

## CHAPTER 739—H. F. No. 1790

*An act relating to the organization and administration of the state government, prescribing the salaries of the heads of certain departments, divisions and agencies of the state and of certain deputies and assistants thereof; amending Minnesota Statutes 1945, Sections 16.01, 17.01, 43.04, 45.02, 46.16, 60.01, 70.02, 84.025, Subdivision 3, 84.081, Subdivision 2, 91.01, 120.05, 161.02, Subdivision 2, 175.05, 179.02, 196.02, Subdivision 2, 215.02, 245.01, 268.12, Subdivision 1, 270.02, Subdivision 1, 298.22, 340.08, Subdivision 3, 350.07, 360.014, Subdivisions 3 and 6, 482.02, as amended, 626.33, and 637.05; and repealing acts and parts of acts inconsistent therewith.*

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

Section 1. Minnesota Statutes 1945, Section 16.01, is amended to read as follows:

**16.01. Commissioner of administration.** The department of administration shall be under the supervision and control of a commissioner of administration, in Sections 16.01 to 16.23 also referred to as the commissioner, who shall be ex officio the state budget director and state purchasing agent.

The commissioner of administration shall be appointed by the governor, by and with the advice and consent of the senate. The term of the first commissioner appointed hereunder shall expire February 1, 1941, and succeeding terms shall be two years thereafter. The governor may remove the commissioner at any time for cause, after notice and hearing. The commissioner shall receive a salary of \$8,500 a year, payable semi-monthly.

Sec. 2. Minnesota Statutes 1945, Section 161.02, Subdivision 2, is amended to read as follows:

**161.02. Commissioner of highways.** Subd. 2. The commissioner of highways shall devote his entire time to the performance of his official duties and shall receive as compensation therefor a yearly salary of \$9,000, payable semi-monthly.

Sec. 3. Minnesota Statutes 1945, Section 270.02, Subdivision 1, is amended to read as follows:

**270.02. Commissioner of taxation.** Subdivision 1. The commissioner of taxation shall be appointed by the governor by and with the advice and consent of the senate. The term of the first commissioner appointed shall expire March 1, 1945, and the succeeding terms shall be six years thereafter. The commissioner shall be selected on the basis of ability and experience in the field of taxation and tax administration and without regard to political affiliations. The governor may remove the commissioner at any time for cause, after notice and hearing. The commissioner shall receive a salary of \$9,000 per year and give bond to the state in the sum of \$200,000.

Sec. 4. Minnesota Statutes 1945, Section 120.05, is amended to read as follows:

**120.05. Commissioner of education.** The state board of education shall be provided with suitable offices at the seat of government, and may provide all records, files, and office supplies required in the transaction of its business. It shall have power to appoint a commissioner of education, at a salary not to exceed \$8,000 per annum, and other necessary employees subject to the provisions of the Civil Service Law and the amount appropriated by the legislature for that purpose. The board shall designate the working title of each employee except that of the commissioner of education.

Sec. 5. Minnesota Statutes 1945, Section 43.04, is amended to read as follows:

**43.04. Civil service director.** The office of the director of the state civil service is hereby created and established. The director of the state civil service shall be appointed by the civil service board on the basis of merit and fitness, after an open, competitive examination, open to qualified persons without regard to residence and without regard to the provisions of Section 43.30, or the provisions of Sections 197.45 to 197.48. Within 30 days after the first members of the civil service board have been appointed and have qualified, and thereafter whenever a vacancy exists in the office of the director of the state civil service, the civil service board shall appoint an examining committee of three persons to examine the qualifications of all persons applying for appointment to the office of director of the state civil service. At least two members of the examining committee shall be public personnel administrators or public personnel specialists of recognized standing, at least

one of whom shall be a non-resident of the state. As soon as practicable after its appointment, the examining committee shall examine applicants for the position of director of the state civil service and certify to the civil service board the names of the three persons rated highest in the competitive tests and found by the committee to possess the necessary qualifications for the office of director of the state civil service. The civil service board shall then appoint one of the persons so certified to the office of director of the state civil service *and fix his annual salary at a sum not in excess of \$8,000*. No person who has not been examined and certified by an examining committee, as herein provided for, shall be appointed to the office of director of the state civil service. The civil service board shall fix the compensation and authorize the payment of expenses of members of the examining committee provided for in this section.

