of business wherein such spectacles, eye glasses or lenses are commonly sold and dealt in; and it shall be unlawful for any person, not licensed as an optometrist hereunder, to sell or dispose of, at retail, any spectacles, eye glasses or lenses for the correction of vision in any established place of business or elsewhere in this state except under the supervision, direction and authority of a duly licensed optometrist holding a certificate under this Chapter, who shall be in charge of and in personal attendance at the booth, counter or place where such articles are sold or disposed of. Nothing in this act shall be construed to apply to the sale of toy glasses, goggles consisting of plano-white or plano-colored lenses or ordinary colored glasses or to the replacement by duplication of broken lenses, nor to sales upon prescription from persons legally authorized by the laws of this state to examine eyes and prescribe glasses therefor, nor shall it apply to regularly licensed physicians and surgeons. It shall be unlawful for any person to engage in the practice of optometry without first procuring and filing for record a certificate of registration as a licensed optometrist pursuant to this subdivision."

Sec. 4. Who may practice optometry.—That Section 6, Chapter 239, General Laws 1925, be and the same hereby is amended so as to read as follows:

"Sec. 6. The persons entitled to practice optometry in Minnesota who are not already registered shall be: Every person of a full age of 21 years who furnishes the board with satisfactory evidence of:

- (a) His age and moral character.
- (b) That he has graduated from an accredited high school or its equivalent, and that he possesses the knowledge essential to the practice of optometry.
- (c) That he shall be a graduate of an optometric school or college approved by this board, requiring an attendance of not less than two years' course. Such school shall give a course of instruction covering and including the following minimum requirement, to-wit:

Ocular Anatomy	125 hours
Ocular Pathology	125 hours
General anatomy	150 hours
General physiology	100 hours
General mathematics	150 hours
General physics	100 hours

General Optics	100 hours
Theoretical optics	300 hours
Practical optics	100 hours
Theoretical optometry	250 hours
Practical optometry	200 hours
Hygiene	50 hours
Psychology	50 hours
Optical laboratory work	100 hours
Clinical work	100 hours

In the course of study herein outlined, the hours required shall be actual work in the class room, laboratory or clinic, and at least eighty per cent of actual attendance shall be required and said course of study herein outlined shall be so arranged as to require two years of actual attendance at said school for its completion.

(d) Having passed satisfactorily an examination by the board as to his qualifications for the practice of optometry, upon the completion of which, he shall receive from said board a licensed certificate entitling him to practice. Any person desiring to be examined by said board must fill out and swear to an application furnished by the board and must file the same with the secretary of the board at least two weeks prior to the holding of an examination, which the applicant is desirous of taking. The applicant shall pay to the board a fee of twenty dollars (\$20.00) before examination and five dollars (\$5.00) upon issuance of certificate. In the event of failure on the part of a candidate to pass the first examination, he may, within fifteen months, have another trial; upon the payment of five dollars (\$5.00) additional. Any applicant may be registered and given a certificate of registration if he shall present a certified copy of certificate of registration, or license which has been issued to said applicant by any other state, where the requirements for registration shall be deemed by said board to be equivalent to those of this act; provided that such state shall accord like privileges to holders of certificates of said board. The fee for registering such applicants shall be fifteen dollars (\$15.00).

The board upon hearing of which the accused shall have ten days notice *in writing* may revoke the certificates or suspend the right to practice of any person who has been convicted of any violation of this act or of any other criminal offense or who is found by the board to be grossly incompetent, afflicted with contagious disease, a habitual drunkard, or, guilty of unprofessional conduct. "Unprofessional Conduct" shall be defined to mean any conduct of a character likely to deceive or defraud the public, including among other things price advertising, and free examination advertising, the loaning of his license or certificate by any licensed optometrist to

any person; the employment of "cappers" or "steerers" to obtain business; "splitting" or dividing a fee with any person or persons; the obtaining of any fee or compensation by fraud or misrepresentation; employing either directly or indirectly any suspended or unlicensed optometrist, to perform any work covered by this act; the advertising by any means whatsoever, of *optometric* practice or treatment or advice in which untruthful, improbable, misleading or impossible statements are made. After one year, upon application, and proof, that the disqualification has ceased, the board may reinstate such person.

(e) Every registered optometrist who shall temporarily practice optometry outside or away from his regular registered place of business shall display his registered certificate and shall deliver to each customer or person there fitted or supplied with glasses a receipt or record which shall contain his signature and show his permanent registered place of business or post office address, and number of *his certificate, together with the amount charged therefor, but nothing contained in this subdivision shall be construed as to permit peddling or canvassing by licensed optometrists.*"

Sec. 5. Laws repealed.—That Section 12, Chapter 239, General Laws 1925, be and the same hereby is amended so as to read as follows:

"Sec. 12. All acts and parts of acts so far as inconsistent herewith, are hereby repealed."

Sec. 6. Effective Sept. 1, 1929.—That the following new section be added to Chapter 239, General Laws 1925:

"Sec. 14. This act shall take effect September 1st, 1929."

Approved April 27, 1929.

CHAPTER 421—H. F. No. 620

An act to amend Section 6034, General Statutes 1923, sub-division g, as amended by Chapter 226, Laws, 1925, and sub-division i, as amended by Chapter 244, Laws, 1925, of Section 6038, General Statutes 1923, and Section 6041, General Statutes 1923, as amended by Chapter 244, Laws 1925, and Section 6049, General Statutes 1923, relating to the Department of Rural Credit.