

shall be expended for construction and maintenance of the town roads within the respective towns under the supervision of the Town Board or an appointee of the Town Board or may be expended under the supervision and according to plans and specifications of the County Highway Engineer if requested by the Town Board, who, in such case, shall act in a supervisory capacity as directed by the Town Boards in the construction or maintenance of such roads within such town as shall be specified by such Town Board, provided, however, that none of said monies so allotted shall be expended for the purchase of road equipment or machinery. Provided further, that in the event the remainder of the monies so apportioned to each county is not distributed to the towns of any such county, the county board shall use and devote such remainder in the construction, improvement and maintenance of county aid roads in any such county in accordance with the provisions of Sections 6 and 7, Chapter 283, Laws 1929 as amended."

Approved April 23, 1937.

CHAPTER 367—H. F. No. 155

An act relating to the licensing of steamfitters, supervision and inspection of steamfitting, and adoption and enforcement of minimum standards by the state industrial commission.

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

Section 1. **Definitions.**—High pressure steam piping shall mean steam piping operating under a pressure of 15 pounds or more per square inch.

Section 2. **Industrial commission to supervise steam piping.**—(a) The State Industrial Commission shall supervise all high pressure steam piping in connection with all building in this state and may prescribe minimum standards which shall be uniform.

(b) The commission shall employ inspectors and other assistants to carry out this act.

Section 3. **City or village may provide for inspection.**—Any city or village may by ordinance prescribe rules and regulations for materials, construction and inspection of high pressure steamfitting and provide that it shall not be installed in any building except in accordance with plans approved or provided in said ordinances, and that no steamfitting shall be done except minor repairs upon prescribed conditions.

Section 4. **Shall issue permit.**—Such local authority as may be designated by any such ordinance for the issuance of such steamfitting permits and such approved plans shall report to the Industrial Commission persistent or wilful violations of the same and any incompetency of a licensed steamfitter observed by such local authority.

Section 5. **Steam fitters must be licensed.**—(a) No person, firm or corporation shall engage in or work at the business of a contracting steamfitter or journeyman steamfitter unless licensed to do so by the State Industrial Commission. But no license shall be required for minor repairs on existing installations providing such repairs shall be made in compliance with the prescribed minimum standards of the State Industrial Commission. A contracting steamfitter may also work as a journey man steamfitter.

(b) No person, firm or corporation shall engage in the business of installing high pressure steam piping, nor install high pressure steam piping in connection with the dealing in and selling of high pressure steam material and supplies, unless at all times a licensed steamfitter, who shall be responsible for proper installation, is in charge of the high pressure steamfitting work of such person, firm or corporation.

(c) The State Industrial Commission shall prescribe rules and regulations not inconsistent herewith for the examination and licensing of steamfitting.

Section 6. **Definitions.**—(a) A journey man steamfitter is any other than a contracting steamfitter, who, as his principal occupation, is engaged in the practical installation of high pressure steam work.

(b) A contracting steamfitter is any person skilled in the planning, superintending, and the practical installation of high pressure steamfitting, and familiar with the laws, rules and regulations governing the same.

(c) A steamfitter's apprentice is any person other than a journey man or master steamfitter, who, as his principal occupation, is engaged in learning and assisting in the installation of high pressure steamfitting.

Section 7. **Examiners.**—The Industrial Commission shall appoint three examiners, of whom one shall be a practical contracting steamfitter, one a practical journeyman steamfitter and one a member or employe of the commission, to be known as the steamfitting examiners. Each examiner, except the regular employe or the secretary of the commission, shall receive his expenses and such sum per diem for each day actually engaged as the commission shall fix by its order.

Section 8. Application—fees.—(a) Application for steamfitter's license shall be made to the State Industrial Commission, with fees. Unless the applicant is entitled to a renewal, he shall be licensed only after passing a satisfactory examination by the examiners showing fitness. Fees for journeymen shall be two dollars for examination and one dollar for renewal, and for contracting steamfitter \$15.00 for examination and \$10.00 for renewal. Licenses shall expire December 31st, but may be renewed upon application made the following January or February, but if in February only upon payment of an additional fee of one dollar for a journeyman and five dollars for a contracting steamfitter.

(b) The commission may issue temporary revocable permits pending examination, and to assist in this may appoint agents, without compensation, and may authorize one of its examiners or high pressure steam inspectors to hold a special permit examination, the results to be reported in writing.

(c) All persons who shall furnish within 90 days after the passage of this act satisfactory evidence to the commission that they were actually engaged in the business of a contracting steamfitter or journeyman steamfitter on January 1st, 1937, shall be entitled to receive a license as such contracting steamfitter or journeyman steamfitter, respectively, without examination, upon payment of the fees hereinbefore provided.

Section 9. Commission may revoke licenses.—The commission may revoke any license obtained through error or fraud, or if the licensee is shown to be incompetent, or for a second wilful violation of any of its rules and regulations applicable to such work. The licensee shall have notice in writing, enumerating the charges, and be entitled to a hearing by the commission on at least five days' notice, with the right to produce testimony. The commission may appoint, in writing, any competent person to take testimony, who shall have power to administer oaths, issue subpoenas and compel the attendance of witnesses. The decision of the commission shall be based on the testimony and records. One year from the date of revocation application may be made for a new license.

Section 10. Violations a misdemeanor.—Any person violating any of the provisions of this act or who shall wilfully make any false representation to the Industrial Commission in applying for a license or permit shall be guilty of a misdemeanor.

Section 11. Fee to be paid to state treasurer.—All fees received under this act shall be paid by the State Industrial Commission to the state treasurer, and an amount of money equal to the amount so paid over by said commission to said treasurer is hereby appropriated, out of any funds in the state treasury not otherwise

appropriated, to said commission for the purpose of carrying out the provisions of this act. The salaries and per diem of the inspectors and examiners hereinbefore provided, their expenses and all incidental expenses of said commission in carrying out the provisions of this act shall be paid on order of the commission from such appropriation, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

Approved April 23, 1937.

CHAPTER 368—H. F. No. 324

An act to amend Mason's Minnesota Statutes of 1927, Sections 6394-3, 6394-8, Paragraph (a) and 6394-17, relating to the sale of state timber.

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

Section 1. **Law amended.**—That Section 6394-3, be and the same is hereby amended so as to read as follows:

“Section 6394-3. **Trespass on state lands—damages.—possession of timber unlawfully cut—trespass as felony.**—Whoever, without valid permit, shall cut any timber upon the lands owned by this state, or remove or carry away any such timber or any other property belonging or appertaining to said lands, or shall commit any other trespass upon said lands, or shall induce or assist another so to do, shall be liable in an action brought by the state in treble damages, if such trespass is adjudged to have been wilful, but in double damages only if such trespass is adjudged to have been casual and involuntary. And any person found to have acquired possession in any manner whatsoever of any timber unlawfully cut on lands owned by this state shall be conclusively presumed to have acquired such timber with knowledge that the same was so unlawfully cut, and shall be liable to the state in a civil action for twice the value thereof, and it shall be no defense in any action to plead or claim a purchase of such timber from anyone other than the *director of the division of forestry, department of conservation*, nor shall such defendant be allowed to claim that any other person should be joined as defendant; and he shall have no right whatsoever to any remuneration or allowance for labor or expenses incurred in preparing such timber for market or transporting the same to or towards market. And every such trespass wilfully committed shall be deemed a felony.”