The director of the state civil service shall be in the classified service and shall not be removed by the civil service board except under written charges and after a public hearing by the board.

Sec. 6. Minnesota Statutes 1945, Section 17.01, is amended to read as follows:

**17.01. Commissioner of agriculture, dairy, and food.** There is hereby created a department of agriculture, dairy, and food, which shall be in charge of a commissioner to be known as the commissioner of agriculture, dairy, and food, in Chapters 17 to 41 called the commissioner, who shall be appointed by the governor for the term of four years, and receive a salary of \$8,000 per annum. Before entering upon the duties of his office, he shall take and subscribe the oath required of state officials and give his bond to the State of Minnesota, to be approved by, and filed with, the secretary of state, for the sum of \$5,000, conditioned for the faithful performance of his duties. He shall be provided with a suitable office and equipment at the seat of government, and have authority to appoint a deputy, at a salary of not to exceed \$6,500 per annum, and such other assistants, clerks, and employees as occasion may require, and fix their compensation.

Sec. 7. Subdivision 1. Minnesota Statutes 1945, Section 84.025, Subd. 3, is amended to read as follows:

84.025. **Creation and organization; salary.** Subd. 3. **Salary and bond of commissioner.** The salary of the commissioner shall be \$8,000 per year. He shall give a bond to the state in the sum of \$25,000.

Subd. 2. Minnesota Statutes 1945, Section 84.081, Subd. 2, is amended to read as follows:

84.081. Subd. 2. **Salaries and bonds of directors.** *The salary and bond of the director of lands and minerals, the director of game and fish, and the director of forestry shall be \$6,500 per year and the salary of the director of parks and the director of water resources and engineering shall be \$6,000 per year.* Each director shall give a bond to the state in the sum of \$5,000, except the director of forestry and the director of game and fish, who shall each give a bond in the sum of \$15,000.

Sec. 8. Minnesota Statutes 1945, Section 268.12, Subdivision 1, is amended to read as follows:

268.12. **Administration.** Subdivision 1. **Officers; employees; salary of director.** The director shall administer Sections 268.03 to 268.24 and appoint such officers and employees as may be necessary for the administration thereof. The salary of the director shall be \$7,800 per annum, payable semi-monthly.

Sec. 9. Minnesota Statutes 1945, Section 245.01, is amended to read as follows:

245.01. **Organization; salary of director.** The department of social security shall be organized with a division of public institutions, a division of social welfare, and a division of employment and security. Each division shall be under the supervision and control of a director, who shall be appointed by the governor by and with the advice and consent of the senate. The term of office of each of the directors first appointed shall expire on February 1, 1943, after which the term of office of each director shall be for a term of four years. The several directors shall be removable by the governor for cause after notice and hearing. The directors shall be selected on the basis of ability and experience in their respective fields of service and without regard to political affiliations. They shall not engage in any manner in partisan politics during their term in

office. Subject to the provisions of all applicable laws, now or hereafter enacted, each director shall have power to organize his division in such manner and to appoint such subordinate officers, employees, and agents as he may deem necessary to discharge the functions of the division; and define the duties of such officers, employees, and agents, and to delegate to them any of his powers or duties, subject to his control and under such conditions as he may prescribe. Appointments to exercise delegated power shall be written orders filed with the secretary of state. Each director shall receive an annual salary of \$7,800 payable semi-monthly.

