

September 30, 1958, together with interest thereon at the rate of six percent per annum on all such unpaid accumulated deductions.

Widows of such school district employees shall be entitled to the survivorship benefits as provided in Minnesota Statutes 1967, Section 353.31, as of the date of the employee's death. The benefits payable for the period from the date of death to the date upon which payment of current benefits pursuant to this act commences shall be paid in a lump sum with the first current payment.

The payments required to be made into the public employees retirement association fund pursuant to the provisions of this section shall be made within six months after the effective date of this act, and if not made within such period the terms of this section shall expire.

Survivorship provisions provided for in this section are payable only if a surviving widow of a deceased school district employee has not remarried.

Sec. 2. This act shall be in effect from and after its final enactment.

Approved May 6, 1969.

CHAPTER 275—H. F. No. 322

An act relating to veterans of the armed forces; prescribing duties of the commissioner of veterans affairs; assigning space in the veterans service building to veterans organizations; amending Minnesota Statutes 1967, Sections 196.02, Subdivision 1; 196.05; 196.06, Subdivision 1; 196.15; 197.16; 197.23; 197.447; 197.58; 197.75, Subdivisions 1 and 4; and 306.03; repealing Minnesota Statutes 1967, Sections 196.09; 196.12; 196.13; 196.16; 197.20; 197.21; 197.211; 197.22; 197.24; 197.53; 197.71; 197.72; 197.73; 197.74; 197.751; 197.76, and 197.77.

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

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

196.02 **Veterans; commissioner of veterans affairs.** Subdivision 1. **Appointment; qualifications.** The department shall

Changes or additions indicated by italics, deletions by ~~strikeout~~.

be under the supervision and control of a commissioner of veterans' affairs who shall be appointed by the governor by and with the advice and consent of the senate. No person shall be eligible to receive appointment as commissioner unless he has the following qualifications:

- (1) Residence in the state of Minnesota for at least five years prior to his appointment;
- (2) Citizenship in the United States;
- (3) ~~Service in the Army, Navy, or Marine Corps of the United States during a time when a state of war shall have been declared to exist by the Congress of the United States and an honorable discharge from such service~~ *Veteran of the armed forces of the United States as defined in section 197.447.* The commissioner, if his appointment be approved by the senate at a regular session of the legislature, shall serve for a term expiring March 1 in the fourth calendar year following the calendar year in which such approval was given, and until his successor is appointed and has qualified. Appointment of a commissioner for the ensuing term may be made by the incoming governor at any time after taking office in the year in which the current term expires, but such appointee shall not take office until the expiration of such current term nor until approved by the senate unless there is a vacancy. In case of a vacancy the governor may appoint a commissioner to serve at the pleasure of the governor but not later than the next following March 1 in an odd numbered year and until a successor is appointed and has qualified as in the case of the expiration of a regular term.

Sec. 2. Minnesota Statutes 1967, Section 196.05, is amended to read:

196.05 **Duties of commissioner.** The commissioner shall:

- (1) Act as the agent of any resident of the state having a claim against the United States for a pension, bounty, or back pay arising out of or by reason of any war or any federal military or naval service and prosecute such claim without charge;
- (2) ~~Make and preserve, by counties, as a part of the war records' collection, a permanent registry of the graves of all persons who shall have served in the military or naval forces of the United States whose mortal remains may rest in Minnesota;~~
- (3) ~~Administer the laws relating to pensions to Indian war veterans;~~
- (4) (2) Act as custodian of all veterans' bonus records ~~and~~

Changes or additions indicated by italics, deletions by ~~strikeout~~.

~~perform all duties now imposed upon the adjutant general under laws relating to soldiers' bonus;~~

~~(5)~~ (3) Administer the laws relating to *the providing of bronze flag holders at veterans' graves for memorial purposes;*

~~(a)~~ The burial of veterans;

~~(b)~~ The placing of headstones at veterans' graves;

~~(c)~~ The providing of markers at veterans' graves for memorial purposes; and

~~(d)~~ The furnishing of flags for deceased veterans;

(6) (4) Administer the laws relating to recreational or rest camps for veterans so far as applicable to state agencies;

~~(7)~~ (5) Administer the state soldiers' welfare fund and veterans' relief as administered by the division of social welfare; and all funds hereafter appropriated for the payment of bonuses or other benefits to veterans or for the rehabilitation of veterans;

(8) (6) Cooperate with all national, state, county, municipal, and private social agencies in securing to veterans and their dependents the benefits provided by national, state, and county laws, municipal ordinances, or public and private social agencies;

~~(9)~~ Establish and provide such assistance to a war veteran needing hospitalization, but unable to accept hospitalization because the acceptance thereof would imperil his then employment, as would insure employment after hospitalization;

~~(10)~~ (7) Provide necessary assistance where other adequate aid is not available to the dependent family of a war veteran while such veteran is being hospitalized and afterwards during such period as is necessary;

~~(11)~~ (8) Act as the guardian for a minor or an incompetent person receiving moneys from the United States government when requested so to do by an agency of the United States of America provided sufficient personnel is available so to do;

