

there shall be added to the tax an amount equal to five percent of such additional assessment.

Sec. 3. The provisions of this act shall be applicable to the taxable years beginning after December 31, 1972.

Approved April 2, 1973.

CHAPTER 78—S.F.No.3

An act relating to old age assistance; releasing claims and liens of the state; repealing Minnesota Statutes 1971, Section 256.26, Subdivisions 3 to 11.

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

Section 1. **OLD AGE ASSISTANCE; LIENS; RELEASE.** All liens and claims in favor of the state arising under Minnesota Statutes 1971, Section 256.26, Subdivisions 3 to 11, are hereby released, satisfied, and discharged.

Sec. 2. **REPEALER.** Minnesota Statutes 1971, Section 256.26, Subdivisions 3, 4, 5, 6, 7, 8, 9, 10, and 11, are repealed.

Sec. 3. This act shall be effective upon final enactment.

Approved April 11, 1973.

CHAPTER 79—H.F.No.224

An act relating to witnesses; prohibiting disclosure by chiropractors of certain information obtained in a professional capacity; amending Minnesota Statutes 1971, Section 595.02.

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

Section 1. Minnesota Statutes 1971, Section 595.02, is amended to read:

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

595.02 CHIROPRACTORS; PRIVILEGED COMMUNICATIONS. Every person of sufficient understanding, including a party, may testify in any action or proceeding, civil or criminal, in court or before any person who has authority to receive evidence, except as follows:

(1) A husband cannot be examined for or against his wife without her consent, nor a wife for or against her husband without his consent, nor can either, during the marriage or afterwards, without the consent of the other, be examined as to any communication made by one to the other during the marriage. This exception does not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other or against a child of either, nor to a criminal action or proceeding in which one is charged with homicide or an attempt to commit homicide and the date of the marriage of the defendant is subsequent to the date of the offense, nor to an action or proceeding for non-support, neglect, dependency, or termination of parental rights;

(2) An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional duty; nor can any employee of such attorney be examined as to such communication or advice, without the client's consent;

(3) A clergyman or other minister of any religion shall not, without the consent of the party making the confession, be allowed to disclose a confession made to him in his professional character, in the course of discipline enjoined by the rules or practice of the religious body to which he belongs; nor shall a clergyman or other minister of any religion be examined as to any communication made to him by any person seeking religious or spiritual advice, aid, or comfort or his advice given thereon in the course of his professional character, without the consent of such person;

(4) A licensed physician or surgeon, ~~or~~ dentist, or chiropractor shall not, without the consent of his patient, be allowed to disclose any information or any opinion based thereon which he acquired in attending the patient in a professional capacity, and which was necessary to enable him to act in that capacity; after the decease of such patient, in an action to recover insurance benefits, where the insurance has been in existence two years or more, the beneficiaries shall be deemed to be the personal representatives of such deceased person *for the purpose of waiving the privilege hereinbefore created*, and no oral or written waiver of the privilege hereinbefore created shall have any binding force or effect except that the same be made upon the trial or examination where the evidence is offered or received;

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(5) A public officer shall not be allowed to disclose communications made to him in official confidence when the public interest would suffer by the disclosure;

(6) Persons of unsound mind; persons intoxicated at the time of their production for examination, and children under ten years of age, who appear incapable of receiving just impressions of the facts respecting which they are examined, or of relating them truly, are not competent witnesses.

Approved April 11, 1973.

CHAPTER 80—H.F.No.341

An act relating to highway traffic regulations; school bus inspections; amending Minnesota Statutes 1971, Section 169.451.

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

Section 1. Minnesota Statutes 1971, Section 169.451, is amended to read:

169.451 HIGHWAY TRAFFIC REGULATIONS; SCHOOL BUS INSPECTION. Subdivision 1. The Minnesota highway patrol shall inspect every school bus at least ~~once each school year~~ semiannually to ascertain whether its construction, design, equipment, and color comply with all provisions of law.

Subd. 2. No person shall drive, or no owner shall knowingly permit or cause to be driven, any school bus unless there is displayed thereon a certificate issued by the commissioner of public safety stating that on a certain date, which shall be within ~~13~~ seven months of the date of operation, a member of the Minnesota highway patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color. The commissioner of public safety shall provide by rule or regulation for the issuance and display of distinctive inspection certificates.

Approved April 11, 1973.

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