Sec. 10. Subdivision 1. Minnesota Statutes 1945, Section 360.014, Subd. 3, is amended to read as follows:

360.014. Subd. 3. **Department of aeronautics; officers; salary of commissioner and assistant commissioner.** The commissioner shall devote full time to the performance of his official duties and shall receive as compensation therefor a yearly salary of \$7,500 payable semi-monthly.

Subd. 2. Minnesota Statutes 1945, Section 360.014, Subd. 6, is amended to read as follows:

Subd. 6. The commissioner may appoint an assistant commissioner of aeronautics, who shall be an experienced and registered engineer and qualified to design and plan all classes of airports. The assistant commissioner shall receive a salary of not to exceed \$6,000 a year as fixed by the commissioner, payable semi-monthly. He shall serve at the pleasure of the commissioner and shall be in the unclassified service of the state. He shall devote full time to the duties of his office. The commissioner may, by written order filed in his office, delegate to him any of the powers or duties vested in or imposed upon said commissioner by this act. Such delegated powers and duties may be exercised by him in the name of the commissioner. Such assistant commissioner shall, before entering upon the performance of his official duties, give bond to the state, in the penal sum of \$10,000 and under the same provisions and conditions as the commissioner's bond.

Sec. 11. Minnesota Statutes 1945, Section 46.16, is amended to read as follows:

46.16. The annual *salary* of the *commissioner of banks* shall be \$6,500.

Sec. 12. Minnesota Statutes 1945, Section 60.01, is amended to read as follows:

**60.01. Division of insurance; salary of commissioner.** The commissioner of insurance shall be appointed by the governor, by and with the advice and consent of the senate, for the term of six years, who shall hold office until his duly appointed successor shall have qualified. In case of a vacancy, it shall be filled for the unexpired portion of the term. Before entering upon the discharge of his duties, he shall take, subscribe, and file with the secretary of state the oath of office prescribed by the constitution, and give bond to the state, with sureties to be approved by the state treasurer, in the amount of \$25,000, conditioned for the faithful discharge of his duties during his continuance in office and for the payment without delay to the officer or person entitled by law thereto of all moneys which shall come into his hands by virtue thereof; and receive a salary of \$6,500 per year, payable semi-monthly, and devote his entire time to the duties of his office.

Sec. 13. Minnesota Statutes 1945, Section 45.02, is amended to read as follows:

**45.02. Commissioner; appointment; terms; vacancies; salaries.** The governor, by and with the advice and consent of the senate, shall appoint the members of the commission. The term of each member shall be six years. In case of a vacancy it shall be filled for the unexpired portion of the term. Each member of the commission, before entering upon the discharge of his duties, shall take, subscribe, and file with the secretary of state, the oath of office prescribed by the constitution, and shall give bond to the state, the commissioner of banks in the amount of \$50,000, the commissioner of insurance in the amount of \$25,000, and the commissioner of securities in the amount of \$10,000, conditioned for the faithful discharge of his duties during his continuance in office and for the payment without delay to the officer or person entitled by law thereto of all moneys which shall come into his hands by virtue thereof.

A majority of the commission shall constitute a quorum.

Each commissioner shall receive a salary of \$6,500 per year, payable semi-monthly, and each shall devote his entire time to the duties of his office.

Sec. 14. Minnesota Statutes 1945, Section 179.02, is amended to read as follows:

**179.02. Division of conciliation; salary of conciliator.** There is hereby established in the department of labor and industry a division of conciliation, but not in any way subject to the control of the department. This division shall be under the supervision and control of a labor conciliator, who shall be appointed by the governor with the advice and consent of the senate. He shall receive an annual salary of \$6,500 and hold office for a term of four years. The term of the first labor conciliator hereunder shall expire March 1, 1945. The governor may, from time to time, appoint special conciliators to aid in the settlement of particular labor disputes or controversies and such special conciliators when appointed shall have the same power and authority as the labor conciliator and such appointment shall be for the duration only of the particular dispute. Such special conciliators shall be paid a per diem of \$15 per day while so engaged and their necessary expenses. The labor conciliator shall prepare a roster of persons qualified to act as such special conciliators and keep the same revised at all times and available to the governor and the public.