~~(12)~~ (9) Cooperate with United States governmental agencies providing compensation, pensions, insurance, or other benefits provided by federal law, by supplementing the benefits prescribed therein, when conditions in an individual case make it necessary;

~~(13)~~ Perform all the present duties of the soldiers' welfare director;

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~~(14) Establish and provide such employment placement and advisement service for disabled veterans as cannot be furnished by cooperation with other free employment agencies;~~

(10) Assist in implementing all state laws, rights and privileges relating to the re-employment of veterans upon their return from federal military or naval duty;

~~(15)~~ *(11) Contact, at such times as he deems proper, all war veterans, as defined in section 197.45, who are confined in any public institution; investigate the treatment accorded these veterans and report quarterly to the governor the results of such investigations; and the heads of such public institutions shall permit the commissioner, or his representative, to visit any such veteran; and, if the commissioner, or his representative requests any information relative to any such veteran and his affairs, the head of such institution shall furnish the same;*

~~(16)~~ *(12) Have such other powers as may be authorized and necessary to carry out the provisions of Laws 1943, Chapter 420.*

Sec. 3. Minnesota Statutes 1967, Section 196.06, Subdivision 1, is amended to read:

196.06 Annual report. Subdivision 1. **To governor.** The commissioner shall make an annual written report to the governor giving:

- a. An account of all moneys received and disbursed;
- b. A description of the work done;
- c. Administrative improvements;
- d. Activities of the department;
- e. The number of veterans who have, during the past year, received relief in any form;
- f. The number of veterans on relief rolls;
- ~~g. The number of veterans who are receiving hospital and medical treatment;~~
- ~~h.~~ *g.* The number of claims presented on behalf of veterans, and the disposition thereof;
- ~~i.~~ *h.* The recommendations he may deem necessary for the active performance of the duties and purposes of the department.

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Sec. 4. Minnesota Statutes 1967, Section 196.15, is amended to read:

196.15 Office space to be assigned to department. The commissioner of administration shall assign the office space in the ~~capitol and other state buildings~~ *state veterans service building* so far as necessary to carry out the purposes of Laws 1943, Chapter 420.

Sec. 5. Minnesota Statutes 1967, Section 197.16, is amended to read:

197.16 Commissioner to manage appropriation. The commissioner of veterans affairs shall have the management and control of all state appropriations made for the use and benefit of such recreation and recuperation camp, and all expenditures made from such appropriations, but shall put such funds at the disposal of the board of governors as may from time to time be needed for the proper conduct of such camp and to advance the purpose of sections 197.13 to 197.17. Expenditures shall be made from the fund with the approval and upon the order of the chairman of the board of governors. The commissioner of veterans affairs *and the chairman of the board of governors of the camp* shall make requests for such appropriations from the legislature as may be deemed necessary with which to make appropriate improvements on the tract of land to be used for such camp, and with which properly to carry out the purposes of sections 197.13 to 197.17 *and shall appear before the proper committee of the legislature to explain the requests.* The commissioner of veterans affairs, or the board of governors, is hereby empowered to accept such donations, contributions, gifts, and bequests of real or personal property as may be made to it in order to further the purposes of sections 197.13 to 197.17, and to carry out such trusts thereby created as may not be inconsistent with the purposes of sections 197.13 to 197.17; the commissioner of veterans affairs may delegate such duties to the board of governors as he sees fit.

Sec. 6. Minnesota Statutes 1967, Section 197.23, is amended to read:

197.23 May provide markers. The commissioner of veterans affairs shall, upon the petition of any five reputable freeholders of any township or municipality, or of any patriotic or ex-service men's organization, procure for and furnish to the petitioners some suitable and appropriate metal socket *and an appropriate marker* for the grave of each and every soldier, sailor, marine, or nurse who served with honor in the forces of the United States and who is buried within the limits of the state, to be placed on the grave of such soldier, sailor,

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marine, or nurse for the purpose of permanently marking and designating the grave for memorial purposes.

Sec. 7. Minnesota Statutes 1967, Section 197.447, is amended to read:

197.447 **Veteran, defined.** The word "veteran" as used in sections 196.02, 196.07, 197.20, 197.59, 197.601, 282.031, 282.032, and 306.03 means any person honorably discharged from the armed forces of the United States who served in the Civil War, Spanish American War, Philippine Insurrection, China Relief Expedition, World War I between April 6, 1917 and November 11, 1918, both dates inclusive, on or after December 7, 1941 until final cessation of all hostilities as determined by the proper state authorities in order to give recognition for service performed in the following hostile actions: World War II, Korean conflict, Lebanon crisis, Berlin crisis, Quemoy and Matsu, Taiwan Straits, Cuban crisis, the Congo, Laos, the Dominican Republic and Vietnam, and to include service therein but not to exclude persons who did not have service in those areas. The word "veteran" does not include a person enlisted and accepted for active training only for a period of six months or less.