The labor conciliator may employ and discharge clerks and other assistants as needed, fix their compensation, and assign them their duties.

Sec. 15. Minnesota Statutes 1945, Section 215.02, is amended to read as follows:

**215.02. Public examiner; appointment; bond; salary.** The department of the public examiner shall be under the supervision and control of the public examiner, which office is hereby created. The public examiner shall be appointed by the governor by and with the advice and consent of the senate for a six-year term and until his successor is appointed and qualifies. In case of a vacancy the governor shall appoint a successor for the remainder of the term. The term of the first public examiner shall expire February 1, 1945. The public examiner shall be a skilled accountant and shall not at any time while in office hold any other public office or own any stock or have any commercial interest in any corporation, co-partnership, property, or business subject to supervision or examination by this department. His salary shall be \$6,800 per year, payable semi-monthly. He shall furnish a bond to the state in the sum of \$25,000, to be approved by the governor

and the attorney general, conditioned for the faithful discharge of his duties.

Sec. 16. Minnesota Statutes 1945, Section 482.02, as amended by Laws 1947, Chapter 617, Section 7, is amended to read as follows:

**482.02. Revisor of statutes; appointment; salary.** The supreme court shall appoint to the office of revisor of statutes a person qualified to perform the duties imposed upon the office, at an annual salary of \$6,000, and he shall be reimbursed for any necessary travelling expenses, who shall hold office at the pleasure of the supreme court.

Sec. 17. Minnesota Statutes 1945, Section 340.08, Subd. 3, is amended to read as follows:

**340.08. Liquor control commissioner; salary.** Subd. 3. The salary of the liquor commissioner shall be \$6,000 per year and he shall be entitled to his actual expenses in the performance of his duties.

Sec. 18. Minnesota Statutes 1945, Section 637.05, is amended to read as follows:

**637.05. Chairman of board; salary; compensation of members.** The salary of the chairman of the state board of parole shall be the sum of \$6,000 per annum, payable as hereinafter provided. Each of the other members of the board shall receive as compensation the sum of \$15.00 per day for each day actually spent in the discharge of his official duties, including the duties of secretary. In addition to the compensation so provided, each of the members of the board shall be reimbursed for all expenses paid or incurred by him in the performance of his official duties. This compensation and these expenses shall be paid out of the revenue fund in the same manner as the salaries and expenses of other state officers are paid. All of the other expenses of the state board of parole shall be audited and allowed by the commissioner of administration and paid out of the funds appropriated for the maintenance of the penal institutions of the state in such proportions as the commissioner of administration shall determine. The board of parole shall furnish such estimates of anticipated expenses and requirements as the commissioner of administration may, from time to time, require.

Sec. 19. Minnesota Statutes 1945, Section 175.05, is amended to read as follows:

**175.05. Salary of commissioner.** Each commissioner shall receive an annual salary of \$6,000, payable in the same manner that other state salaries are paid. Each commissioner shall devote his entire time to the duties of his office. The commissioner whose term first expires shall be chairman. Each commissioner, before entering upon the duties of his office, shall take the oath prescribed by law.

Sec. 20. Minnesota Statutes 1945, Section 196.02, Subd. 2, is amended to read as follows:

**196.02. Commissioner of veterans affairs; salary.** Subd. 2. The salary of the commissioner shall be \$6,000 per year payable semi-monthly. He shall give bond to the state in the sum of \$10,000.

Sec. 21. Minnesota Statutes 1945, Section 626.33, is amended to read as follows:

**626.33. Superintendent; rules and regulations, salary.** This bureau shall be under the supervision and control of a superintendent, who shall be appointed by the governor, by and with the consent of the senate. The term of office of the superintendent shall be two years. The incumbent shall serve until a successor is appointed and qualifies. The governor may remove the superintendent at any time at his pleasure. Any vacancy shall be filled for the unexpired portion of the term. The superintendent shall receive a salary of \$6,000 per year, payable semi-monthly, and shall devote his entire time to the duties of his office. The superintendent, from time to time, shall make such rules and regulations and adopt such measures as he deems necessary, within the provisions and limitations of Sections 626.32 to 626.50, to secure the efficient operation of the bureau. The bureau shall cooperate with the respective sheriffs, constables, marshals, police, and other peace officers of the state in the detection of crime and the apprehension of criminals throughout the state, and shall have the power to conduct such investigations as the superintendent may deem necessary to secure evidence which may be essential to the apprehension and conviction of alleged violators of the criminal laws of the state. The various members of the bureau shall have and may exercise throughout the state the same

• powers of arrest possessed by a sheriff, but they shall not be employed to render police service in connection with strikes and other industrial disputes.

Sec. 22. Minnesota Statutes 1945, Section 298.22, is amended to read as follows:

**298.22. Iron Range Resources and rehabilitation; salary of commissioner.** *Subdivision 1.* For the period beginning May 1, 1941, and ending April 30, 1942, there is hereby appropriated from the general revenue fund, for the purposes hereinafter set forth, five per cent of amounts paid and credited into said fund from the proceeds of taxes paid under the provisions of law relating to occupation taxes on the business of mining or producing iron ore, and on and after May 1, 1942, there is hereby appropriated from the general revenue fund, for the purposes hereinafter set forth, ten per cent of all amounts paid and credited into said fund from the proceeds of these taxes. The office of commissioner of Iron Range resources and rehabilitation is hereby created. The commissioner shall be appointed by the governor, with the advice and consent of the senate, for a term of two years, the first term to begin July 1, 1941. The salary of the commissioner shall be \$6,000 per annum, which shall be paid from the amounts appropriated by this section; provided, that such salary shall be reduced by such amount as he may receive from other funds, and the commissioner may hold such other positions or appointments as are not incompatible with his duties as commissioner of Iron Range resources and rehabilitation. All expenses of the commissioner, including the payment of such assistance as may be necessary, shall be paid out of the amounts appropriated by this section.

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

*Subd. 2.* There is hereby created the iron range resources and rehabilitation commission, consisting of seven

members, three of whom shall be state senators appointed by the committee on committees of the Senate, and three of whom shall be representatives, appointed by the Speaker of the House of Representatives, their terms of office to commence on May 1, 1943, and continue until January 3rd, 1945, or until their successors are appointed and qualified. Their successors shall be appointed each two years in the same manner as the original members were appointed, in January of every second year, commencing in January, 1945. The seventh member of said commission shall be the commissioner of conservation of the state of Minnesota. Vacancies on the commission shall be filled in the same manner as the original members were chosen. All expenditures and projects made by the commissioner of iron range resources and rehabilitation shall first be submitted to said Iron Range Resources and Rehabilitation Commission which shall recommend approval or disapproval or modification of expenditures and projects for rehabilitation purposes as provided by Laws 1943, Chapter 590, and the method, manner, and time of payment of all said funds proposed to be disbursed shall be first approved or disapproved by said commission. The commission shall biennially make its report to the governor and the legislature prior to the convening of each regular session. The expenses of said commission shall be paid by the state of Minnesota from the funds raised pursuant to Laws 1943, Chapter 590.

*Subd. 3.* This commission is hereby authorized and directed to cause to be made a study of high labor costs of mining in the state of Minnesota and of the policy and plans for future development of low grade ore, and to cooperate with and advise the commissioner of iron range resources and rehabilitation in the development of the natural resources of the state of Minnesota.