Sec. 8. Minnesota Statutes 1967, Section 197.58, is amended to read:

197.58 **State to provide space for veteran organizations.** The commissioner of administration shall set apart ~~a suitably furnished room in the state capitol, or other state office building~~ *space in the state veterans service building*, for the use of each of the following veteran organizations: ~~the grand army of the republic; the united Spanish war veterans; the veterans of foreign wars of the United States; and the disabled American veterans of the world war; the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries,~~ *the grand army of the republic; the united Spanish war veterans; the veterans of foreign wars of the United States; and the disabled American veterans of the world war; the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries,* incorporated, or when incorporated, under the laws of the state. Such ~~room~~ *space* shall be under the charge of the Minnesota state commander of the department of Minnesota of the veteran organization assigned thereto, and such person as he may in writing designate, and shall be used for the purpose of keeping therein records, archives, trophies, supplies, and other veteran property of the organization and as its general headquarters office for the department of Minnesota.

Sec. 9. Minnesota Statutes 1967, Section 197.75, Subdivision 1, is amended to read:

197.75 **Expenditures, limitation.** Subdivision 1. ~~Of the~~
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amount appropriated by section 197.73, not more than the sum of \$1,250,000 shall be expended by the commissioner of veterans affairs. *The commissioner of veterans affairs shall spend a biennial appropriation* for tuition of soldiers, and for tuition, fees, board, room, books and supplies of the children of soldiers who have died as a result of their service in the military or naval forces of the United States as determined by the United States Veterans Administration or other instrumentality of the United States, in the University of Minnesota, a state college, a junior college, or any other college of higher learning within the state accredited by the North Central Association of Colleges and Secondary Schools, a law college approved by the supreme court, a nursing school approved by the state nurses examining board, or in a trade school in the state which may be approved by the state department of education, or in a theological seminary, for any course which such soldier or child may elect. Not more than \$250, less such amount as may have been granted such soldier under section 197.74, shall be expended for the benefit of any individual soldier, and not more than \$250 in any calendar year shall be expended for the benefit of any child under this section, and that need therefor shall be established and determined by the commissioner of veterans affairs. No child of any soldier shall make application for the benefits provided herein unless such child shall have resided in Minnesota for at least two years immediately prior to the date of said application. Children of soldiers eligible for benefits hereunder shall be admitted to state institutions of college grade free of tuition. Payments of tuition as provided for herein shall be made by the commissioner of veterans affairs directly to the institution in which the course of instruction is given upon such conditions as shall be imposed by the commissioner of veterans affairs.

Sec. 10. Minnesota Statutes 1967, Section 197.75, Subdivision 4, is amended to read:

Subd. 4. Each such institution shall make triplicate lists of such applicants, showing the name of each applicant, ~~the unit of such armed forces in which the applicant or the parent of the applicant served,~~ the course selected, and the charge for tuition for such course which shall be not more than the regular charge, and file the same with the commissioner of veterans affairs, who shall check such lists with such records as are on file in his office or as can be procured from reliable sources; the commissioner of veterans affairs shall thereupon certify to such institution the names of the applicants on such lists who are eligible for the benefits provided for in sections 197.71 to 197.77. At the end of each semester or term, each institution shall certify one of such lists certified to such institution by the commissioner of veterans affairs, showing the period each student listed there-

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on has attended and the proportion and amount of tuition applicable to such semester or term, and file the same with the commissioner of veterans affairs; who shall check such list and, if correct, authorize payment of the amounts due thereon in the manner provided by law.

Sec. 11. Minnesota Statutes 1967, Section 306.03, is amended to read:

306.03 **Actuary; records; reports; veterans.** Every such corporation, in addition to its ordinary corporate officers, shall annually appoint an actuary, or provide by its bylaws that its secretary shall perform the duties of such office. The actuary shall keep a register of burials, in which he shall enter the date of burial or cremation, the name, age, sex, nativity, and cause of death of every person interred as cremated in such cemetery, so far as such facts can be ascertained from the friends, attending physician, or undertaker in charge, and in case of a pauper, stranger, or criminal, from the public official directing the burial. Such record shall be open to public inspection, and the actuary shall furnish to the state board of health and to local health officers, when so requested, an accurate summary of such record during any specified year. ~~He shall report to the commissioner of veterans affairs the burial of any person, who is a veteran as defined in section 197.447, stating the name of such deceased veteran and the location of his grave in the cemetery by lot number.~~

Sec. 12. *Minnesota Statutes 1967, Sections 196.09, 196.12, 196.13, 196.16, 197.20, 197.21, 197.211, 197.22, 197.24, 197.53, 197.71, 197.72, 197.73, 197.74, 197.751, 197.76, and 197.77 are repealed.*

Approved May 6, 1969.

CHAPTER 276—H. F. No. 400

[Coded]

An act relating to workmen's compensation; changing the title referee to compensation judge.

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

Section 1. [176.011] **Workmen's compensation; compensation judge.** [Subd. 7a.] The title referee as used in Minnesota Statutes, Chapter 176, relating to workmen's compensation is hereby changed to compensation judge.

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