Sec. 23. Minnesota Statutes, 1945, Section 70.02, is amended to read as follows:

**70.02. Compensation insurance board; salary of appointed commissioner.** There is hereby created a board to be known as the compensation insurance board, which shall consist of the commissioner of insurance, one member of the industrial commission, to be chosen by that commission, and a third person to be appointed by the governor. The member of the industrial commission shall serve at the pleasure of the commission. The person appointed by the governor shall be versed in the subject of workmen's compensation insurance

and in the making of rates therefor. His term shall be for five years and his salary shall be fixed by the governor at a sum not exceeding \$5,000 per year. He shall take and file with the secretary of state the constitutional oath of office before entering upon the discharge of his duties.

Sec. 24. Minnesota Statutes 1945, Section 91.01, is amended to read as follows:

**91.01. State surveyor general; salary.** The offices of surveyor general are hereby consolidated into one office, which shall be located at the state capitol, St. Paul, and all the powers and duties and all the authority now by law conferred in these offices and officers shall devolve upon and be exercised by the state surveyor general of logs and lumber, hereinafter referred to as the surveyor general. He shall be appointed by the governor at a salary of not more than \$5,000 per year for a term of two years; and such term shall terminate at the end of each odd-numbered fiscal year. The duties of the surveyor general and of the director of forestry, and the duties of any deputy surveyor general and of any qualified forest officer, are hereby deemed to be not incompatible, and the director of forestry or any other forest officer may be the state surveyor general or deputies surveyor general, respectively, but no additional compensation shall be allowed for such additional service rendered by forest officers. The districts established for the survey and measurement of logs and timber are hereby discontinued, and the jurisdiction and control relating thereto are transferred to, and the same shall devolve upon, the office of the surveyor general. All public property and records now in the custody of each of the surveyors general or their deputies, wherever the same may be, shall forthwith be delivered into the custody and care of the surveyor general.

Sec. 25. Minnesota Statutes 1945, Section 350.07, is amended to read as follows:

**350.07. Office of state librarian; salary.** The yearly salary to be paid to the state librarian shall be \$4,000.

**Sec. 26. Implied repeals.** All other acts or parts of acts now in effect inconsistent with the provisions of this act are hereby repealed, superseded, modified or amended so far as may be necessary to conform to and give full force and effect to the provisions of this act.

Sec. 27. **Effective date.** This act shall be effective on and after July 1, 1949.

Approved April 25, 1949.

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CHAPTER 740—H. F. No. 1802

[Not Coded]

*An act appropriating money from the following funds for the following purposes: from the general revenue fund for the expenses of state government, including public relief, and salaries of officers and employees thereof, and for other purposes; from the trunk highway fund for certain expenditures therefrom; from the rural credit expense fund for expenses of the rural credit department, and salaries of officers and employees thereof, and for other purposes; from the game and fish fund for expenses of the conservation department, and salaries of officers and employees thereof, and for other purposes; providing for the reimbursement from the trunk highway fund for the cost of the collection of gasoline taxes; supplementing the Laws of 1941, Chapter 68, revolving fund; adjusting the salaries of certain state officers and employees, and appropriating money from the general revenue fund for salary increases to certain state officers and employees under certain conditions; prohibiting any funds to be expended for publicity representatives, and prohibiting any official in any state department from using any fund and fees for any purpose not contemplated by the appropriations in this act contained, making a violation thereof unlawful and cause for the immediate dismissal of the employee or official committing such violation; limiting the authority to change the amount of fees to be collected; extending and reenacting certain provisions of Laws 1941, Chapter 529, extended and reenacted by Laws 1943, Chapter 617, and Laws 1945, Chapter 609, and reappropriating certain moneys appropriated thereby, and for other purposes, reappropriating certain funds established by, and reenacting certain provisions of Laws 1943, Chapter 500; providing for the purchase of licenses for the motor vehicle division from the St. Cloud reformatory; reenacting the provisions of Minnesota Statutes 1945, Sections 360.301 to 360.306; and for other purposes.*